

Subpart 1306.3 - Other Than Full and Open Competition

Parent topic: [PART 1306 - COMPETITION REQUIREMENTS](#)

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.