

BRAND NAME REQUIREMENT JUSTIFICATION TEMPLATE

(For Simplified Acquisitions < \$150,000)

1. DESCRIPTION OF THE SUPPLIES/SERVICES REQUIRED

Provide a brief non-technical description of the supplies/services to be acquired. A brief non-technical description of those salient physical, functional and performance characteristics of the supplies/services to be acquired.

2. JUSTIFICATION FOR SOLICITING A BRAND NAME

Provide a clear/concise statement of the facts justifying the award of a brand name contract. For example:

(A) If the justification involves urgent and compelling circumstances, then the time constraint and the reason why only one brand can meet the requirement should be explained; and/or

(B) If the justification is the unique capabilities/supplies possessed by only one brand (ie proprietary rights), then state the reasons why no other brand has or can obtain these capabilities/supplies.

3. EFFORTS TO OBTAIN COMPETITION

Describe all efforts taken (or to be taken) to ensure offers are solicited from as many potential sources as practicable. Document efforts to obtain competition. For example, did market research identify any other brand(s) that can provide your required product or service or was a sources sought synopsis issued by contracting to try to find another source?

4. STEPS TO PRECLUDE FUTURE BRAND NAME AWARDS

Provide a statement of actions to be taken by the requiring activity to preclude the necessity for future brand name acquisition of the same supplies/services (e.g., conducting a market survey to determine potential future sources). (Market research is any effort undertaken to determine if sources capable of satisfying the agency's requirements exist and to determine if commercial items or non-developmental items are either available or can be modified so that they will satisfy the agency's needs. Market research should be focused not only on identifying alternate brands, but also on alternate equipment or substitutes that might fill the government needs with only minor modification. Regardless of the approach used, the results should provide a high level of confidence that no other qualified brands exist.)

5. OTHER FACTORS: Provide any other factors supporting the use of brand name, including an explanation of why technical data packages, specifications, engineering descriptions, statements of work, statements of objectives, or purchase descriptions suitable brand name have not been developed, are not being developed, are not being used, or are not available.

6. CONTRACTING OFFICER'S DETERMINATION

I have determined, in accordance with [FAR 13.106-1\(b\)\(1\)](#), that the circumstances of this contract action deem only a brand name is reasonably available.

(Commander's Signature)
(Duty Title)

1st Ind, 82 CONS/LGCA

The above justification is accurate and complete to the best of my knowledge and belief.

Contracting Officer
Date: _____