PART 2806—COMPETITION REQUIREMENTS

Authority: 28 U.S.C. 510; 40 U.S.C. 486(c); 28 CFR 0.75(j) and 0.76(j).

Source: 87 FR 47118, Aug. 2, 2022, unless otherwise noted.

Subpart 2806.2—Full and Open Competition After Exclusion of Sources

2806.202 Establishing or maintaining alternative sources.

Subpart 2806.3—Other Than Full and Open Competition

2806.304 Approval of the justification.

Subpart 2806.5—Advocates for Competition

2806.501 Requirement.

Parent topic: SUBCHAPTER B—COMPETITION AND ACQUISITION PLANNING

Subpart 2806.2—Full and Open Competition After Exclusion of Sources

2806.202 Establishing or maintaining alternative sources.

The HCA or designee is the agency head for the purposes of FAR 6.202.

Subpart 2806.3—Other Than Full and Open Competition

2806.304 Approval of the justification.

(a) Justifications for contract actions over the contracting officer's approval dollar threshold shall be submitted to the BPC for concurrence before being forwarded to the bureau Competition Advocate for approval.

(b) Justifications requiring approval by the HCA, or a designee, shall be submitted to the {i} BPC and {ii} bureau Competition Advocate for concurrence before being forwarded to the HCA or designee.

(c) Justifications requiring approval by the SPE shall be submitted to the {i} BPC, {ii} the bureau Competition Advocate, and {iii} the HCA for concurrence before being forwarded to the SPE for approval.

(d) A class justification shall be approved in accordance with established bureau procedures and FAR 6.304(c).

Subpart 2806.5—Advocates for Competition

2806.501 Requirement.

(a) The Director, Office of Acquisition Management (OAM), Justice Management Division (JMD), is designated as the DOJ Competition Advocate.

(b) The HCA or designee for each bureau will appoint an official to be the bureau Competition Advocate. The bureau Competition Advocate shall be vested with the overall responsibility for competition activities within his or her bureau. The delegated bureau Competition Advocate must be at or above the level of the BPC organizationally.