

**Justification for Other than Full and Open Competition (JOFOC)  
8(a) Sole Source for Biodefense**

*Recommendation/Concurrence/Approval*

1. CONTRACT OR RFP NO.	2. MOD. NO.	3. CONTRACT TYPE <input type="checkbox"/> Cost <input type="checkbox"/> Fixed price	4. CONTRACT FORM <input type="checkbox"/> Completion <input type="checkbox"/> Level of effort
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5. BRIEF TITLE OF PROJECT

6. NAME OF PROPOSED CONTRACTOR (if known)	7. ORIGINATING IC	8. BUILDING/ROOM	
	9. PROJECT OFFICER (name)	10. PHONE NO.	
	11. CONTRACT SPECIALIST (name)	12. PHONE NO.	13. Bldg./Rm.

<b>14. Current Contract Action</b>		<b>15. Project History (if applicable)</b>	
a. Proposed Performance Period (dates)	a. Total Performance Period to Date	b. Total Program Amount to Date	
b. Estimated Funding	c. Date Project Started	d. Initial Award was by: <input type="checkbox"/> Competition <input type="checkbox"/> Other than Full and Open Competition	

This justification has been prepared under the authority of 41 U.S.C. 253 (c) \_\_\_\_\_ as set forth in FAR 6.302- \_\_\_\_\_ Approval is required prior to negotiating with proposed source. The following explanation is attached; Part I - Background information and Description of Acquisition, and Part II - Facts and Reasons to Justify Other than Full and Open Competition.

Certification in the Request for Contract, or by requisition attached to this document, indicates that funds are available for this acquisition, or if funding is not presently available but is anticipated, no award will be made until such funding is obtained.

An award will be made only if, during negotiations, it is shown that the anticipated cost to the Government will be fair and reasonable.

For the reasons explained in the attachment, the following officials consider this acquisition appropriate for negotiation with the contractor indicated above, using other than full and open competition, and do so recommend, concur, or approve.

By their signatures below, the Project Officer and the Contracting Officer also certify that, to the best of their knowledge and belief, the justification is accurate and complete. By signing below, the budget officer certifies that the funds to be used for this acquisition have been earmarked for biodefense-related activities.

Recommend/ Concur	Approve	Title	Typed Name	Signature	Date	Bldg./Room
<input type="checkbox"/>	<input type="checkbox"/>	Project Officer				
<input type="checkbox"/>	<input type="checkbox"/>	Project Officer's Immediate Supervisor				
<input type="checkbox"/>	<input type="checkbox"/>	IC Budget Officer				
<input type="checkbox"/>	<input type="checkbox"/>	Contracting Officer				
<input type="checkbox"/>	<input type="checkbox"/>	Branch/Section Chief				
<input type="checkbox"/>	<input type="checkbox"/>	Director, Office of Acquisitions				
<input type="checkbox"/>	<input type="checkbox"/>	IC Director (optional)				
<input type="checkbox"/>	<input type="checkbox"/>	Director, DAPE, OAMP, OA				6100/6C01
<input type="checkbox"/>	<input type="checkbox"/>	NIH SBO				6100/6D05
<input type="checkbox"/>	<input type="checkbox"/>	Director, OAMP, OA, HCA				6100/6D01
<input type="checkbox"/>	<input type="checkbox"/>	Senior Scientific Advisor for Extramural Research, OER, NIH; Competition Advocate for R&D				1/144
<input type="checkbox"/>	<input type="checkbox"/>	Executive Director, Office of Intramural Research, NIH; Competition Advocate for Non-R&D				1/160
<input type="checkbox"/>	<input type="checkbox"/>	Deputy Assistant Secretary for Acquisition Mgmt. & Policy				HHH/326E
<input type="checkbox"/>	<input type="checkbox"/>	Director, DAPE, OAMP, OA				6100/6C01

## Signature Levels Justification for Other Than Full and Open Competition

Select the cost range applicable and read down the chart to find which officials are to recommend, concur, or approve.

<b>Action</b>	From \$2,501 to \$550,000*	From \$550,001 to \$57,000,000	Above \$57,000,000
RECOMMEND	Project Officer	Project Officer	Project Officer
CONCUR	Project Officer's Immediate Supervisor	Project Officer's Immediate Supervisor	Project Officer's Immediate Supervisor
CONCUR	IC Budget Officer	IC Budget Officer	IC Budget Officer
CONCUR	N/A	Contracting Officer	Contracting Officer
CONCUR	Branch/Section Chief	Branch/Section Chief	Branch/Section Chief
CONCUR	N/A	Director, Office of Acquisitions	Director, Office of Acquisitions
CONCUR	N/A	IC Director (Optional)	IC Director (Optional)
CONCUR	N/A	Director, DAPE, OAMP	Director, DAPE, OAMP
CONCUR	N/A	Director, OAMP	Director, OAMP
CONCUR	N/A	R&D Competition Advocate or SS Competition Advocate, as appropriate	R&D Competition Advocate or SS Competition Advocate, as appropriate
APPROVE	Contracting Officer**	R&D Competition Advocate or SS Competition Advocate, as appropriate	Deputy Assistant Secretary for Acquisition Management & Policy

\* The Justification documentation shall conform to guidance in FAR part 13 for acquisitions at or below the simplified acquisition threshold (\$100,000). For acquisitions above the simplified acquisition threshold, the Justification documentation shall conform to guidance in FAR Part 6 and HHSAR 306.303.

\*\* The contracting officer has the authority to sign JOFOCs up to \$550,000 (FAR 6.304(a)(1)). However, each Director, Office of Acquisitions, may determine to retain some or all of this dollar approval authority at his/her level.

~ **NOTE: An authorized substitute may sign "for" the specified signatory in the event of the latter's absence, if authority has been appropriately delegated in writing.**

Following the concurrence, approval, or other action by the R&D Competition Advocate or the SS Competition Advocate, as appropriate, all JOFOCs come back to OAMP, which (1) returns them to the IC or (2) forwards them to the DASAMP for review and approval. DASAMP actions are sent back through the Director, OAMP, NIH, who returns them to originating ICs.