

DEPARTMENT OF THE TREASURY
SF 1009 - FAR 13.106-1(b) SOLE SOURCE JUSTIFICATION FOR
ACQUISITIONS AT OR BELOW THE SIMPLIFIED ACQUISITION THRESHOLD

<p>1. Identification of the requesting activity and contracting activity. Outward Performance Digital Workbook</p>
<p>2.a A description of the supplies or services required to meet the agency's needs.</p> <p>The purpose of this sole source justification is to obtain approval to award a Firm Fixed Price contract with The Arbinger Company for the purchase of Outward Performance Digital Workbook. The need date for these items is September 29, 2023. The period of performance will be for one year from September 29, 2023, through September 28, 2024 for downloadable access to the digital training materials.</p>
<p>2.b Name and business size of the vendor. The Arbinger Company -Small</p>
<p>2.c Requisition No. 5000170684</p>
<p>3. IGCE/Estimated dollar value. The IGCE IS \$ [REDACTED] for twelve months. Refer to the IGCE for additional details.</p>
<p>4.a Identification of the circumstances that preclude competition (Check the appropriate box that applies).</p> <p> <input type="checkbox"/> Urgency <input type="checkbox"/> Exclusive licensing agreements <input checked="" type="checkbox"/> Brand-name <input type="checkbox"/> Industrial mobilization. <input type="checkbox"/> Other _____ </p>
<p>4.b Supporting information and facts (i.e. the details surrounding the requirement that supports the selection made in 4.a).</p> <p>IRS requires employees to be certified in the Outward Performance Digital Workbook. These specific materials are licensed by The Arbinger Company and are not available through any other vendor.</p>
<p>5. Any other important information</p> <p>Edward Cain, Management & Program Analyst - 05/30/2023 Obtain pricing from the contractor. Researched if the contractor is active in SAM.GOV. Obtained historical data of pervious award.</p> <p>Tatanisha Mccall, Contract Specialist – 08/31/2023 Researched Contractor's website. Found that per terms and conditions the contractor is the sole owner of the digital training.</p>
<p>6. Certifications and Approvals.</p>
<p>6.a Program Office certification (Requiring Activity). I hereby certify that the supporting information and data provided and which form the basis for this justification are accurate and complete to the best of my knowledge and belief.</p>
<p>Name: _____ Date: _____</p> <p>Signature: _____</p>
<p>6.b Contracting Officer approval. In accordance with FAR 13.106-1(b)(1), as a warranted contracting officer, I hereby determine that the circumstances of the acquisition make only one</p>

brand-name or source reasonably available for the reasons provided above; therefore precluding competition and supporting the Government's determination to solicit as a brand-name requirement or solicit and award to the vendor stated in section 2.b.

Name: _____ **Date:** _____

Signature: _____

Instructions for SF 1009 - FAR 13.106-1(b) Sole Source Justification for Acquisitions at or below the Simplified Acquisition Threshold

I. General instructions. Each Sole source justifications for acquisitions at or below the SAT shall contain sufficient information and data to justify the proposed action, thereby be able to stand on its own. This type of detail is critical in order to enable a reviewer and/or approver to clearly understand the requirement and the rationale supporting the justification. Simply copying and pasting information from a vendor's website or marketing literature fails to support the use of such justification. Market research performed by the Requiring Activity and Contracting Activity should be used to support this document.

Given the majority of the information and data necessary to support this type of action resides with the Requiring Activity, they are the primary party responsible for completing this form. However, the Requiring Activity shall seek assistance and input from the Contracting Activity/Contracting Officer (preferably in advance of submission of the procurement request). It is also recommended the justification is not signed by the Requiring Activity until such time the Contracting Officer has had an opportunity to review, make necessary revisions and to include other necessary information or data to support the justification.

For Brand-name acquisitions keep in mind the justification is to cover only the portion of the acquisition which is brand-name and that that the document approval requirements only apply to that portion. However, it does not mean that details regarding the overarching requirement (i.e. in the instance where the brand name is only a portion of an overall requirement) aren't to be included in the document.

In the event of conflict between this form and applicable regulatory coverage (i.e. FAR and DTAR), the more stringent requirement shall be followed.

If the requirement involves classified or sensitive information, ensure the proper steps are taken to protect the information (e.g. marking).

Prior to distribution for signature: (i) delete all green text (which are examples), and (ii) consider converting the document to .pdf to support electronic signature and ease of retention.

The fields within this form are fluid and will change based upon input, therefore individuals completing this form need to be mindful of formatting prior to converting the document to pdf and submitting it for signature.

II. Field specific instructions.

Section 1. Identification of the requiring activity and the contracting activity. Provide the name of the requiring activity (e.g. BFS' –IT Office) and the name of the contracting activity (e.g. BFS's – Contracting Office for IT).

Section 2.a A description of the supplies or services required to meet the agency’s needs.

Provide a clear, concise description of the supplies or services to be procured. Include a statement regarding the delivery schedule and/or the period of performance, inclusive of all option periods and award terms. State the schedule and associated schedule category(ies) the supplies or services are being procured against. For supplies, include details such quantity and a brief description of the items (e.g. twelve (12) laptops).

For brand name, provide the name of the brand, model number and other specific details associated with the brand name item(s) to be procured; name(s) of known sources that can provide the brand name.

For modification describe the purpose of modification, including details such as proposed extension to the period of performance as well as the purpose of and type of the contract.

Section 2.b Name and business size of vendor. If applicable, insert the name of proposed vendor and the vendor’s business size (large or small business) to support whether 6.b is required. Vendor information can be obtained from the SAM database. If not applicable, enter “Not applicable”.

Section 2.c Requisition Number. If known, include the requisition number. If not applicable, enter “Not applicable”.

Section 3 IGCE/Estimated dollar value. Provide the IGCE/estimated dollar value of the anticipated award, inclusive of all options, award terms and any other monetary incentives.

For brand name provide the IGCE/estimated dollar value of the portion of the proposed acquisition, inclusive of all options, award terms and other monetary incentives, that is for the brand name item and the full IGCE/estimated dollar value of the acquisition.

For modifications provide the IGCE/estimated dollar value of the modification and the current total dollar value of the contract.

Section 4.a Identification of the circumstances that preclude competition. Check the applicable circumstance of the action that deems only one source reasonably available (see FAR 13.106-1(b)).

Section 4.b Supporting information and facts (i.e. the details surrounding the requirement that supports the selection made in 4.a). The rationale for the sole source must be thoroughly explained within this section. For example, explain why the vendor is the only one that can provide the product or service if using only one source (e.g. urgency, industrial mobilization, a patent, copyright, proprietary data, or exclusive licensing agreement). If urgency, explain what harm, monetary or schedule wise, (and include dollars that would be lost, time lost, etc.) that will result if an aware is not made to this vendor by a certain date.

For brand name, provide sufficient detail to describe the rationale for the brand name. For example, Why is this particular brand name needed? Why won't another brand of product work?

For modifications explain why the modification is needed, the circumstances that support the modification, etc.

Section 5 Additional important information. Include, as applicable, any other important information that supports the justification. Note: If a market research summary report (e.g. SF 1010) was completed, this might be a good place to provide a summary of the findings/determination along with a citation to that document so that a reviewer can refer to that document for greater detail.

Section 6 Certifications/Approvals. Obtain the signatures as indicated.

A supplemental justification is required if any of the following revisions occur between the approval of the original justification and the covered award or modification of the contract: an increase in dollar value beyond the authority approved in the justification; a change in the competitive strategy that further reduces competition; or any type of change in the requirement that affects the basis of the justification.