



1 JULY 1995

Acquisition

AIR FORCE COMPETITION ADVOCACY

COMPLIANCE WITH THIS PUBLICATION IS MANDATORY

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OPR: CVC (Col Walter P. Petrofski)
Supersedes AFR800-35AFSPC1, 31 May 89.

Certified by: CVC (Col Walter P. Petrofski)
Pages: 8
Distribution: F

AFI63-301, 27 July 1994, is supplemented as follows and establishes the Competition Advocate Program for Air Force Space Command (AFSPC), appoints competition advocates, designates approval authorities, and specifies processing procedures for required justifications. It applies to HQ AFSPC acquisitions except those made under Simplified Purchase Procedures (Federal Acquisition Regulation (FAR), part 13) and contracts awarded under the Small Business Administration 8(a) Program. Note: Additional requirements relating to this program are in the FAR, Subpart 6.5. Executive Order 12352, Presidential Memorandum of 11 August 1983, the Competition in Contracting Act (PL 98-369), and the Defense Procurement Reform Act (PL 98-525) require limiting noncompetitive procurements. All AFSPC commanders and competition advocates cooperate with the HQ AFSPC Competition Advocate to implement, support, monitor, and submit required data for the Competition Advocate Program. This supplement applies to HQ AFSPC and all subordinate units. It does not apply to Air National Guard nor Air Force Reserve units.

SUMMARY OF REVISIONS

This supplement includes the following revisions: requirements for appointment as AFSPC Competition Advocates in wings (para 1.7.2.3(Added)); tenant unit relationships (para 1.7.2.4(Added)); minor additions to responsibilities of AFSPC Competition Advocate (para 1.7.3.4(Added)); clarification of AFSPC Wings not being considered Subordinate Procuring Activities (para 1.7.4. Note); a section added delineating responsibilities of AFSPC Wing Competition Advocates (para 1.7.7(Added)); measures to expedite the completion of Justifications and Approval (J&A) documents (para 2.4(Added)); and minor changes in coordination requirements for J&As (Attachment 5(added)).

1.7.2.3. (Added) The commanders of the following organizations will appoint the Vice Commander (or equivalent) or any Group Commander (or equivalent) as the organization's Competition Advocate:

1.7.2.3.1. 21st Space Wing.

1.7.2.3.2. 30th Space Wing.

1.7.2.3.3. 45th Space Wing.

1.7.2.3.4. 50th Space Wing.

1.7.2.3.5. 90th Missile Wing.

1.7.2.3.6. 341st Missile Wing.

1.7.2.3.7. 750th Space Group

1.7.2.4. (Added) AFSPC units which are tenants on bases operated by other commands and using contracting organizations not assigned to AFSPC will comply with the Competition Advocate Programs of the host command. However, any services rendered by the HQ AFSPC Competition Advocate are available to the AFSPC units.

1.7.3.4. (Added) Maintain the following information programs to enhance competition:

1.7.3.4.1. Competition Advocate's Acquisition Board (CAAB) system--an electronic bulletin board system that allows contractors/interested parties/businesses to access acquisition information.

1.7.3.4.2. Contractor Marketeer Badge Program--authorizes contractors to obtain unescorted entry badges for access to various facilities in the Colorado Springs area. Each company is allowed two badges if it has frequent interface with AFSPC. Badges are valid for one year and allow escort privileges. All contractors must possess a secret clearance to obtain a badge.

1.7.3.5. (Added) Participate as an advisor as deemed appropriate in:

1.7.3.5.1. Acquisition Strategy Panels.

1.7.3.5.2. Statement of Work Review Panels.

1.7.3.5.3. Sources Sought development.

1.7.3.5.4. Coordination of Sources Sought Synopsis.

1.7.3.5.5. Solicitation Review Boards.

1.7.3.5.6. Technical Services Contract (TSC) Review Panels.

1.7.3.6. (Added) Develop procedures for approving J&As (Attachment 5(Added)).

1.7.4. Note : AFSPC organizations affected by this supplement are not considered Subordinate Procuring Activities. The responsibilities of the AFSPC Wing Competition Advocates are in paragraph 1.7.7(Added).

1.7.4.5. AFSPC Competition Management Officials Acquisition Value Authority is contained in attachment 5(Added).

1.7.5. Note : AFSPC organizations affected by this supplement are not considered Subordinate Procuring Activities. The responsibilities of AFSPC Competition Advocates are in paragraph 1.7.7(Added).

1.7.7. (Added) AFSPC Wing and Group Competition Advocates:

NOTE:

This paragraph applies to competition advocates of the 21 SW, 30 SW, 45 SW, 50 SW, 90 MW, and 341 MW.

1.7.7.1. Promote competition in all the organization's acquisition programs. Seek to improve the overall competitive performance by overcoming barriers to competition such as requirements, policies, procedures, and decisions that restrict competition.

1.7.7.2. Prevent competitive opportunities from being thwarted by:

1.7.7.2.1. Poor planning.

1.7.7.2.2. Unnecessarily restrictive or detailed need statements, purchase descriptions, qualification requirements, or specifications.

1.7.7.2.3. Inappropriate contractor markings or proprietary claims.

1.7.7.2.4. Unnecessary or excessive acceptance, first article, or production test requirements.

1.7.7.2.5. Failure to properly manage technical data.

1.7.7.3. Participate in developing acquisition strategies through the appropriate acquisition strategy panel process.

1.7.7.4. Identify organizational, policy, process, or procedural impediments to competition, and take or recommend appropriate corrective action. Maintain a tracking and follow-up program to remove impediments through progressively higher authority review and corrective action.

1.7.7.5. Coordination and approval process of J&As.

1.7.7.5.1. Wing competition advocates coordinate on J&As for other than full and open competition in accordance with Attachment 5 (Added).

1.7.7.5.2. Ensure J&As requiring higher levels of approval are forwarded to HQ AFSPC Competition Advocate (Attachment 5(Added)) with the correct level of coordination. *Note:* Contracting Officers are authorized to approve J&As for not more than \$100,000.

1.7.7.5.3. During J&A reviews, competition advocates ensure that:

1.7.7.5.3.1. Acquisition organizations consider and evaluate possible competitive alternatives before adopting a noncompetitive alternative.

1.7.7.5.3.2. Requesting organizations properly document J&As and obtain approval required by FAR Part 6 and the AFFARS.

1.7.7.5.3.3. Acquisition organizations make market research and survey activity a part of the acquisition process and adequately document findings (see AFI 63-301, Attachment 4 for market research guidance).

1.7.7.6. Promote source-development programs to identify and qualify potential sources through market research, surveys, and other methods.

1.7.7.6.1. Consider forwarding solicitations/synopsis for acquisitions exceeding \$100,000 to the HQ AFSPC Competition Advocate for insertion on the AFSPC CAAB system.

1.7.7.6.2. Advocate use of the AFSPC CAAB to invite one-on-one discussions between the acquiring agency and contractors. Notices should advise potential prime contractors of the requirement to submit a written request to the contracting officer for one-on-one discussions, indicating their intention to propose and specify issues to be addressed in the discussions.

1.7.7.7. Act as the Competition Ombudsman for contractor complaints and as the liaison between government and industry in investigating and eliminating barriers to competition.

1.7.7.8. Ensure the maximum level of competition is accomplished at the prime, subcontractor, and vendor levels.

1.7.7.9. Ensure that training of all personnel involved in the acquisition process enhances competition awareness.

1.7.7.10. Monitor and evaluate competition performance at least quarterly to compare the organization's competition rate with the competition goal.

1.7.7.11. Develop a wing competition plan.

1.7.7.11.1. Use the two part format of CCP for the wing competition plan (see AFI 63-301, Attachment 2); submit to the HQ AFSPC Competition Advocate Part I of the report NLT 20 Aug and Part II of the report NLT 20 Jan.

1.7.7.11.2. Attach to Part I of CCP a listing of all the organization contracts over \$1,000,000 (include Contract Number, Title, Dollar Value, Type Contract, Expiration Date)

1.7.7.12. Appoint an assistant Competition Advocate to serve as an interface with HQ AFSPC Competition Advocate.

1.7.7.13. Establish a procedure to forward all Sources Sought synopses for more than \$100,000 to the HQ AFSPC Competition Advocate for input on the CAAB system.

1.7.7.13.1. Transmit a facsimile of Sources Sought synopsis to the HQ AFSPC Competition Advocate (DSN 692-2466) or use the best available electronic means.

1.7.7.13.2. Other procurement documentation (draft or final RFPs or SOWs) can also be sent to HQ AFSPC Competition Advocate for input on the CAAB system if it would enhance the level of competition or assist the procurement process (contact the HQ AFSPC Competition Advocate Office (DSN 692-5325) to determine the best transmission method).

1.7.7.14. Notify HQ AFSPC Competition Advocate Office when a new organizational Competition Advocate or assistant is appointed.

2.4. (Added) Justification and Approval (J&A) Procedures. Prepare J&As for other than full and open competition in three parts (see attachment 5(Added)). J&As for values requiring HQ AFSPC approval will be sent to the HQ AFSPC Competition Advocate at the following address:

HQ AFSPC/CVC

150 Vandenberg St. Suite 1105

Peterson AFB, CO 80914-4030

2.4.1. (Added) To expedite the J&A process:

2.4.1.1. The organization's Competition Advocate or Assistant Competition Advocate will contact the HQ AFSPC Competition Advocate as soon as determination is made that a J&A requiring HQ AFSPC approval is needed.

2.4.1.2. When an organization completes a J&A, transmit a facsimile to the Command Competition Advocate.

A4.2.1.1.1. (Added) Transmit a facsimile of the Sources Sought Synopsis to the HQ AFSPC Competition Advocate (DSN 692-2466) or use the best available electronic means.

Attachment 5

JUSTIFICATION AND APPROVAL PROCEDURES (ADDED)

Table A5.1. Responsibilities Of AFSPC Competition Management Officials Action Authority By Acquisition Value.

COMPETITION OFFICIAL	NOT MORE THAN \$100,000	\$100,001 TO \$1,000,000	\$1,000,001 TO \$10,000,000	OVER \$10,000,000
Requiring Activity Proj Manager	JUSTIFY	JUSTIFY	JUSTIFY	JUSTIFY
Organization Judge Advocate	COORD	COORD	COORD	COORD
Organization Contracting Officer	APPROVE	CERTIFY	CERTIFY	CERTIFY
Organization Management Official*	-----	COORD	COORD	COORD
Organization Competition Advocate	INFO	COORD	COORD	COORD
Wing Commander	-----	-----	COORD	COORD
HQ AFSPC Judge Advocate	-----	COORD	COORD	COORD
HQ AFSPC Contracting Division	-----	COORD	COORD	COORD
HQ AFSPC Competition Advocate	-----	APPROVE	COORD	COORD
HQ AFSPC Vice Commander	-----	-----	APPROVE	REQUEST SAF APPROVAL

Notes:

1. Acquisition value includes the basic requirements and any priced options. If the acquisition value increases after J&A approval, but before award, and exceeds the value of the current approver, submit the J&A to the appropriate approval authority.
2. In determining the approval authority for J&As use the cumulative dollar value of previously approved J&As for the contract under consideration. For example, if a second J&A is required to further extend a contract, the approval authority for the second J&A is based on the price of the first J&A plus the price of the second J&A.
3. When a J&A requires HQ AFSPC approval, the requesting unit will include AF Form 1768, Staff Summary Sheet indicating all required coordination has been accomplished.

* Headquarters Director/Wing Logistics Group Commander

SAMPLE**NOTE:**

Use the format shown below for J&As.

**JUSTIFICATION AND APPROVAL (J&A)
FOR OTHER THAN FULL AND OPEN COMPETITION**

1. **Requiring and Contracting Activities.** Specify activity/organization requiring the item or service and the AFSPC contracting organization responsible for the acquisition (include Procuring Contracting Officer's name and phone number).
2. **Description of Acquisition.** Describe why approval is requested (for example, new contract, exercise of an unpriced option, or other modification). If a new contract, state what priced or unpriced options are proposed. Describe the contract type that is contemplated (specify the share and ceiling arrangement (if applicable)), and a description of the cost and schedule risk. If this is a sole source, specify the proposed contractor.
3. **Description of Requirement.** Describe required supplies, equipment, or services. Identify stock or part numbers. Otherwise, describe in terms of function or end performance. Include design specifications only when justified. Include the government estimate for the acquisition, including any priced options. Attach a copy of Commerce Business Daily Sources Sought Synopsis, if applicable.
4. **Statutory Authority.** Identify the statutory authority that permits use of other than full and open competition. Include the FAR 6.302 citation of that authority.
5. **Authority for Action.** Describe why this acquisition requires the use of the statutory authority cited. Demonstrate that this acquisition satisfies all conditions specified the FAR citation. If this is a sole source procurement, state why only the proposed contractor can provide the required supplies, equipment, or services.
6. **Market Survey.** Describe the market survey conducted to identify potential sources (see FAR 7.101). If no market survey was conducted, give the circumstances that prevented or precluded it. (It is virtually impossible to approve an "only responsible source" J&A if no market survey is conducted.) If the proposed action was not synopsized, include the specific authority relied upon and supporting facts and rationale.
7. **Other Facts.** (Optional--may be included in paragraph 5 above.) Tell why you must limit competition, such as:
 - 7.1. Why technical data packages, specifications, engineering descriptions, statements of work, or purchase descriptions suitable for full and open competition are not developed or available. If applicable, discuss the contractor's claim of proprietary data. Actions taken or planned to remedy the situation should be discussed.
 - 7.2.. The nature and extent of harm to the government if authority of FAR 6.302-2 is used for justification. If FAR 6.302-2 is used, answer these questions.
 - 7.2.1. Why is it needed?
 - 7.2.2. When is it needed?

7.2.3. What is the probable impact on the government if the supplies, equipment, or services are not provided by the required date?

7.2.4. Was the urgency created by some event and why is immediate corrective action required?

8. Reasons for Approval. (Optional--may be included in paragraph 5 above.) Examples of circumstances that may justify unusual and urgent authority are:

8.1. Essential supplies or services:

8.1.1. Ensure safety of human life or protect systems or equipment from operational hazards that could result in seriously restricted operations or unacceptable risk to personnel.

8.1.2. Degrade assigned operational missions (identify the mission).

8.2. Supplies or services needed at once because of man-made or natural disaster.

8.3.. Lack of supplies or services that would seriously affect the health, welfare, or morale of personnel.

8.4.. Need to improve delivery of supplies or equipment required in less than the normal lead time. In this case include a statement that premium costs were considered and are acceptable.

9. Source List. Identify the known sources of the required supplies, equipment, or services and any other potential sources that express an interest in the acquisition. If other contractors have expressed interest in the acquisition, explain why they cannot perform or are not expected to submit an offer.

10. Steps to Improve Competition. State what actions, if any, you can take to remove or overcome barriers to competition before reacquisition of the same supplies, equipment, or services. Indicate if this is a one-time acquisition.

11. Requiring Activity Certification. Certify that the data provided by the technical or requirements personnel (e.g. verifying the government's minimum needs or schedule requirements or other rationale for other than full and open competition) which form a basis for the justification are complete and accurate. This statement will be signed by the project manager and the organizational competition advocate

PART II:

CONTRACTING OFFICER CERTIFICATION

(Include the following statement and appropriate signature block)

THE UNDERSIGNED HAS DETERMINED THAT THE ANTICIPATED COST TO THE GOVERNMENT FOR THIS ACQUISITION WILL BE FAIR AND REASONABLE. FURTHER, I CERTIFY THAT THIS

JUSTIFICATION IS ACCURATE AND COMPLETE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

MARK G. ZORRO, Captain, USAF

Date:

Contracting Officer

(If approval of the J&A is within the Contracting Officer's authority Part II should be titled "CONTRACTING OFFICER APPROVAL" and the following sentence added after "...AND BELIEF.": I

HEREBY APPROVE THIS JUSTIFICATION FOR CONTRACTING BY USE OF OTHER THAN FULL AND OPEN COMPETITION.

Include the following sections, appropriately numbered, based on the value of the J&A.)

PART III:

ADDITIONAL APPROVAL RECOMMENDATION

(all J&As > \$1,000,000)

I RECOMMEND APPROVAL OF THIS JUSTIFICATION FOR CONTRACTING USING OTHER THAN FULL AND OPEN COMPETITION.

ROBERT F. FROST, Col, USAF
Command Competition Advocate

Date:

PART IV:

APPROVAL

(Include the following statement and appropriate signature block)

I HEREBY APPROVE THIS JUSTIFICATION FOR CONTRACTING BY USE OF OTHER THAN FULL AND OPEN COMPETITION.

signature block of:

Date:

HQ AFSPC Competition Advocate (\$100,001 to \$1,000,000)

HQ AFSPC Vice Commander (\$1,000,001 to \$10,000,000)

NOTE:

If the acquisition is more than \$10,000,000 the J&A requires approval by the Senior Procurement Executive of the Air Force. Do not include Part IV: Approval. HQ AFSPC/LGC will prepare a letter from HQ AFSPC Vice Commander to SAF AQC requesting approval.

WALTER P. PETROFSKI, Col, USAF
Command Competition Advocate