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GRANTS OFFICE

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION



BRAND NAME DESCRIPTION TRAINING

April 10, 2012

OVERSIGHT & COMPLIANCE BRANCH (OCB)



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Brand Name Description Training

The purpose of this training is to provide the policy for proper use of Brand Name Specifications.

This training is provided to all Acquisition and Grants Office (AGO) staff engaged in the acquisition process to include field delegates, contract specialist and contracting officers.



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FAR 11.105 states that agency requirements shall not be written so as to require a particular brand name, product, or a feature of a product, peculiar to one manufacturer, thereby precluding consideration of a product manufactured by another company specifications are used in the solicitation.



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CAM 1306.70 – Competition Requirements

The contracting officer is responsible for challenging barriers to the acquisition of commercial items and full and open competition such as unnecessarily restrictive statements of work, unnecessarily detailed specifications, and unnecessarily burdensome contract clauses.



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CAM 1306.70 - Considerations for Increasing Competition

The contracting officer shall ensure statements of work are not unduly restrictive, and specifications are not unnecessarily detailed. In addition, the contracting officer shall take appropriate steps to ensure that the acquisition team works collaboratively and applies their respective skill sets to understand the market for the requirement.



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FAR states that all brand name procurements

- Shall be justified and approved in accordance with 6.303, 6.304 and 8.405-6.
- The justification shall be posted with the solicitation IAW 5.102(a)(6)) or 8.405-6(b)(3).



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Conclusion

Brand Name Specifications shall be avoided to the maximum extent possible.



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QUESTIONS