

### T3.2.2.4 - Single Source Added 10/2006

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#### **T3.2.2.4 - Single Source** Added 10/2006

#### **A Single Source Contracting** Added 10/2006

#### **1 Basis for Single Source** Revised 7/2023

(a) Single source procurement may be used when in the FAA's best interest. A factual, reasoned, and well-documented rationale must support the decision to use a single source. Excluding emergencies, there are no predetermined or prescribed conditions for using a single source. Each single source decision stands alone and is based on the circumstances.

(b) The rational basis for a single source decision must be documented by the service organization, reviewed by Legal for sufficiency (except for emergencies), approved by the Service Organization Official and (if applicable) Contracting Officer's Representative (COR), and concurred with by Contracts or, for purchase card transactions, the Purchase Cardholder. This rationale is documented in a:

- (1) Stand-alone, single source justification using the "Single Source Justification for Products, Services, and Construction Template", located in "Procurement Templates" or the "Single Source Justification for Real Property Template," located in "Real Property Templates & Samples";
- (2) Procurement Plan, if a formal plan is established; or
- (3) Implementation Strategy and Planning Document, if applicable.

(c) Approval of Implementation Strategy and Planning Document or approval of a Procurement Plan constitutes approval of a single-source procurement; however, the rational basis for the single source decision must be reviewed by Legal for sufficiency (except for emergencies); no further approval or documentation is necessary.

(d) For single source procurements with a TEPV equal to or less than the micro-purchase threshold, a justification is not required.

(e) A single source justification is not required for noncompetitive set-asides to an 8(a)-certified Socially and Economically Disadvantaged Business (SEDB), Service Disabled Veteran Owned Small Business (SDVOSB), Women-Owned Small Business (WOSB), Economically Disadvantaged Women-Owned Small Business (EDWOSB), or Historically Underutilized Business Zone (HUBZone) small business. (See AMS Procurement Guidance T3.6.1 "Small Business Program"). A single-source justification is also not required for procurements conducted in accordance with the Javits-Wagner-O'Day Act (Ability/One Program) or the Randolph- Sheppard Act as specified in AMS Guidance T3.8.4.

(f) A single source justification is not required for a site-specific requirement for land or antenna/equipment space, where the location of NAS equipment is (1) necessary to the functionality of the NAS, and (2) of continued criticality to the NAS or mission of the FAA; or for operational facilities that house equipment and/or personnel that provide Air Traffic Control services to aircraft operating in the NAS. The head of the Technical Operations service organization, or designee, will provide an annual determination identifying equipment and facilities subject to this subsection.

## **2 Market Analysis Supporting Single Source** Revised 4/2023

(a) Market analysis provides factual data to form conclusions and verify assumptions that FAA's technical and business interests are best served through a single source. For single source procurements exceeding the micro-purchase threshold, market analysis is required. A market analysis is not required for emergencies, noncompetitive set-asides to 8(a) SEDB, SDVOSB, WOSB, EDWOSB, or HUBZone small businesses, or for NAS site-specific land or antenna/equipment space or operational facilities acquisitions referenced in AMS 3.2.2.4 and T3.2.2.4A (1)(f) above. The method and extent of the analysis depends on the requirement, complexity, and estimated dollar value. (See AMS Procurement Guidance T3.2.1.2 "Market Analysis" for further information.)

(b) A formal market survey is one method to gather current data to support a single source decision. When used, a formal market survey must include a sufficiently detailed description of key requirements (e.g. technical performance requirements, land or space requirements, or essential knowledge, expertise, or experience, etc.) so that potential vendors can determine whether they have the capability to satisfy FAA's requirements.

FAA also uses these key requirements to evaluate capabilities of any vendors/ lessors responding to the market survey. The market survey may include explicit instructions to potential vendors/ lessors about the acceptable format, form, and level of detail for vendor capability statements or other vendor/lessor information that FAA will use to decide whether other capable vendors/ lessors exist and whether a competitive procurement is appropriate.

## **3 Award of Single Source** Revised 7/2023

(a) After the required documentation, concurrences, approval and legal sufficiency are obtained for the single source justification as described above, the CO may negotiate contract terms and price or cost with the single source vendor and award the procurement action. Until the single-source justification is fully executed, no one may request any type of proposal information from the vendor.

(b) Unless otherwise excepted in AMS Policy 3.2.1.3.11.1, a pre-award public announcement must be made for any procurement action with a TEPV that is equal to or greater than the AMS risk threshold. The CO must issue the pre-award public announcement to summarize the basis for the single source decision. The CO may make a post award announcement to promote potential subcontracting opportunities. (Also see AMS Procurement Guidance T3.13.1 "Other Administrative Procedures" for information about notifications to FAA management and Congress).

## **B Clauses** Added 10/2006

[view contract clauses](#)

## **C Procurement Forms** Revised 9/2021

Document Name
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**D Procurement Samples** Revised 9/2021

Document Name
Notice of Intent to Contract With Single Source

**E Procurement Templates** Added 9/2021

Document Name
Single Source Justification for Products, Services, and Construction Template

**F Procurement Tools and Resources** Added 9/2021

Document Name
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