

# **PART 306 - COMPETITION REQUIREMENTS**

Authority: 5 U.S.C. 301; 40 U.S.C. 121(c)(2).

Source: 80 FR 72151, Nov. 18, 2015, unless otherwise noted.

## Subpart 306.2 - Full and Open Competition After Exclusion of Sources

306.202 Establishing or maintaining alternative sources.

## Subpart 306.3 - Other Than Full and Open Competition

306.302 Circumstances permitting other than full and open competition.

306.302-1 Only one responsible source and no other supplies or services will satisfy agency requirements. See FAR 6.302-1.

## Subpart 306.5 - Competition Advocates

306.501 Requirement.

**Parent topic:** SUBCHAPTER B - COMPETITION AND ACQUISITION PLANNING

## **Subpart 306.2 - Full and Open Competition After Exclusion of Sources**

### **306.202 Establishing or maintaining alternative sources.**

(a) The Senior Procurement Executive (SPE) shall make the determination required in Federal Acquisition Regulation (FAR) 6.202(a).

(b)

(1) The contracting officer shall prepare the required determination and findings (D&F), see FAR 6.202(b)(1), based on the data provided by program personnel. The appropriate Competition Advocate (CA) (non-delegable) shall sign the D&F, indicating concurrence. The final determination will be made by the SPE.

## **Subpart 306.3 - Other Than Full and Open Competition**

### **306.302 Circumstances permitting other than full and open competition.**

**306.302-1 Only one responsible source and no other supplies or services will satisfy agency requirements. See FAR 6.302-1.**

For acquisitions covered by 42 U.S.C. 247d-6a(b)(2)(A), “available from only one responsible source” shall be deemed to mean “available from only one responsible source or only from a limited number of responsible sources”.

## **Subpart 306.5 - Competition Advocates**

### **306.501 Requirement.**

The Department Competition Advocate for Health and Human Services is located in the Division of Acquisition.