5806.303-1 Requirements

(c) The Technical and Requirement certification may be accomplished by the same certifying official on the OTFAOC Justification.

(S-90) The requirements office, in close coordination with the contracting officer, shall develop the Justification for OTFAOC using the required format located in DARS PGI 5806.303-1(S-90). Templates are updated periodically, therefore a new template must be used for each new J&A.

(S-91) The approval level shall be determined by the estimated total value of the class. For each acquisition covered by a Class J&A, the contract file must include a copy of the Class J&A with signature page, or a statement referring to its location. Only one statutory and associated regulatory authority is permissible to support a Class J&A.

(S-92) Class J&As: Legal Counsel review/coordination is required on all Justifications for OTFAOC over $750K prior to approval by the approving official. The contracting officer can request legal review for justifications at $750K or below. Procedures for signatures and approvals are located at DARS PGI 5806.303-1(S-90)(b).

Legal reviews will be conducted within four (4) business days. PACA/ACA reviews will be conducted within three (3) business days.

(S-93) An amendment to an approved J&A is required if, prior to award of the contract, the approved J&A contents change in any of the following areas:

(1) The dollar value changes (increases) prior to award but remains within the original approving official approval level;

(2) The dollar value of the prospective contract results in a change of the approving official;

(3) The competitive strategy; or,

(4) Requirements that affect the basis for the justification.

If paragraph (1) applies, a new signature page will be routed to the approving official. If paragraphs (2), (3) or (4) apply, a new signature page will be routed in accordance with (S-92).

(S-94) A modification to an approved J&A is required if, after the award of the contract, the value of the contract will increase above the value of the J&A.

The approving official for a modification to an approved J&A shall be based on the value of the modification alone, except if processed within six (6) months of an awarded contract action, which shall then be the cumulative dollar amount.

If the cumulative value requires a higher approving official’s signature, a new signature page will be routed through the initial approving official to the new approving official.

(S-95) Determining contract value.

Proposed out-of-scope contract modifications and new task/delivery orders require a new OTFAOC J&A. The estimated value of the proposed out-of-scope contract modification or new task/delivery

order J&A shall be based on the value of the modification or new task/delivery order requirement alone, and not a cumulative contract value, except if processed within six (6) months of an awarded contract action, which shall then be the cumulative dollar amount.

If the cumulative value requires a higher approving official's signature, a new signature page will be routed through the initial approving official to the new approving official.

Parent topic: SUBPART 5806.3 – OTHER THAN FULL AND OPEN COMPETITION