*EXHIBIT 6*

**JUSTIFICATION FOR OTHER THAN**

**FULL AND OPEN COMPETITION**

SOURCING MEMORANDUM GUIDELINES FOR

GOVERNMENT CONTRACTS

The *Source Justification Memorandum* is a document written by the Project Manager (PM) or Buyer upon selection of a subcontractor or vendor through competition or other than full and open competitive procedures such as single or sole source methods. When competitive sourcing is not possible or practicable, the PM/Buyer should justify in writing the exception to the competition requirement. Technical and requirements personnel are responsible for providing and certifying as accurate and complete the necessary data to support their recommendations.

EACH JUSTIFICATION MEMO MUST INCLUDE THE FOLLOWING:

1. Document Title (e.g., Competitive, Single, or Sole source Justification)
2. Nature of the Action (e.g., to issue a subcontract to XYZ company)
3. Description of services/supplies required to meet agency’s needs
4. How this Subcontractor was chosen (competitive, single or sole Source)

THE SUBCONTRACTOR WAS CHOSEN ON A COMPETITIVE BASIS

Competition exists when:

1. Two or more responsible offerors, competing independently, submit price offers that satisfy the Government’s requirement and award is made to the offeror which represents the **best value** to **Ivyhill Technologies**.
2. Competition can also occur when there is a reasonable expectation, based on market research or other assessment, that two or more responsible offerors, competing independently would submit priced offers in response to solicitation’s requirement even though only one offer is received.
3. Proposed price for new subcontractor or vendor is determined to be reasonable when compared to original subcontractor/vendor’s price previously brought on through a competitive process.

If your subcontractor/vendor was chosen on a competitive basis, the source justification should include details to support one of the scenarios 1, 2 or 3 [Note: contact the Contract Administrator for guidance on items 2 and 3, above.].

THE SUBCONTRACTOR WAS CHOSEN ON A SINGLE/SOLE SOURCE BASIS

Single Source means one selected source in preference to others known to provide the same goods or services.

Customer/government directed acquisition means a situation wherein the customer/government identifies a supplier by name, in writing, as the source for goods and services.

Sole Source means the only source that can meet a specialized requirement.

Proprietary refers to one source that possesses proprietary rights (patent or copyright) essential to contract performance and when such rights are the principal basis for the noncompetitive award.

If the subcontractor was chosen on a single/sole source basis, include details to address the following:

1. There was only one responsible source and no other supplies or services will satisfy agency requirements.
2. Identify the authority for other than full and open competition:
   * Only responsible source available
   * Source submitted an unsolicited research proposal that demonstrates unique capability or concept/service not otherwise available
   * Follow-on contract for the continued development of a major system or highly specialized equipment
   * For DoD, NASA, and the Coast Guard, in the case of follow-on contracts for highly specialized services when it is likely that award to another source would result in a substantial duplication of cost to the Government and/or unacceptable delays in fulfilling agency requirements
   * The existence of limited rights in data, patent rights, copyrights, or secret processes available from only one source
   * Unusual or compelling urgency. In other words, the Government would be seriously injured unless this source was selected
   * Directed by the Government Contracting Officer, or required by Statute
   * The disclosure of the agency’s needs would compromise national security; and/or
3. Identify the condition where single and sole source buys are justified:
   * Customer/Government directed (must have a letter from the Customer/Government for our file)
   * Proprietary item
   * Economically justified (cost to qualify new source outweighs savings)
   * Delivery requirements (need to expedite)
   * Logistic costs (need because of location)
   * Proven source (follow-on to competitive bid)
   * Other justifiable reasons.
4. A demonstration that the proposed subcontractor/vendor’s unique qualifications or the nature of the acquisition requires use of the justification identified.

NOTE: Single/sole source memos must be issued, signed and dated by the customer prior to award of a subcontract (see attached).

[Remainder of Page Intentionally Left Blank]

Instructions: The sample memorandum below is to be used when composing a formal request for the services of a Single/Sole Source subcontractor. The format is also appropriate for requests to be awarded on a Competitive or Government-directed basis.

Note that the Customer’s signature on any such memorandum may/may not be required prior to issuing a subcontract. Therefore, regardless of the source justification type, the Contractor Administrator must first approve the content of the memorandum prior to providing a memorandum to a Customer for their approval.

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|  |
| --- |
| INTEROFFICE MEMORANDUM |

(SAMPLE)

|  |  |  |  |
| --- | --- | --- | --- |
| TO: | Contract Administrator | DATE: | [insert date] |
|  |  | | |
| FROM: | [insert PM name] | | |

|  |  |
| --- | --- |
| SUBJECT: | Single/Sole Source Justification for XYZ COMPANY  Contract No. [insert] (“Contract”)  Task Order No. [insert] (“Task Order”) |

This Memorandum shall serve as notice of a single/sole source justification for **Ivyhill Technologies** to issue a subcontract to XYZ COMPANY under the above-referenced contract. The Contract (and task order, if applicable) provides for [identify] support to the [identify] agency. At the request of the [identify customer and their title], XYZ COMPANY will assist [describe services].

The rationale for selecting XYZ COMPANY on a single/sole source basis is for reasons that the proposed personnel to staff the project possess highly specialized skills, professional experience, and unique qualifications in understanding the organizational complexities associated with [describe project]. Specifically, [insert more project services detail]. The staff assigned by the subcontractor have served in key leadership positions in the US Government and consulted for commercial enterprises in developing strategic plans and management strategies associated with [identify].

APPROVED:

|  |  |
| --- | --- |
| Ivyhill Technologies LLC  By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | [Customer]  By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| Title: \_Program Manager\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | Title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |