



U.S. International Trade Commission  
 500 E Street, SW  
 Washington, DC 20436  
 United States  
 202-205-3098  
 www.usitc.gov

Print Form

**Justification & Approval  
 For Other Than Full & Open  
 Competition/Brand Name**

USITC - 052 (Rev. 8/2016)

**REQUISITION NUMBER:** 0500-OGC-18-0047

**1. CONTRACTING OFFICE**

U.S. International Trade Commission  
 Office of Procurement  
 500 E Street, SW  
 Washington, DC 20436

**REQUIRING OFFICE**

U.S. International Trade Commission  
 Office of General Counsel  
 500 E Street, SW  
 Washington, DC 20436

**2. NATURE/DESCRIPTION OF ACTION(S)**

Sole Source

In accordance with FAR Subpart 6.303-2, this justification for other than full and open competition will result in award of a sole source contract to William S. Hein & Co.

**3. DESCRIPTION OF SUPPLIES/SERVICES (Check box below:)**

This requirement is to purchase:

Renewal of HeinOnline e-library

- Support services (non-R&D)
- Supplies/equipment
- Information technology (IT)
- Other (specify): \_\_\_\_\_

**4. ESTIMATED CONTRACT VALUE**

**5. ANTICIPATED PERIOD OF PERFORMANCE/ DELIVERY DATE**

Period of Performance

4/1/2018 to 3/31/2019

Options Through: \_\_\_\_\_



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### 6. STATUTORY AUTHORITY

Sole Source

FAR Subpart 6.302-1 and 41 U.S.C. 253(c)(1): When the supplies or services required by the agency are available from the only one responsible source, and no other type of supplies or services will satisfy agency requirements, full and open competition need not be provided for.

### 7. DEMONSTRATION OF CONTRACTOR OR BRAND UNIQUE QUALIFICATIONS

The HeinOnline e-library holds exclusive copyright license to digital copy of legacy law journals pertinent to the Office of General Counsel and the broader Commission legal community. There is no competitor for these digital archives and Hein both scanned and made searchable through their proprietary interface content on demand for ITC staff. Moreover the package is site licensed allowing for any and all staff to pull up hundreds of legal titles and other resources on demand concurrently without ID or password.

### 8. DESCRIPTION OF EFFORTS MADE TO ENSURE OFFERS WERE SOLICITED FROM AS MANY POTENTIAL SOURCES AS IS PRACTICABLE

No other sources.



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**9. DESCRIPTION OF FAIR AND REASONABLE COST**

In accordance with FAR Subparts 12.209, 13.106-3, 15.4, it is hereby determined that the anticipated cost or price to the Government for this contract action will be fair and reasonable. The Price Reasonableness Memorandum detailing the Fair and Reasonable Price Determination will be included in the contract file documentation.

**10. MARKET RESEARCH**

Market Research was conducted in accordance with FAR Part 10, and it was determined that the above stated requirement is commercially available in the commercial market place from only one source.



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**11. ANY OTHER FACTS SUPPORTING THE JUSTIFICATION**

Ongoing recurring resource requirement for Commission legal community.

**12. LISTING OF SOURCES**

n/a

**13. FUTURE PLANS TO PROMOTE COMPETITION**

The Commission supports competition and maintains an active awareness of vendor pools, pertinent product releases and other tools and resources that may be considered as competitive resources for the agency research and legal communities. Commission staff often will host or trial new products and services as they become aware and available.



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### 14. TECHNICAL PERSONNEL/REQUIRING OFFICE CERTIFICATION

I certify that the facts and representations in this justification, included herein, meet the Government's need and that the supporting data which forms the basis for this justification is complete and accurate

Prepared By:	Print Name: _____	Requestor/COR
	Signature: <b>FOIA Exemption (b)(6)</b>	Date: <u>3/8/2018</u>
Approved By:	Print Name: <b>FOIA Exemption (b)(6)</b>	Office Director/Cost Center Manager
	Signature: _____	Date: <u>3/9/2018</u>

### 15. CONTRACTING OFFICER CERTIFICATION

I have received this justification and find it to be accurate and complete to the best of my knowledge and belief.

Approved By:	Print Name: <b>FOIA Exemption (b)(6)</b>	Contracting Officer
	Signature: <b>FOIA Exemption (b)(6)</b>	Date: <u>3/16/18</u>