

# NMCARS

## ANNEX 7 - SECTION 843 DETERMINATION & FINDING TEMPLATE

This annex contains the required template for the required Determination & Finding template for approval of requirements under Title 10, United States Code, Section 2304a(d)(1)(A).

DASN(AP) will print the D&F on the appropriate letterhead from the Word file submitted in accordance with NMCARS 5216.504.

When you *[CITE THE APPROPRIATE REASON FROM 10 USC 2304a(d)(3)(A-D)]* on the template, use one of the following:

10 USC 2304a(d)(3)(A) - The task or delivery orders expected under the contract are so integrally related that only a single source can reasonably perform the work;

10 USC 2304a(d)(3)(B) - The contract provides only for firm, fixed price task orders or delivery orders for-

(i) products for which unit prices are established in the contract; or

(ii) services for which prices are established in the contract for the specific tasks to be performed;

10 USC 2304a(d)(3)(C) - Only one source is qualified and capable of performing the work at a reasonable price to the government; or

10 USC 2304a(d)(3)(D) Because of exceptional circumstances, it is necessary in the public interest to award the contract to a single source.

### ***[DASN(AP) WILL PRINT ON THE APPROPRIATE LETTERHEAD]***

#### DETERMINATION AND FINDINGS

#### FOR AUTHORITY TO AWARD A SINGLE SOURCE TASK OR DELIVERY ORDER CONTRACT

In accordance with Title 10, United States Code, Section 2304a(d)(3), as amended, I as the *[INSERT AGENCY AND TITLE]* hereby make the following findings and determination concerning the award of a task or delivery order contract to a single source for *[INSERT BRIEF DESCRIPTION OF END ITEM OR PROGRAM]*.

#### FINDINGS

1) Under Title 10, United States Code, Section 2304a(d)(3), the Department of Defense may not award task or delivery order contracts exceeding \$112 million, inclusive of all options, to a single source, unless the head of the agency, as delegated, determines in writing that *[CITE THE APPROPRIATE REASON FROM 10 USC 2304a(d)(3)(A-D)]*.

(2) *[INSERT NATURE AND/OR DESCRIPTION OF THE ACTION BEING APPROVED. IF THE PREVIOUS EFFORT WAS OTHER THAN FULL AND OPEN COMPETITION, CITE THE CONTRACTOR, THE DOCUMENT TITLE AND NUMBER WHICH GRANTED APPROVAL AND THE AUTHORITY CITED THEREIN].*

(3) *[INSERT THE APPROPRIATE STATUTE AND/OR REGULATION UPON WHICH THE D&F IS BASED].*

(4) *[INSERT THE PARTICULAR CIRCUMSTANCES, FACTS, OR REASONING ESSENTIAL TO SUPPORT THIS DETERMINATION].*

(5) The anticipated contract amount exceeds \$112 million. *(Note, do NOT include specifics on the Government estimate as this document is releasable.)*

#### DETERMINATION

Based on the findings above and pursuant to the authority in Title 10, United States Code, Section 2304a(d)(3), I hereby determine that *[CITE THE APPROPRIATE REASON FROM 10 USC 2304a(d)(3)(A-D)]*. Therefore, approval is granted to award a single source task or delivery order contract for *[INSERT BRIEF DESCRIPTION OF END ITEM OR PROGRAM]*.

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*[INSERT NAME OF THE APPROVING OFFICIAL]* Date