

TITLE: CIB 92-8 Class Justification for Other Than Full and Open Competition for Procurements by Missions Overseas of U.S. Manufactured Vehicles Pursuant to AIDAR 706.302-70 (b) (2)

March 20, 1992

U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT

MEMORANDUM FOR ALL CONTRACTING OFFICERS AND NEGOTIATORS

TO Distribution List D-14 (LL)

FROM AA/FA, John F. Owens, Procurement Executive

SUBJECT: Class Justification for Other Than Full and Open Competition for Procurements by Missions Overseas of U.S. Manufactured Vehicles Pursuant to AIDAR 706.302-70 (b) (2)

CONTRACT INFORMATION BULLETIN 92-8

Pursuant to 40 U.S.C. 474, section 706.302-70 of the AIDAR now provides an exception to other than full and open competition when foreign aid programs would be impaired. Overseas contracts of \$250,000 or less and contracts for personal services are specified in AIDAR 706.302-70 (b) as cases in which the requirement for full and open competition would impair foreign aid programs. In exercising these exceptions, two limitations must be observed by AID contracting officers: (1) offers are to be requested from as many potential offerors as is practicable under the circumstances and (2) a justification supporting less than full and open competition must be prepared in accordance with FAR 6.303.

We recognize that preparing individual justifications pursuant to FAR 6.303 for procurements of U.S. manufactured vehicles represents a significant burden to contracting officers. FAR 6.303-1(c) permits justifications supporting less than full and open competition to be made on a class basis. Given the number of contract actions involved and the similarity of the circumstances existing to support such justifications, a class justification has been prepared to relieve contracting officers of the considerable administrative burden in preparing separate justifications.

A copy Of the class justification is attached.

Please note:

- the justification applies only to procurements of U.S. manufactured vehicles pursuant to AIDAR 706.302-70 (b) (2);
- the conditions for use contained in Section II.A.; and
- the certification and file documentation requirements in Section II.B. of the class justification.

Attachment: Class justification.

CLASS JUSTIFICATION FOR USE OF OTHER THAN FULL AND OPEN COMPETITION FOR
PROCUREMENTS BY MISSIONS OVERSEAS OF U.S. MANUFACTURED VEHICLES
PURSUANT TO AIDAR 706.302-70 (b) (2)

I. General

This document is a class justification for other than full and open competition as authorized by Section 6.303-1(c) of the Federal Acquisition Regulation (FAR).

This class justification may be used in accordance with its terms by any AID contracting officer acting within the scope of his/her delegated authority.

This class justification is applicable to procurements valued at \$250,000 or less of U.S. manufactured vehicles awarded by an overseas contracting activity pursuant to AIDAR 706.302-70(b) (2), as authorized by 40 U.S.C. 474, provided the appropriate requirements in Section II of this class justification are followed.

It has been determined that requiring full and open competition for procurements valued at \$250,000 or less of U.S. manufactured vehicles by overseas contracting activities would impair AID's ability to meet the objectives of the foreign assistance program. Thus, Section 706.302-70(b) (2) of the AIDAR provides that such procurements may be exempted from the full and open competition requirements.

This class justification may be used to satisfy the requirements of AIDAR 706.302-70(c) (2) regarding preparation of justifications pursuant to FAR 6.303. It applies only to procurements of U.S. manufactured vehicles pursuant to AIDAR 706.302-70(b) (2).

II. Conditions for Use

A. Vehicle Standardization Plans

AID missions must have approved vehicle standardization plans from AID/W, FA/OMS. Refer to HB 23, Chapter 6, Section 6G.2., for guidance on the preparation and submission of vehicle standardization plans.

B. Certification, File Documentation

A copy of this class justification must be included in the contract/purchase order file, together with a written statement, signed by the contracting officer, that: the contract/purchase order is being awarded pursuant to AIDAR 706.302-70(b) (2), as applicable; that the conditions in Section II of this class justification have been met; and that the cost of the contract/purchase order is fair and reasonable.

III. Effective Date

This class justification is effective for the period from March 16, 1992 through December 31, 1994.

MAR 20 1992 Date

John F. Owens, AID Procurement Executive