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.