

JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION

Upon the basis of the following justification, I as Contracting Officer hereby approve use of the other than Full and Open competition for the proposed contractual action pursuant to the authority of 10 USC 2304(c)(1), only one responsible source and no other supplier or servicing activity will satisfy agency requirements, as implemented by FAR 6.302-1.

1. Contracting Activity

Naval Postgraduate School
Department of Contracting and Logistics
1 University Circle
Monterey, CA 93943

2. Description of the Action Being Approved

This justification covers the procurement of Educational Services from *University of California, Berkeley*. This justification for other than full and open competition will be posted at the Government wide Point of Entry.

3. Description of Supplies/Services

Full time tuition and fees for *Spring semester 2015 Legal Letters Masters (LLM) Program at University of California, Berkeley*.

4. Statutory Authority Permitting Sole Source

FAR 6.302 -- Circumstances Permitting Other Than Full and Open Competition.

- 6.302-1 -- Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements.

5. Rational Justifying Use of Cited Statutory Authority

Georgetown University is a preapproved sole source institution by the Judge Advocate General to provide educational services for military officers.

6. Description of Efforts Made to Solicit Offers from as Many Offerors as Practicable *University of California, Berkeley* has the program to fit the educational needs of the Navy JAG Corps and student's professional military career.

7. Determination of Fair and Reasonable Cost

Costs will be determined fair and reasonable at time of award by the Contracting Officer and based on previous contracts and similar contracting efforts.

8. Market Research – Market research is predetermined by the Navy Civilian Institutions (CIVINS) Programs list of approved educational providers.

9. Other Facts Supporting Use of Other Than Full and Open Competition

The CIVINS program provides fully funded education to Naval Officers attending civilian universities. NPS is authorized per OPNAV 1520.23B to fund the full time tuition and fees for students enrolled in the program.

10. Actions to Remove Barriers to Future Competition

As the CIVINS program develops and if and when more civilian educational providers are approved to provide Naval Officers with particular education programs, competition will be considered.

CERTIFICATIONS AND APPROVAL

TECHNICAL/REQUIREMENTS CERTIFICATION

I certify that the facts and representations under my cognizance which are included in this Justification and its supporting acquisition planning documents, except as noted herein, are complete and accurate to the best of my knowledge and belief.

