

Date: January 19, 2023

MEMORANDUM

Subj: USE OF OTHER THAN FULL AND OPEN COMPETITION FOR AN ACQUISITION UNDER THE SIMPLIFIED ACQUISITION THRESHOLD

Ref: (a) PR Number(s): ___N7027223PRCOX23_____

I. BACKGROUND:

1. In considering the references, FAR 13.106-1(b)(1)(i) states for purchases not exceeding the simplified acquisition threshold, Contracting Officers may solicit from one source if the Contracting Officer determines that, under the circumstances of the contract action, only one source is reasonably available (e.g., urgency, exclusive licensing, brand-name, or industrial mobilization).

2. As required by FAR 13.106-3(b)(3)(i), this memorandum explains the absence of competition for this acquisition because only one source will be solicited for this requirement (or for a portion of the requirement) and the requirement is not expected to exceed the simplified acquisition threshold.

II. DESCRIPTION OF ITEM OR SERVICE:

1. Provide a description of the item or service required, to include

a) the name of the required source or brand name

____Cox Communications Hampton Roads, L.L.C._____

b) the required delivery date/period of performance and

____March 1, 2023 to February 28, 2025_____

c) its intended use.

____Commercial business lines (including ancillary services such as caller ID and voice mail), private line point circuits (1.544 Mbps-T1), fast Ethernet (METRO-E, 10Mbps, 30mpbs), primary rate interface (PRI) Digital circuits with direct in dial number block for video conferencing (VTC) and equipment support services for communications circuit unctinality._____

2. List the source(s) or known vendor(s) who are able to provide the above described item or service.

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III. THE DETERMINATION FOR USE OF OTHER THAN FULL AND OPEN COMPETITION IS BASED ON THE FOLLOWING (select all that apply):

A. ___XX___ Only one responsible source (select all that apply):

1. ___XX___ RESTRICTIVE RIGHTS: the source has established proprietary rights, limited rights in data, patent rights, copyrights, or secret processes in the item or service.

a. Explain what is subject to the restrictive rights.

V. CERTIFICATIONS AND APPROVALS:

Technical / Requirement Certification: I certify that the facts and representation under my cognizance which are included in this justification are complete and accurate to the best of my knowledge and belief.

