

## 6.303-2 Content.

(a) Each justification *shall* contain sufficient facts and rationale to justify the use of the specific authority cited.

(b) As a minimum, each justification, except those for sole-source 8(a) contracts over \$25 million (see paragraph (d) of this section), *shall* include the following information:

(1) Identification of the agency and the *contracting activity*, and specific identification of the document as a "Justification for other than *full and open competition*."

(2) Nature and/or description of the action being approved.

(3) A description of the *supplies* or services required to meet the agency's needs (including the estimated value).

(4) An identification of the statutory authority permitting other than *full and open competition*.

(5) A demonstration that the proposed contractor's unique qualifications or the nature of the *acquisition* requires use of the authority cited.

(6) A description of efforts made to ensure that *offers* are solicited from as many potential sources as is practicable, including whether a notice was or will be publicized as required by [subpart 5.2](#) and, if not, which exception under [5.202](#) applies.

(7) A determination by the *contracting officer* that the anticipated cost to the Government will be fair and reasonable.

(8) A description of the *market research* conducted (see [part 10](#)) and the results or a statement of the reason *market research* was not conducted.

(9) Any other facts supporting the use of other than *full and open competition*, such as:

(i) Explanation of why *technical data* packages, specifications, engineering descriptions, statements of work, or purchase descriptions suitable for *full and open competition* have not been developed or are not available.

(ii) When [6.302-1](#) is cited for follow-on *acquisitions* as described in [6.302-1\(a\)\(2\)\(ii\)](#), an estimate of the cost to the Government that would be duplicated and how the estimate was derived.

(iii) When [6.302-2](#) is cited, data, estimated cost, or other rationale as to the extent and nature of the harm to the Government.

(10) A listing of the sources, if any, that expressed, *in writing*, an interest in the *acquisition*.

(11) A statement of the actions, if any, the agency *may* take to remove or overcome any barriers to competition before any subsequent *acquisition* for the *supplies* or services required.

(12) *Contracting officer* certification that the justification is accurate and complete to the best of the *contracting officer's* knowledge and belief.

(c) Each justification *shall* include evidence that any supporting data that is the responsibility of

technical or requirements personnel (*e.g.*, verifying the Government's minimum needs or schedule requirements or other rationale for other than *full and open competition*) and which form a basis for the justification have been certified as complete and accurate by the technical or requirements personnel.

(d) As a minimum, each justification for a sole-source 8(a) contract over \$25 million *shall* include the following information:

(1) A description of the needs of the agency concerned for the matters covered by the contract.

(2) A specification of the statutory provision providing the exception from the requirement to use competitive procedures in entering into the contract (see [19.805-1](#)).

(3) A determination that the use of a sole-source contract is in the best interest of the agency concerned.

(4) A determination that the anticipated cost of the contract will be fair and reasonable.

(5) Such other matters as the *head of the agency* concerned *shall* specify for purposes of this section.

**Parent topic:** [6.303 Justifications](#).