U.S. DEPARTMENT OF COMMERCE FORM CD-492 (REV. 9-96) LF

	JUSTIFICATION FOR	R OTHER THAN FU	LL AND OPEN COMP	ETITION		
I reco	ommend that the Department of Comn	nerce negotiate only with				
		_	(Proposed Contractor(s))			
for						
		(Description of Supplies	or Services)			
Requ	uisition No.	Cost Estimate	\$			
			(Include basic contract period and all costs)	options or total systems life		
Requesting Activity		Contra	Contracting Activity			
he req	open competition. quisitioner further certifies that the attached onale used to justify other than full and operationer (Name and Title)	-	Phone No.	schedule requirements and  Date		
Before i Procedi Ustifica Pegitima	rocurement request authorizing official, w requesting this acquisition, state the statu ures in the following blanktion to this form. In accordance with FAR ately lead to the use of the specific authorition of the action being approved and a december of the specific authorition of the action being approved and a december of the specific authorition of the action being approved and a december of the specific authorities.	tory authority for conducting this  Subpart 6.3, the narrative justif ty for other than full and open co	acquisition under "other than full ar (use only one statutory authority). A ication must include the facts neces mpetition; including adequate inforr	nd open competition" Also provide a narrative sary to reasonably and mation on the nature and/or		
-	Use of this form is optional when: (1) the and contracting officer and is approved \$100,000 are used in which case the s	ne justification contains all informat the appropriate levels; or (2) s	ation required by FAR 6.303-2, is complified acquisition procedures for	ertified by the requisitioner acquisitions not exceeding		

### STATUTORY AUTHORITY

#### 41 USC 253(c)(1) - Only one responsible source

The supplies or services required by the agency are available from only one responsible source and no other type of supplies or services will satisfy agency requirements.

## 41 USC 253(c)(2) - Unusual & compelling urgency

The agency's need for the supplies or services is of such an unusual and compelling urgency that the government would be seriously injured unless the agency is permitted to limit the number of sources from which it solicits bids or proposals. (NOTE: This authority will not be approved if it is determined that the urgency is due to a lack of advance planning by the requiring activity. Solicitation from as many potential sources as is practicable under the circumstances is required.)

## 41 USC 253(c)(3) - Industrial mobilization; or engineering, developmental, or research capability; or expert services

It is necessary to award the contract to a particular source or sources in order (a) to maintain a facility, producer, manufacturer, or other supplier available for furnishing supplies or services in case of a national emergency, or to achieve industrial mobilization, or (b) to establish or maintain an essential engineering, research, or development capability to be provided by an educational or other nonprofit institution or a federally funded research and development center or (c) to acquire the services of an expert for any current or anticipated litigation or dispute.

# 41 USC 253(c)(4) - International agreement

The terms of an international agreement or a treaty between the United States and a foreign government or international organization, or the written directions of a foreign government reimbursing the agency for the cost of the acquisition of the supplies or services for such government, have the effect of requiring the use of procedures other then competitive procedures.

## 41 USC 253(c)(5) - Authorized or required by statute

A statute expressly authorizes or requires that the acquisition be made through another agency or from a specified source, or the agency's need is for a brand-name commercial item for authorized resale.

The disclosure of the agency's needs would compromise the national security unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

#### 41 USC 253(c)(7) - Public interest

The agency head (Secretary of Commerce) determines that it is not in the public interest to use full and open competition in the particular acquisition concerned, and notifies Congress in writing of such determination not less than 30 days before award of the contract.

APPROVAL REQUIREMENTS  Contracting Officer - Not exceeding \$500,000:						
Contracting Activity Competition Advocate - Over Contracting Activity Competition Advocate & Title	_	ling \$10 million:	Date			
Somracting Activity Competition Advocate & Title	Signature	Filone No.	Date			
		I				
Head of Contracting Activity (HCA) or HCA Design	nee - Over \$10 million but	t not exceeding \$50 million:				
Head of Contracting Activity/HCA Designee & Titl	e Signature	Phone No.	Date			
Procurement Executive - Over \$50 million:	Signatura	Phone No.	Date			
Procurement Executive & Title	Signature	Phone No.	Date			