

**Memorandum for Record – Limiting Competition at or below the Simplified  
Acquisition Threshold**

**1. Contracting Activity: NGND-PFO-P&C**

**2. Description of Action:**

Nature: ☐ New Requirement ☐ Follow-on Requirement

Contract Vehicle: ☐ Purchase Order Number \_\_\_\_\_  
☐ Blanket Purchase Agreement (BPA) Number \_\_\_\_\_  
☐ Order/BPA# \_\_\_\_\_ against FSS Contract # \_\_\_\_\_  
☐ Order # \_\_\_\_\_ against Multiple Award IDIQ Contract  
Name or # \_\_\_\_\_  
☐ Order # \_\_\_\_\_ against a single award IDC Contract  
# \_\_\_\_\_  
☐ Modification # \_\_\_\_\_ to existing PO/TO/DO/Call Order  
# \_\_\_\_\_

Pricing/Contract Type: ☐ Fixed Price ☐ Time & Materials/Labor Hours ☐  
Cost Reimbursable ☐ Hybrid *(insert percentage of each contract type)*

Funds: ☐ Operations & Maintenance, Army (OMA) ☐ Other Funds: \_\_\_\_\_  
FY: \_\_\_\_\_

Name of Proposed Contractor(s) and Address:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Brand Name Buy: ☐ Yes ☐ No

**3. Description of Services or Supplies:** *In layman's terms, briefly describe the services or supplies to be provided, including make & model number where appropriate. Include quantities of supplies or period of performance for services. Provide information for any options included. Include the total estimated value of the proposed action. If the action is a modification to an existing purchase order, distinguish clearly between the work covered by the basic order and the work to be obtained by the proposed modification. Do not use abbreviations.*

*For All Actions At or Below the Simplified Acquisition Threshold  
Use for FAR Part 8, FAR Subpart 13.1, or FAR Part 16, Including Brand Name  
Remove or Replace Text*

Control No:

*Include quantities of supplies or provide the period of performance for services. Ensure all CLINs and associated estimates are accounted for in the appropriate year and total value.*

*For Actions without Options:*

Period of Performance: \_\_\_\_\_ to \_\_\_\_\_ or *(insert completion date)*  
Total Value: \$ \_\_\_\_\_

*For Actions with Options\*:*

Base Period:	_____ to _____	or <i>(insert completion date)</i>	Value: \$ _____
Option Period 1:	_____ to _____	or <i>(insert completion date)</i>	Value: \$ _____
Option Period 2:	_____ to _____	or <i>(insert completion date)</i>	Value: \$ _____
Option Period 3:	_____ to _____	or <i>(insert completion date)</i>	Value: \$ _____
Option Period 4:	_____ to _____	or <i>(insert completion date)</i>	Value: \$ _____
Option Period 5:	_____ to _____	or <i>(insert completion date)</i>	Value: \$ _____
FAR Clause 52.217-8 option:	_____ to _____	or <i>(insert completion date)</i>	Value: \$ _____
			Total: \$ _____

*\*Note: Option quantities or performance periods are typically not allowed in J&As citing Urgency. The total period of performance of a contract awarded using this authority may not exceed the time necessary to meet the requirements of the work to be performed and for the agency to enter into another contract for the required goods or services through the use of competitive procedures.*

**4. Authority:** *Select the appropriate authority below:*

☐ FAR 13.106-1(b)(1): For purchases not exceeding the simplified acquisition threshold (SAT), only one source reasonably available, urgency, exclusive licensing agreements, brand name, or industrial mobilization.

Or

- ☐ FAR 8.405-6(a)(1)(i)(B) and 8.405-6(b)(1) Brand Name
- ☐ FAR 8.405-6(a)(1)(i)(A) Urgency
- ☐ FAR 8.405-6(a)(1)(i)(B) Only One Source is Capable
- ☐ FAR 8.405-6(a)(1)(i)(C) Logical Follow-on

Or

- ☐ FAR 16.505(b)(2)(i)(B) Only One Awardee is Capable
- ☐ FAR 16.505(a)(4) Brand Name
- ☐ FAR 16.505(b)(2)(i)(A) Urgency
- ☐ FAR 16.505(b)(2)(i)(C) Logical Follow-on

☐ FAR 16.505(b)(2)(i)(D) Minimum Guarantee

**5. Reasons for Authority Cited:**

*a. Explain why the intended Contractor is the only reasonable source who can provide the required supplies or services. Discuss the unique capabilities, expertise, etc. that support the lack of competition.*

*b. For a brand name restriction - brand name specifications shall not be used unless the particular brand name, product, or feature is essential to the Government's requirements. Explain why the brand specified is the only brand that will meet the Government's needs.*

*c. Describe the detrimental effects/serious injury to the mission of the requiring activity or to the Government, financial or otherwise, that will result if this justification is not approved and the product or service cannot be provided by the intended sole source Contractor.*

**6. Publicizing Contract Actions:** For FAR Part 13 actions, the public display and synopsis requirements of FAR 5.101 and FAR 5.203 ☐ do not apply due to the \$ threshold, ☐ apply and will be followed, or ☐ do not apply due to an exception at 5.202 \_\_\_\_\_. *(Fill in exception).*

Requirement to post justification in accordance with FAR 8.405-6(b)(3), FAR 13.105(c), or FAR 16.505(a)(4)(iii)(A)

☐ Action is NOT a brand name restriction and is under \$150K, no posting required

☐ Action is a brand name restriction, under \$25K, no posting required

☐ Action is a brand name restriction, over \$25K. It will be redacted and posted with the solicitation.

☐ Action is a brand name restriction over \$25K but will not be posted due to exception:

- ☐ FAR 6.305(f)
- ☐ FAR 8.405-6(b)(3)(iii)(A)
- ☐ FAR 8.405-6(b)(3)(iii)(B)
- ☐ FAR 8.405-6(b)(3)(iii)(C)
- ☐ FAR 16.505(a)(4)(iii)(C)

Control No:

*companies' similar products, or products lacking the particular feature specified, do not meet, or cannot be modified to meet, the agency's needs.*

**7. Market Research** *Describe the type, extent of the market research conducted to identify all qualified sources and the results thereof. In accordance with AFARS 5110.002, market research must be meaningful, complete, and current. Provide the timeframe in which market research was completed and who compiled the data. If the requirement is a brand name specification, market research must support that other*

**8. Other Facts:** *Discuss any other facts which support the use of a sole source for this effort. Include the procurement history of the item/service. If this is a modification, include whether or not the contract award was competitive or not.*

**9. Technical/Requirements Certification:** I certify that the supporting data under my cognizance which are included in the justification are accurate and complete to the best of my knowledge and belief.

Typed Name: \_\_\_\_\_

Date: \_\_\_\_\_

Title: \_\_\_\_\_

Signature: \_\_\_\_\_

**10. Contracting Officer Certification/Approval:** *This certification should be made by the Contracting Officer who will sign the contract resulting from this justification memorandum.*

I hereby determine that the anticipated cost or price to the Government for this contract action will be fair and reasonable based upon *(describe technique to be used, e.g. price analysis, cost analysis, etc.)*. Competition

I certify that this justification is accurate and complete to the best of my knowledge and belief, and that completing this purchase as a sole source is in the best interest of the Government. Additionally, I approve this justification to limit competition subject to the availability of funds and provided that the services or supplies herein described have otherwise been authorized for acquisition.

Typed Name: \_\_\_\_\_

Date: \_\_\_\_\_

Title: \_\_\_\_\_

Signature: \_\_\_\_\_