

# CAR PART 1306—COMPETITION REQUIREMENTS

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**Authority:** 41 U.S.C. 414; 48 CFR 1.301-1.304.

**Source:** 75 FR 10570, Mar. 8, 2010, unless otherwise noted.

#### **Subpart 1306.2—Full and Open Competition After Exclusion of Sources**

##### **1306.202 Establishing or maintaining alternative sources.**

The authority to exclude a source from a contract action in order to establish or maintain an alternate source is set forth in CAM 1301.70

## **Subpart 1306.3—Other Than Full and Open Competition**

### **1306.302 Circumstances permitting other than full and open competition.**

#### **1306.302-5 Authorized or required by statute.**

In accordance with Executive Order 13457, a sole source acquisition may not be justified on the basis of any earmark included in any non-statutory source, except when otherwise required by law or when an earmark meets the criteria for funding set out in Executive Order 13457.

### **1306.303 Justifications.**

#### **1306.303-70 Documentation and legal review of justifications.**

The justification for providing for other than full and open competition in accordance with FAR [6.303-2](#) shall be provided on Form CD-492, *Justification for Other than Full and Open Competition*. If the estimated value of the procurement is over legal review thresholds, concurrence by the Procurement Counsel is required.

#### **1306.304 Approval of the justification.**

The designee authorized to approve justifications for other than full and open competition at the dollar thresholds in FAR [6.304](#) is set forth in CAM 1301.70.

## **Subpart 1306.5—Competition Advocates**

### **1306.501 Requirement.**

The designee authorized to designate a Competition Advocate for the Department and each procuring activity is set forth in CAM 1301.70.