

**Justification For Financial Assistance Awards
Justification Format for Limited or No Competition**

Award Number:

Type of Award:

Grant

Cooperative Agreement

Other (Specify):

Grants Officer: Jo Ann Metcalfe

Program Officer: [enter project officer]

Statutory Authority: [enter from coop agreement; if climate resilience related: 25 USC Sec.2; and the Snyder Act, 25 USC Sec. 13 as amended.]

Recipient Organization: (Enter academic partner)

Description of the Financial Assistance Program:

Cooperative Agreement based on terms authorized by the Master Cooperative Agreement for the [enter specific CESU] Coop Ecosystem Study Units (CESU) Master Cooperative Agreement. [Enter university partner] will provide support to [Enter BIA Division/Region/Agency Office and Tribe(s)] in an [enter brief description of project].

Justification(s) for Limited or No Competition. The rationale must fit the specific award circumstances and should address as many as the following factors as possible to assist the Grants Officer in rendering a decision to approve or disapprove a request for limited or non-competition. Form fields can expand, if necessary to describe: (1) the history of past assistance and extent of competition if any, (2) analysis of likelihood of receiving competition given the nature of the program, (3) reasons why competition is not feasible, and (4) any other details that would lend support to the decision to award without competition.

Check relevant description if applicable:

- Earmark Grant/Cooperative Agreement
- Mandatory" Grant/Cooperative Agreement "

Provide explanation:

See information below rather than FAR exemption:

Competition is not legally required for financial assistance (per 505 DM 2 and the DOI Solicitor) -- see DOI Departmental Manual - 505 DM 2 Procurement Contracts, Grant and Cooperative Agreements (attached), especially sections 2.13 and 2.14 (pp. 09-10). The DM says in section 2.13: "Competition in making awards through cooperative agreements is **strongly encouraged** and is expected in awarding discretionary grants, unless otherwise directed by Congress" However, the interpretation of this language this is somewhat variable across the Bureaus, and the notion of competition is ever-present on the minds of contracting officers. Section 2.14 outlines steps and "Criteria for Justifying Award Without Competition" for "Single Source Determinations."

The JOFOC Form is a procurement form for justification for exemption from competition under the FAR (Federal Acquisition Regulation(s)) for contracts. The FAR does not apply to federal financial assistance (FA) -- grants and agreements.

The CESUs and their partner institutions satisfied formal competition when they were originally established (see description of the competition at <http://www.cesu.psu.edu/materials/fs-selecting.pdf>).

Check all relevant description(s) if applicable:

- X Recipient has unique approach, exclusive capability or idea
- Urgent/Time-sensitive requirement
- Competition needs to be limited

Provide explanation.

[Enter university partner] and the [enter specific university partner department] research team with strong expertise in the [enter expertise needed from the university partner] and [enter any other circumstances which make this partner best suited to perform tasks- e.g., extensive experience in this discipline and/or ecoregion]. The BIA's [Division/Region/Agency] Office recognize this expertise and experience in this region.

Description of how this conclusion was reached:

[University partner's] unique specialization and experience, especially in the [Region/Agency], is well-recognized professionally and is evident from its reputation and information found on the CSU's website, etc.

I certify that this justification is accurate and contains sufficient justification to warrant the award of this **grant or cooperative agreement without full and open competition.**

Program Officer

Date

Grants Officer

Date