6.301 Policy.

(a) 41 U.S.C.3304 and 10 U.S.C. 3204 each authorize, under certain conditions, *contracting* without providing for *full and open competition*. The Department of Defense, Coast Guard, and National Aeronautics and Space Administration are subject to " 10 U.S.C. 3204. Other *executive agencies* are subject to 41 U.S.C. 3304. *Contracting* without providing for *full and open competition* or *full and open competition* after exclusion of sources is a violation of statute, unless permitted by one of the exceptions in 6.302.

(b) Each contract awarded without providing for *full and open competition shall* contain a reference to the specific authority under which it was so awarded. *Contracting officers shall* use the U.S. Code citation applicable to their agency. (See 6.302.)

(c) *Contracting* without providing for *full and open competition shall* not be justified on the basis of-

(1) A lack of advance planning by the requiring activity; or

(2) Concerns related to the amount of funds available (*e.g.,* funds will expire) to the agency or activity for the *acquisition* of *supplies* or services.

(d) When not providing for *full and open competition*, the *contracting officer shall* solicit *offers* from as many potential sources as is practicable under the circumstances.

(e) For contracts under this subpart, the *contracting officer shall* use the *contracting* procedures prescribed in 6.102(a) or (b), if appropriate, or any other procedures authorized by this regulation.

Parent topic: Subpart 6.3 - Other Than Full and Open Competition