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U.S. General Services Administration

Federal Acquisition Service (FAS)
General Supplies and Services (GSS)
Supply Chain Management (SCM) Contracting Division (QSCC)

Justification for Other Than Full and Open Competition

Division-Wide for Brand Name National Stock Numbers (NSNs)
Prepared in accordance with FAR 6.104-1(a) (GSA CD RFO-2025-06)
Approved at the levels prescribed in FAR 6.104-2(a) (GSA CD RFO-2025-06)

This acquisition is made pursuant to the authority of 10 U.S.C. 3204(a)(1) or 41 U.S.C. 3304(a)(1) as detailed in FAR 6.103-1(a) and FAR 6.103-1(d) (GSA CD RFO-2025-06).

(1) Identification of the agency and the contracting activity, and specific identification of the document as a "Justification for other than full and open competition."

Contracting Activity: General Services Administration (GSA), Federal Acquisition Service (FAS), Supply Chain Management (SCM) Contracting Division, Office of Contract Operations, GSS (QSCC)

This Justification for Other Than Full and Open Competition (JOFOC) applies Division-Wide to all Brand Name National Stock Numbers (NSNs) established and managed by GSA FAS SCM in support of Department of War (DoW)[1] and other Federal Agency customers. The NSNs included under this justification represent items of supply cataloged by the requiring activities, validated as Brand Name based on operational, technical, or interoperability requirements. GSA executes procurements for these NSNs on behalf of those requiring activities to ensure continued supply availability and mission support.

(2) Nature and/or description of the action being approved.

This justification supports the procurement of Brand Name National Stock Numbers (NSNs) across commercial contracting vehicles administered by the GSA FAS Supply Chain Management Contracting Division (SCMCD). SCMCD fulfills recurring customer requisitions for supplies that are established in the Federal Supply System as Brand Name Only based on

[1] The term "Department of War (DoW)" is used in this document as a parallel/secondary designation for the United States Department of Defense (DoD) consistent with Executive Order 14347 (Sept. 5, 2025). The Department's statutory name remains the Department of Defense under 10 U.S.C. § 111, and Federal statutes (including National Defense Authorization Acts) continue to reference DoD. For purposes of this JOFOC, "Department of War (DoW)" and "Department of Defense (DoD)" refer to the same executive department and its components, and any successor designation thereto.

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requiring activity technical and cataloging determinations. These procurements may be executed under a range of contract types and ordering methods depending on the contract vehicle used. Although the NSNs are brand-restricted at the catalog level, SCMCD will maximize competition to the maximum extent practicable at the order level by soliciting quotes from multiple authorized distributors or resellers when available and selecting the most advantageous offer in accordance with the applicable ordering procedures.

The specific NSNs covered by this justification are fluid and dynamic, as NSNs are continuously added, deleted, or converted over time based on requirements and cataloging determinations made by the requiring activities and Integrated Materiel Managers (IMMs). To ensure Contracting Officers can readily identify whether a requirement is covered, the Division maintains a controlled, current listing of Brand Name NSNs derived from coordination between Cataloging, Engineering, and Acquisition. At the entry point of each acquisition, the requested NSN is validated against this controlled list to confirm JOFOC applicability.

This justification also aligns with Executive Order 14240, which directs Federal agencies to consolidate procurement for common requirements, reduce duplicative administrative actions, and improve efficiency by using coordinated, enterprise-level acquisition strategies. The Brand Name NSN portfolio managed by SCM consists of recurring, catalog-driven items procured across multiple commercial vehicles. Managing these determinations through a single, division-wide justification—rather than through repetitive, requisition-by-requisition documentation—supports EO 14240's emphasis on streamlining procurement processes and reducing unnecessary burden across the Federal enterprise. Because the portfolio spans thousands of recurring NSN-driven actions across multiple vehicles, this outcome cannot be achieved through individual order files without recreating the same justification repeatedly and increasing the likelihood of inconsistent documentation. A single, division-wide JOFOC is the only practical mechanism to establish a consistent, traceable framework that can be applied uniformly at the point of each acquisition. By centralizing the oversight and documentation of these catalog-established requirements, GSA promotes consistency, traceability, and compliance with the brand-name determinations made by the DoW requiring activities. This portfolio-level approach directly supports EO 14240's objective of improving efficiency and coordination in the procurement of commonly acquired goods.

(3) A description of the supplies or services required to meet the agency's needs (including the estimated value).

This justification covers supplies cataloged as Brand Name NSNs within various Federal Supply Groups (FSGs) administered by the SCM Contracting Division. The NSNs represented in the cost estimate are fluid and dynamic. The estimate represents the current SCMCD Brand Name NSN portfolio. Using the FY25 spend levels as the baseline, the brand-name-restricted NSN portfolio reflects $51,902,297.31 in FY25 activity. When a

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standard 3% compounded inflation factor is applied annually solely for calculation purposes, this yields a 10-year total of $595,001,672.35:

FY25 Baseline: $51,902,297.31
10-Year Total (3% compounded): $595,001,672.35
Derivation: 10-Year Total (calc only) = FY25 Baseline × Inflation Factor (3% compounded over 10 years)

The 3% compounded inflation applied annually for calculation purposes only; this is not a funding commitment or obligation profile, they are strictly formula-based projections, derived directly from the FY25 spend levels and the specified inflation factor. They are provided to support this justification with transparent, verifiable calculations and do not estimate, imply, or commit any future requirement or obligation. In the last three years, SCMCD has awarded 184,078 requisitions for Brand Name NSNs at an average cost of $1,144.95 per award.

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By centralizing the oversight and documentation of these catalog-established requirements, GSA promotes consistency, traceability, and compliance with the brand-name determinations made by the DoW requiring activities. This portfolio-level approach directly supports EO 14240's objective of improving efficiency and coordination in the procurement of commonly acquired goods[2].

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[2] https://www.federalregister.gov/documents/2025/03/25/2025-05197/eliminating-waste-and-saving-taxpayer-dollars-by-consolidating-procurement

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(4) An identification of the statutory authority permitting other than full and open competition.

This justification is made pursuant to 10 U.S.C. 3204(a)(1) (for DoD-funded actions) and 41 U.S.C. 3304(a)(1) (for civilian-funded actions), as implemented by FAR 6.103-1(a) and FAR 6.103-1(d)(GSA CD RFO-2025-06).

FAR 6.103-1(d) (GSA CD RFO-2025-06) — Application for brand-name descriptions. Use of brand-name descriptions, or specification of attributes peculiar to one manufacturer, prevents full and open competition and must be justified and approved in accordance with FAR 6.104 (GSA CD RFO-2025-06).

Although a single manufacturer's brand is specified at the NSN level, GSA solicits from multiple authorized distributors for the specified brand, thereby obtaining the benefits of competitive pricing within the bounds of the brand name restriction.

Supporting Rationale:

- NSN creation and brand name designation originate with the requiring activity, as outlined in DoD Manual 4100.39 (Attachment 1) (Federal Logistics Information System Procedures), Section 3.2(a)(3)(a), which requires the military department to identify and justify items of supply in terms of technical considerations and logistics responsibilities.
- DODM 4140.26 3.2(d)(3)(d) (Attachment 2) requires that when an item is determined to be procured on a sole-source or brand-name basis, the requiring activity provides a justification statement in accordance with DFARS Subpart 206.3.
- DODI 4140.69 2.3(b) (Attachment 3) further directs that requiring activities ensure NSNs are properly coded under DOD 4100.39-M, reflecting any brand name or sole source designations.
- These determinations are supported by field testing, compatibility analysis, and mission-specific performance validation.
- As such, brand specificity is established at the cataloging stage, not by the contracting officer.

(5) A demonstration that the proposed contractor's unique qualifications or the nature of the acquisition requires using the authority cited.

Brand Name NSNs are established following technical review and field validation by requiring activities and engineering authorities. Items cataloged as Brand Name meet unique requirements for safety, interoperability, or mission-critical use and cannot be substituted without risk of incompatibility or degraded performance. The requiring activities have determined these specific makes or models to be essential.

In accordance with FAR 6.103-1(d)(GSA CD RFO-2025-06), the use of brand-name

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specifications is justified by documented need and supported by the requiring activity's validation.

(6) A description of efforts made to ensure that offers are solicited from as many potential sources as possible, including whether a notice was or will be publicized as required by part 5 and, if not, which exception under part 5 applies.

To ensure maximum practicable competition, GSA has maintained a continuously open Request for Information (RFI) (Attachment 4) on SAM.gov since April 2024. This posting lists the current Brand Name NSNs and corresponding manufacturers, inviting industry to propose alternate items. If an alternate item is proposed, GSA coordinates with the IMM and requiring activity to evaluate technical acceptability and potential recataloging.

This continuous RFI process ensures transparency, market awareness, and ongoing opportunity for competition.

(7) A determination by the contracting officer that the anticipated cost to the Government will be fair and reasonable.

All procurements conducted under this justification will be performed in accordance with RFO FAR Part 12, using procedures for the acquisition of commercial items. When supplies are available through established Federal Supply Schedules or other GSA contract vehicles, Ordering procedures at GSAR 538.71 (GSA CD RFO-2025-FSS-GSAR 538) will apply IAW FAR 8.401(b) (GSA CD RFO-2025-08). Pricing for commercial items is determined fair and reasonable through competition and price analysis conducted under FAR 12.204 (GSA CD RFO-2025-12), supplemented by order-level evaluation in accordance with GSAR 538.71 (GSA CD RFO-2025-FSS-GSAR 538). Where multiple authorized distributors or resellers exist for a brand name item, additional competition is sought at the order level to achieve the most advantageous pricing to the Government.

If, at the ordering level, vendor-offered pricing were to be determined not fair and reasonable, the Contracting Officer would not proceed with award at that price. The Contracting Officer will take one or more corrective actions as appropriate, which may include: (1) seeking additional competition among authorized sources, (2) requesting price reductions or revised quotations, (3) conducting additional price analysis using other relevant market information (such as TDR data and/or commercial catalog data if available for the item(s), or (4) selecting an alternative contract vehicle or acquisition method if available. Award will be made only after the Contracting Officer documents the basis for a fair and reasonable price determination consistent with the applicable ordering procedures.

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Acquisitions for these BN NSNs will leverage both MAS and non-MAS contracts. In those instances where MAS contracts are leveraged (ie, using Survey Three or similar methods under Part 8), TDR data by definition will have already been leveraged by the MAS CO at the point the item was added to the MAS contract(s). For non-MAS (ie, Open Market) contracts, the procedures outlined above will be leveraged to ensure price fair & reasonable.

(8) The market research conducted (see part 10) and the results or a statement of the reason market research was not conducted.

Market research for Brand Name NSNs was originally conducted by the requiring activity prior to NSN creation, consistent with DOD Manual 4100.39. This research included engineering evaluation, field testing, and logistics analysis to determine that only specific brands met the agency's needs. SCMCD supplements these determinations through continuous market research to validate whether Brand Name NSNs remain appropriately categorized and to identify viable alternatives when feasible.

GSA conducts this continuous market research through its open RFI on SAM.gov, which provides a standardized avenue for industry to submit non-proprietary information for potential alternate items or corrections for review and validation across the Brand Name NSN portfolio. To date, the RFI has resulted in five written industry engagements addressing key topics including: (1) producer/manufacturer identification updates and corrections to NSN/IPD-related data; (2) proposed alternate items supported by technical documentation (including drawings) for Engineering review and validation; and (3) manufacturer/vendor inquiries confirming whether any action was required on their part regarding NSNs listed in the RFI. All written responses are retained in the SCM acquisition file.

These engagements have produced measurable outcomes that support data integrity and ongoing portfolio oversight. A vendor contacted GSA via the RFI with information that it is the original producer for 12 NSNs; Engineering verified the claim and SCMCD submitted an IPD update request for 11 of the 12 NSNs (one lacked sufficient information to support an IPD change). In addition, industry identified and validated corrections to inaccurate NSN-related information, including a verified manufacturer-name correction and a separate vendor-reported correction to erroneous data for an NSN it provides. On two occasions, a vendor submitted reverse-engineered drawings for proprietary Brand Name NSNs; the submissions were evaluated through Engineering and routed for Cataloging review but could not be accepted due to the proprietary nature of the items. However, these engagements strengthened the RFI by reinforcing clear language that GSA is not requesting proprietary or protected information and by clarifying the standardized pathway for Engineering screening, Cataloging coordination, and requiring activity determination when a substitute is proposed.

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Notably, the limited number of viable alternate submissions received to date, despite continuous public availability of the RFI, suggests that acceptable alternates are not readily available for many of the Brand Name NSNs in this portfolio. The RFI remains continuously open and routinely refreshed to ensure that viable alternates are evaluated if and when sufficient supporting information is provided.

(9) Any other facts supporting using other than full and open competition

GSA's management of Brand Name NSNs fulfills its responsibility as a supply integrator and contracting agency. The NSNs are established under DoW authority and represent standardized logistics cataloging decisions across the Federal Supply System. GSA's role is limited to fulfilling requisitioned demand while adhering to the cataloged technical and sourcing determinations made by the requiring activities. While these NSNs are restricted to a specified brand at the catalog level, SCMCD will continue to pursue competition to the maximum extent practicable within that restriction by soliciting and evaluating offers from available eligible sources for the brand (e.g., authorized distributors or resellers). When more than one source exists, consistent with the procedures applicable to the selected contract vehicle and action type.

Approval of this JOFOC is necessary to ensure SCMCD can continue fulfilling requisitioned demand for Brand Name NSNs in a consistent, legally compliant, and timely manner across a high-volume, recurring portfolio. Without a single, division-wide approval framework, SCMCD would be forced into repetitive, requisition-by-requisition justification actions for the same catalog-established determinations, increasing administrative burden and procurement lead times. This delay risk directly affects the timely delivery of mission-critical items supporting DoW and other federal customer operations. Conversely, failure to adhere to the requiring activity's brand-name determination (i.e., unauthorized substitution without appropriate validation and approval) introduces risk of incompatibility or unacceptable performance for mission applications and can result in customer nonacceptance, logistics supportability issues, and heightened DoW oversight.

This portfolio-level approach is supported by prior business decisions demonstrating the need for centralized justification for recurring Brand Name NSN demand. In June 2023, GSA executed a portfolio-style Brand Name NSN justification under the Requisition Channel Two (RC2) BPAs to MAS (RC2) construct that was approved at the Head of the Contracting Activity (HCA) level, reflecting an established governance path for enterprise justification of high-volume brand-restricted NSNs. In addition, SCMCD's continuously open SAM.gov RFI provides ongoing market research and a controlled pathway to increase competition where feasible by allowing vendors to submit alternate-item data for engineering review and requiring activity determination. This process has already produced positive outcomes, including validated corrections to producer/manufacturer information and resulting NSN/IPD update actions, as well as process improvements that strengthen the transparency and consistency of alternate review and DoW coordination when substitutes are proposed.

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GAO has consistently upheld the legality of Brand Name NSN procurements, affirming that the brand determination lies with the requiring activity. See GAO Decisions: Acme[3]; CM Manufacturing[4]; and Chase[5]. Accordingly, when the requiring activity has properly established the brand name designation, the contracting activity may procure that brand without violating competition requirements.

(10) A listing of the sources, if any, that expressed an interest in the acquisition in writing.

At the time of NSN creation, requiring activities reviewed available market data and determined only the specified brand met the need. In addition, SCMCD's continuously open SAM.gov RFI has resulted in five written industry engagements to date. These written engagements addressed key topics including: (1) producer/manufacturer identification updates and corrections to NSN/IPD-related data; (2) submissions proposing alternate items supported by technical documentation (including drawings) for Engineering review and validation; and (3) manufacturer/vendor inquiries confirming whether any action was required on their part regarding NSNs listed in the RFI. All written responses received through the RFI are retained in the SCM acquisition file for reference in future reviews.

Because this JOFOC supports a portfolio of contract actions executed across multiple contract vehicles, the universe of interested parties will vary at the individual acquisition/order level; therefore, sources solicited and responses received for each procurement action will be documented in the applicable contract file in accordance with the procedures of the selected contract vehicle and action type. A secondary benefit of the continuously open RFI on these contract actions has been increased industry engagement with SCMCD regarding Brand Name NSNs, the alternate review pathway, and entry points to compete for future requirements, demonstrating that vendors and manufacturers actively review published NSN data and participate in the validation process.

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[3] *Acme Products & Engineering, Inc.*, B-419495, Apr. 5, 2021 (GAO denied protest; agency properly limited an NSN-designated submarine air compressor rotor to the OEM as the only approved source, citing critical application, configuration control, and lack of complete technical data; GAO held that the restriction was reasonable under simplified acquisition procedures). https://www.gao.gov/products/b-419495

[4] *CM Manufacturing, Inc.*, B-420471, Apr. 13, 2022 (GAO denied protest; DLA reasonably restricted an AH-64 Apache helicopter hollow pin NSN to Boeing as the sole approved source after AMCOM determined proprietary specs and insufficient government data rights prevented qualification of alternates). https://www.gao.gov/products/b-420471

[5] *Chase Defense Partners*, B-421411, Apr. 14, 2023 (GAO denied protest; DLA reasonably limited an Air Force flightline power cable assembly NSN to a single approved source (ITW GSE PN JB8817-60NJ) because the item was a critical application item essential to aircraft ground power operations, and only the Air Force Engineering Support Activity could approve new sources). https://www.gao.gov/products/b-421411

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(11) A statement of the actions, if any, the agency may take to remove or overcome any barriers to competition before any subsequent acquisition for the supplies or services required.

GSA will continue to promote competition and reduce barriers where practicable across all SCMCD contract actions executed under this JOFOC (including purchase orders, orders under IDIQ vehicles, and orders placed under BPAs and other commercial contract vehicles) through the following actions:

- **Maximize competition at the action level within the brand-name restriction** by soliciting and evaluating multiple quotations/offers from available responsible sources for the specified brand (e.g., authorized distributors, resellers, or other eligible sources) when more than one source exists, consistent with the procedures applicable to the selected contract vehicle and action type.

- **Maintain and periodically refresh a continuously open SAM.gov RFI** that provides industry a single, standardized avenue to propose alternate items for review and validation across the Brand Name NSN portfolio.

- **Protect proprietary/protected information and improve submission quality** by clearly stating in the RFI that GSA is not requesting proprietary data and that submissions must be limited to information that can be shared for Government evaluation.

- **Engage the vendor community and relevant industry channels** (including recurring vendor engagements and appropriate associations) to publicize the RFI and the alternate review pathway, increasing awareness and participation.

- **Apply a structured alternate review workflow** in which proposed alternates are screened by Engineering for technical viability and sufficiency of supporting data, then routed through Cataloging and coordinated with the DoW entity that established the NSN (and the IMM, as applicable) for final determination.

- **Support NSN/IPD updates and recataloging actions** when validated alternates (or corrected producer/manufacturer information) are determined acceptable, expanding competition where feasible without introducing unacceptable risk to interoperability, performance, supportability, or mission outcomes.

These actions ensure competition is pursued to the maximum extent practicable for each procurement action under the applicable contract vehicle, while providing an enterprise-level pathway to broaden competition over time through validated alternate submissions and approved cataloging changes.

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(12) Contracting officer certification that the justification is accurate and complete to the best of the contracting officer's knowledge and belief.

I certify that the facts and representations included in this justification are complete and accurate to the best of my knowledge and belief. I have reviewed this contract action and I have determined to the best of my knowledge and belief, based on the information contained herein, that it complies with all applicable policies and regulations.

Attachments (as applicable)

1. DoD Manual 4100.39 – Federal Logistics Information System (FLIS) Procedures
2. DODM 4140.26 – Cataloging and Supply Support Procedures
3. DODI 4140.69 – Supply Chain Materiel Management
4. Copy of Standing RFI Announcement (SAM.gov)
5. Dynamic SCM Brand Name NSN List

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