

**DETERMINATION TO USE UNDEFINITIZED
CONTRACT ACTION (UCA) TEMPLATE**

1 Purpose: Request approval from the head of the contracting agency to issue a [contract type] UCA for the purchase of [quantity and detailed description of item(s)]. [Include reason for requesting use of a UCA.].

2 Description of Program: This action for [quantity] [description of item(s)] is to satisfy an urgent need [provide justification for use of a UCA, pursuant to FAR 16.603-2(a)].

3 Background: [Provide detailed program/project background, including, but not limited to: contract(s) award date(s), contract number(s), contractor name and type of business, factors supporting the procurement decision (if the UCA is a follow-on effort, provide Contractor information and reasons for sole source environment)]

4 Other Issues of Consideration: [Include any other issues of consideration that further justify the need to use a UCA.]

5 Statement of Impact/Urgency: The Government requires the [item(s)] immediately to meet critical mission requirements. Failure to provide these items immediately will jeopardize successful mission accomplishment in that [explain how successful mission accomplishment would be jeopardized]. [Pursuant to DFARS 217.7404-1, provide sufficient detail to fully explain the need to begin performance before definitization, including the adverse impact on agency requirements resulting from delays in beginning performance. Explain why negotiation of a definitive contract action is not possible in sufficient time to meet the Government's requirements.]

6 Not-to-Exceed Price : The Not-To-Exceed (NTE) price, based upon [provide basis of establishing the NTE, such as the IGCE, price analysis, or a proposal submitted by Contractor's (name and date of proposal)], is [dollar amount]. Funds to cover ___% [insert percentage not greater than 50%] of the NTE price, in the amount of [dollar amount] will be initially obligated for this requirement. The balance of funds has been reserved and certified at the [applicable Budget/Finance Office]. [Pursuant to PGI 217.7404-4, provide the basis for estimating the amount of funding sufficient to cover performance until the effort is definitized.]

7 Proposed Definitization Schedule

Receipt of Rough Order of Magnitude (ROM): [Insert date]

Anticipated Receipt of Full (Qualifying or Auditable) Proposal: [Insert date]

Beginning of Negotiations: [Insert date]

Definitization of Letter Contract: [Insert date (Per DFARS 217.7404-3, date should not exceed 180 days after issuance of the letter contract (however, this date may later be extended but may not exceed the date that is 180 days after receipt of a qualifying proposal) or prior to completion of 50% of the work to be performed, whichever comes first)]

Proposed Contractor: [Contractor's name]

8 Reason for Non-Competitive Action [if applicable]: The proposed source is [Contractor's name and address]. As cited in Justification and Approval (as applicable) [reference J&A number and date], [Contractor] is the only source capable of meeting the Government's requirement and the urgent need to provide [item(s)] to support [describe mission]. [Explain why the Government's interest demands that this particular Contractor be given a binding commitment so that contract performance can begin immediately. Explain any unique qualifications, technical expertise, and/or significant cost savings to the Government.]

9 Alternative: [Explain any alternatives to issuing a UCA that were explored and the reasons they were deemed not feasible].

10 Implication: Failure to provide [item(s)] immediately will significantly impact [name and/or explain the mission that would be significantly impacted], thereby jeopardizing successful mission accomplishment. [Explain how the mission would be jeopardized, e.g. loss of life].

11 Approval: Based on the above, it is the determination of the undersigned, pursuant to FAR 16.603-2(a), that the Government's interests demand that the Contractor be given a binding commitment so that work can start immediately and that negotiating a definitive contract is not possible in sufficient time to meet the requirements. As a result, award of a [identify Letter Contract or UCA vehicle] for the NTE price of [dollar amount] is deemed most appropriate to satisfy the stated urgency provided by the [requiring activity or project office].

Further, if the Contracting Officer fails to definitize the entire effort by the definitization target date proposed herein or if at any point it is clear that definitization date will not be achieved, the Contracting Officer shall notify the undersigned and provide rationale/justification as to why the definitization schedule cannot be met.

[Name] [Date]
Head of the Contracting Activity (HCA)