

**NIH BOARD OF CONTRACT AWARDS REVIEW CHECKLIST**  
**SEALED BIDDING ACQUISITION**  
(including 2-step sealed bidding acquisitions and Commercial Sealed Bidding)

<b>REVIEW TYPE</b>	
<input type="checkbox"/> <b>Presolicitation</b>	<input type="checkbox"/> <b>Preaward</b>
<input type="checkbox"/> <b>Postaward</b>	
Office of Acquisition	
Awarding Office	
Presolicitation or Contract Number	
Contract Specialist	
Contracting Officer	
Total Price/Estimated Cost	
Period of Performance	
Brief Description of Items or Services Being Acquired	

SECTION A – Acquisition Planning						
No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
		<b>GENERAL</b>				
A.1	Does File contain an adequate Acquisition Plan (AP), addressing all FAR and HHSAR requirements?	FAR 7.105; HHSAR 307.71 (>500K – but see documentation requirements or other exceptions at 307.7101(c), <a href="#">HHS AP template</a> )				
A.2	Was acquisition plan developed by entire team and has each participant been identified in the AP?	FAR 7.102(b) FAR 7.105				
A.3	Did the Government develop an independent government cost estimate and is it adequate?	FAR 7.105; HHSAR 307.105				
A.4	Is there evidence of milestone planning/scheduling?	FAR 7.105(b)(20); HHSAR 307.104(h)				
A.5	Is there evidence of adequate funding or intent to commit funds?	HHSAR 307.7105(a)(3)				
A.6	Does the file contain evidence that the project officer has completed required training, or that a waiver has been obtained?	HHSAR 307.170; 307.170-1				
A.7	Does AP discuss the rationale for the contract type selected and is type appropriate for the requirement?	FAR 16.103 <a href="#">HHS AP template</a>				
A.8	Has use of priority sources and existing contracts (FSS, IDIQ, GWACs) been considered?	FAR 8.002				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
A.9	If requirement is potentially appropriate for Safety Act protections, is there evidence in the file that the program office obtained pre-qualification notice?	FAR 50.205-2(a)(3)				
A.10	If funded with disaster assistance funds and requested by the DHS, does the acquisition include requirement to display any fraud hotline poster applicable to specific project?	FAR 3.1003(b)(2)				
A.11	If applicable, has CO checked the List of Products Requiring Contractor Certification as to Forced or Indentured Child Labor ( <a href="http://www.dol.gov/ilab/">www.dol.gov/ilab/</a> )?	FAR 22.1503				
		<b>MARKET RESEARCH</b>				
A.12	Was adequate market research performed?	FAR 7.102; 10.001, 10.002; 12.101 (over \$100K); HHSAR 307.7105				
A.13	If purchasing supplies of the classes listed in the FPI Schedule, was market research conducted to determine comparability with FPI item and written determination made?	FAR 8.602(b) (required > \$3,000)				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
		<b>BUNDLING</b>				
A.14	Does Acquisition Plan address bundling, and if anticipated, was market research conducted to determine whether bundling was necessary and if so, was it justified and approved?	FAR 7.107				
A.15	If bundled contract anticipated, has notification to affected incumbent SB concerns taken place at least 30 days prior to release of IFB?	FAR 10.001(c) & (2)				
A.16	Has coordination of anticipated bundled contract taken place with HHS SBS and PCR?	FAR 19.202-1(e)(1)(iii)				
		<b>SMALL BUSINESS ISSUES</b>				
A.17	If exceeding specified thresholds, was acquisition plan coordinated with small business specialist (HHS-653)? If applicable, were proper appeal procedures followed?	FAR 7.104(d); HHSAR 319.501				
A.18	If CO rejects the SBS' or SBA PCR's recommendation, has the justification been documented on the HHS Form 353 and, if SBA PCR recommendation has been rejected, has the SBA PCR been notified?	FAR 19.202-1, FAR 19.505, HHSAR 319.501				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
A.19	If this requirement was previously an SBSA, and its current size makes it unlikely for competition by SBs, or the requirement involves bundling, has coordination with SBA PCR taken place at least 30 days prior to release of IFB?	FAR 19.202-1(e)(1); 19.501(f) FAR 10.001				
A.20	Has HUBZone set-aside been considered?	FAR 19.1305				
A.21	Has service-disabled veteran-owned small business (SDVOSB) set-aside been considered?	FAR 19.1405				
		<b>SOW/PD/SOO/ PWS</b>				
A.22	Is Purchase description/statement of work, specification, etc. adequate, encouraging competition or ensuring fair opportunity process, properly describing commercial products/services, if applicable, limiting use of “brand name or equal” unless justified, and following established purchase description order of preference?	FAR 11.002, 11.101(a)				
A.23	If acquiring EIT supplies/services, was Section 508 compliance assured or exception documented?	FAR 39.203				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
A.24	If requirement includes EPA designated items or services that contain recovered material (>10K), was compliance assured or exception documented? (see <a href="http://www.epa.gov/cpg">http://www.epa.gov/cpg</a> )	FAR 23.405				
A.25	If requirement is for electronic products, are the Electronic Product Environmental Assessment Tool (EPEAT) standards being used?	FAR 23.705				
A.26	Do requirements documents achieve maximum practicable energy efficiency, use of recovered material, environmentally preferable materials, energy and water efficient products, renewable energy technologies, products containing energy-efficient standby power devices, ENERGY STAR or FEMP products as required, and biobased products, as applicable?	FAR 11.101, FAR 23.2, 23.4, 23.7				
A.27	If Government property is to be furnished to contractor, has CO assured that required criteria have been met?	FAR 45.102				
A.28	If IT requirement, have agency planners complied with capital planning and investment control requirements in 40 USC 11312 and OMB Circular A-130?	FAR 7.103(t)				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
A.29	If IT requirement, are IT security requirements in FISMA, OMB's implementing policies (including Appendix III of OMB Circular A-130) and NIST guidance and standards being followed?	FAR 7.103(u), 39.101, 39.106				
A.30	If IT requirement, are appropriate IT security policies and requirements, including use of common security configurations available from NIST at <a href="http://checklists.nist.gov">http://checklists.nist.gov</a> incorporated in RFP?	FAR 39.101(d)				
A.31	If commercial IT is being acquired, has exemption from Buy American Act been assured?	FAR 25.103(e)				
		<b>SERVICES</b>				
A.32	If services, has a performance-based acquisition (PBA), including PBA SOW, been written and has the acquisition plan discussed the strategies for implementing a performance-based acquisition (including associated measures, incentives, if any, and quality surveillance plan)?	FAR 7.105, 37.102, 37.6; HHSAR 307.7105(a)(4)				
A.33	If services and a performance based acquisition (PBA) is not being contemplated, has the acquisition plan addressed the rationale for not using PBA?	FAR 7.104, 37.102, 37.6 HHSAR 307.7105(a)(4)				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
A.34	If Service Contract Act (SCA) is not applicable, is the rationale adequately documented, or if SCA is applicable, is wage determination in the file or being requested?	FAR 22.1002, 22.1008-1				
A.35	Is there documentation that the services, if applicable, do not represent an inherently governmental function?	FAR 7.503; 11.106				
		<b>IDIQ CONTRACTS</b>				
A.36	If IDIQ, are multiple awards anticipated, or does the file document why a single award is contemplated?	FAR 16.504(c)				
A.37	If IDIQ > \$100 million, is D&F approved by HCA in file?	FAR 16.504(c)(1)(ii)(D)				
A.38	If IDIQ, have procedures for ordering been included?	FAR 16.504				
A.39	If IDIQ, have minimum and maximum quantities been included?	FAR 16.504				
A.40	If IDIQ, has period of performance been included?	FAR 16.504				
		<b>JUSTIFICATIONS &amp; DETERMINATIONS</b>				
A.41	If IDIQ, has D&F been executed for evaluation or non-evaluation of options?	FAR 17.206				
A.42	If commercial item acquisition for items >\$100K and <\$5.5M, have simplified procedures been used under Test Program, or has file documented rationale for not using these procedures?	FAR 12.203, 13.5				



<b>No.</b>	<b>Action Item</b>	<b>FAR/HHSAR Part</b>	<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>Comments</b>
A.43	If liquidated damages planned, are they adequately documented as to their need, and not considered a penalty?	FAR 11.5				
A.44	If warranties are determined appropriate, has CO stipulated limitations and obtained approval?	FAR 46.703, 46.704, 46.705				
A.45	If multiyear contracting is used, has HCA determination been made?	FAR 17.105-1				
A.46	If source(s) are excluded under FAR 6.202, has determination been made and approved?	FAR 6.202(b), HHSAR 306.202				
A.47	If acquisition meets the definition of “emergency acquisition flexibilities” have the available acquisition flexibilities or emergency flexibilities been considered and if not, has the action as written been justified as to rationale for not using these flexibilities?	FAR Part 18				
A.48	If applicable, has Buy American Act determination been made and approved?	FAR 25.103(b)(2), HHSAR 325.102(a)				
		<b>OCOI ISSUES</b>				
A.49	If potential for OCOI determined, did CO get technical specialist’s and legal counsel’s advice for evaluating potential conflicts?	FAR 9.504{b}				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
A.50	If significant potential OCOI, did CO provide written analysis, recommended course of action, draft solicitation provision and proposed contract clause?	FAR9.504(c), FAR 9.506(b)(1)-(3)				
		<b>BRAND NAME</b>				
A.51	If brand name or equal, does the purchase description cover the salient physical, functional or performance characteristics of brand name?	FAR 11.104				
A.52	If brand name description used, specifying a particular brand name, product or feature of a product, peculiar to one manufacturer, was written justification prepared and approved?	FAR 6.302-1(c), 6.302-1(d), 6.303, 6.304				
		<b>SYNOPSIS</b>				
A.53	If no FAR exception, has the acquisition been properly published in the FedBizOpps?	FAR 5.101 (>\$25,000), 5.202, 5.203(a) (may be < 15 days-commercial items)				
A.54	If CO believes that advance notice is not appropriate, has memo requesting relief from synopsisizing been approved by HHS?	HHSAR 305.202				
A.55	If no FAR exceptions, has FedBizOpps (FBO) notice been properly published?	FAR 5.101 (>\$25K), 5.202, 5.203(a) (may be less than 15 days for commercial items)				
A.56	If subject to Trade Agreements Act (TAA), is proper note in Synopsis?	FAR 25.408(b)				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
A.57	If brand name is used, does synopsis contain the brand name justification or documentation?	FAR 5.102(a)(6) OMB Memo, 11/28/07				
A.58	If Safety Act is applicable, does pre-solicitation notice state that pre-qualification designation notice has been requested and either issued or denied by DHS? If designation notice has been issued, has it been incorporated into IFB?	FAR 50.205-2(b)				
		<b>COMMERCIAL ITEM</b>				
A.59	If commercial item, and tailoring or additional terms and conditions are required that are inconsistent with customary commercial practices, was waiver approval obtained?	FAR 12.302(c)				
A.60	If commercial IT is being acquired, has exemption from Buy American Act been assured?	FAR 25.103(e)				
		<b>STREAMLINED PROCEDURES</b>				
A.61	If commercial item acquisition between >\$100K and <\$5.5M (or >\$11M for acquisitions described in FAR 13.500(e)), have simplified procedures been used under Test Program, or has file been documented with rationale for not using these procedures?	FAR 12.203, 13.5				
A.62	If commercial item and streamlined procedures (combined synopsis/solicitation), was synopsis prepared properly?	FAR 12.602(a) & (b) 12.603(c); 13.5				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
A.63	If acquisition is for printing, are the requirements of NIH Manual Chapter 6308 being followed?	NIH Manual Chapter 6308				
A.64	If lease, is there a record of a lease or buy determination?	FAR 7.401				
A.65	If contract involves safety/health issues, are proper clauses included?	HHSAR 323.7002				
A.66	If contract involves animals, are proper clauses and language included in IFB?	HHSAR 370.4, 352.270-9; HHS AP; NCI Workform				
A.67	If bonds and/or insurance required, is there compliance with regulations?	FAR 28.3				
A.68	Does acquisition meet test to be considered commercial item under defense against or recovery from nuclear, biological, chemical or radiological attack, or does it meet the test under FAR 12.102(g)(1)?	FAR 12.102(f)(1), 12.102(g)(1), 18.2				
A.69	If applicable, when Earned Value Management System is to be used, has the acquisition plan complied with procedures or has agency head exemption been obtained if CO determined not to use value engineering clause?	FAR 7.105(b)(3) and (10), FAR 34.2; HHS Earned Mgmt. Value Policy-OCIO Policy for IT EVM Procedures				
A.70	If applicable, are stipulated conditions present for use of 2-step sealed bidding	FAR 14.502				
A.71	Has requisition been entered into I-Procurement (NBS) (or for NIAID – into AMBIS)	NBS requirement				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
A.72	Is there evidence of an internal file review (and Board review if applicable), and are all issues resolved?	NIH Manual 6304.71				

<b>SECTION B – SOLICITATION PHASE</b>						
<b>No.</b>	<b>Action Item</b>	<b>FAR/HHSAR Part</b>	<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>Comments</b>
		<b>GENERAL</b>				
B.1	Is IFB set up as a firm-fixed price or fixed price with economic price adjustment ?	FAR 14.104				
B.2	Is simplified contract format or UCF used (if not commercial item)?	FAR 14.201-1 (unless exempt by FAR 14.201-1(a)), 14.201-9				
B.3	If simplified contract format is used, is SF 1447 used as first page?	FAR 14.201-9(a)				
B.4	Are proper provisions included?	FAR14.201-6 and NCI RFP Workform				
B.5	Are proper clauses included?	FAR 14.201-7 and NCI Contract Workform				
B.6	Are date, place and time for bid opening clearly stated on face page of IFB?	FAR 14.3				
B.7	Has OMB No. 0990-0115 been included on face page of IFB?	HHSAR 301.106(b)				
B.8	If not commercial item, is bidding time of 30 calendar days between issuance of IFB and opening of bids allowed?	FAR 14.202-1 (when a synopsis is required – see FAR 5.2)				
B.9	Does IFB include proper NAICS code and size standard?	FAR 19.303(a)				
B.10	If not commercial, does IFB include annual reps and certs?	FAR 4.1202 and 52.204-7				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
B.11	If electronic commerce was used to issue IFB and receive proposals, did IFB specify permitted electronic methods?	FAR 14.202-8				
B.12	If purchasing supplies of classes listed in FPI Schedule, but not determined comparable based on market research, has the IFB been provided to FPI (unless available through FedBizOpps)?	FAR 8.602(a)(4)(ii)				
B.13	If contract will require contractor to have physical access to a federally-controlled facility or access to a federal information system, has FIPS PUB 201 and associated OMB guidance been followed?	FAR 4.1300 and 52.204-9				
B.14	If bid sample required, is there compliance with FAR requirements?	FAR 14.202-4				
B.15	If hazardous materials required, has FAR 52.223-3 been included?	FAR 23.303(a)				
B.16	If descriptive literature required, is there compliance with FAR requirements?	FAR 14.202-5				
B.17	If Qualified product, have FAR requirements been followed?	FAR 9.2, 14.210				
B.18	If liquidated damages are used, is the clause proper?	FAR 11.503				
B.19	If required, has solicitation included requirement for bonds/insurance?	FAR 28				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
B.20	Does the IFB include requirement for contractor code of business ethic and conduct, and a hotline poster display, as applicable?	FAR 3.10				
B.21	Does IFB include time of delivery or period of performance?	FAR 11.4				
B.22	If PBA methods used, is a Performance Work Statement (PWS) or Statement of Objectives (SOO) included in IFB, as well as a Quality Assurance Surveillance Plan (either in IFB or to be developed by offeror)?	FAR 37.604, 46.401(a)				
		<b>IDIQ</b>				
B.23	If IDIQ contract contemplated, are multiple awards being made or is there a justification for a single award?	FAR 16.5				
B.24	Does the IFB specify the period of performance, the minimum and maximum quantities, procedures for fair opportunity, etc. necessary under IDIQ contracts?	FAR 16.504(a)				
		<b>EVMS</b>				
B.25	If EVMS is required (for major acquisitions for development IAW OMB Circular A-11, Part 7 and Supplement to Part 7, Capital Programming Guide) did IFB include proper clauses and procedures?	FAR 34.203(a)-(d)				



No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
		<b>EVALUATION FACTORS</b>				
B.26	Does IFB include price related factors if applicable for evaluation and is the evaluation method clearly stated?	FAR 14.201-8				
B.27	If applicable, has a price evaluation adjustment for SDB concerns been included?	FAR 19.1102, 19.1103				
B.28	If applicable, has a price evaluation adjustment for HUBZone concerns been included?	FAR 19.1307				
B.29	If Government property offered, does RFP include evaluation procedures to be followed and require submittal of stated information with offerors' proposals?	FAR 45.201(c)				
		<b>SERVICES</b>				
B.30	If SCA is applicable, does IFB contain the proper wage determination and clauses, or, if applicable, does it contain a statement that the appropriate wage determination will be included later? Is the proposed contract limited to 5 years or less?	FAR 22.1002, 22.1007, 22.1009, 22..1016				
B.31	If required, does IFB include requirement for bonds and insurance?	FAR 28.102-1				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
		<b>AMENDMENTS</b>				
B.32	If IFB is amended, is it on the proper form, have amendments been sent to all parties receiving the IFB, and was opening date extended if necessary?	FAR 14.208				
B.33	If oral notice of IFB amendment is used, is there compliance with FAR?	FAR 14.208				
B.34	If modification of wage determination – has it been handled properly in IFB?	FAR 22.404-6, 22.407(a)(8)				
		<b>OPTIONS</b>				
B.35	If options included, is provision at FAR 52.217-5 included?	FAR 17.202(a)				
B.36	If options included, does the IFB provide the basis for evaluation?	FAR 17.203(b), HHSAR 317.201				
B.37	If options included, does the IFB limit the term to 10 years for services (except those subject to SCA – 5 years), and 5 years for supplies? (N/A for IT contracts and R&D contracts)	FAR 17.204(e), HHSAR 317.204(e)				
B.38	If option to extend term of contract is included, did RFP include a method to provide allowance for increases/decreases in labor costs resulting from inclusion of current WDs upon exercise of options?	FAR 22.404-12				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
		<b>FedTeDS</b>				
B.39	If CO determined that IFB contained information that required additional controls to monitor access and distribution (e.g., technical data, specifications, maps, building designs, schedules, etc.), was information made available through the Federal Technical Data Solution (FedTeDS) unless exempt?	FAR 5.102(a)(4); 5.102(a)(5) (over \$25K)				
B.40	If FedTeDS was used, was it in conjunction with the GPE solicitation notice to meet synopsis and advertising requirements of FAR Part 5?	FAR 5.102(a)(4)				
		<b>BRAND NAME</b>				
B.41	If brand name specifications were used was justification documented and posted to the GPE system with IFB?	FAR 11.105, OFPP Memo 4/17/06				
		<b>OCOI/COI</b>				
B.42	If potential conflict of interest involved, does solicitation include appropriate provisions?	FAR 9.504(b), 9.506(d)				
		<b>PROPERTY</b>				
B.43	If government property offered, does solicitation included listing of property with applicable information?	FAR 45.201(a)				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
B.44	If government property offered in competitive acquisition, does solicitation specify that contractor is responsible for all costs related to making property available for use?	FAR 45.201(b)				
B.45	If government property offered, does solicitation include evaluation procedures to be followed and require submittal of stipulated information with bid?	FAR 45.201(c)				
B.46	If government property is anticipated on more than one contract, does SOW include additional instructions regarding property management, accountability, and use?	FAR 45.201(d)				
		<b>COMMERCIAL ITEMS</b>				
B.47	If commercial item, and combined synopsis/solicitation was used, does it contain appropriate information?	FAR 12.603				
B.48	If commercial item, will award be a firm fixed-price or fixed-price with economic price adjustment?	FAR 12.207				
B.49	If commercial item, has a commercial quality assurance system been accepted?	FAR 12.211				
B.50	If a commercial item, is IFB in the proper format and is face page on SF 1449?	FAR 12.303, 12.204				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
B.51	If commercial item, does it include required provisions and clauses, tailored as permitted?	FAR 12.301, 12.302, 12.502(b)				
B.52	If commercial, does IFB consider contractor quality assurance as acceptable substitute for government inspection and testing?	FAR 12.208				
B.53	If commercial, are technical data requirements and computer software requirements compliant?	FAR 12.211				
B.54	If commercial item, does IFB request existing literature?	FAR 12.205(a)				
B.55	If commercial item, is exemption from Buy American Act assured?	FAR 25.103(a)				
		<b>MULTI-YEAR CONTRACTING</b>				
B.56	If multi-year contracting used, did IFB include all required factors to be considered in evaluation?	FAR 17.106-2				
B.57	If multi-year contracting used, did IFB include required clauses?	FAR 17.109				
		<b>2-STEP BIDDING – ADDITIONAL REVIEW FACTORS</b>				
B.58	If 2-step sealed bidding, was Step 1 request for technical proposals (RTP) written and synopsis properly?	FAR 14.503-1(a)(1)-(10) & (b) (> \$25 K)				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
B.59	If 2-step sealed bidding, were Step 1 (RTP) technical proposals and subsequent bids under Step 2 handled and safeguarded properly?	FAR 14.503-1; 14.401				
B.60	If 2-step commercial sealed bidding, did Step 1 (RTP) include all necessary provisions applicable to acquisition of commercial items?	FAR 12.302; 52.301				
B.61	If 2-step sealed bidding, was Step 2 for price issued only to offerors submitting acceptable technical proposals in Step 1?	FAR 14.503-2(a)(1)				
B.62	If 2-step sealed bidding, did Step 2 IFB include provision at FAR 52.214-25?	FAR 14.503-2(a)(2)				
B.63	If 2-step commercial sealed bidding, did Step 2 include all required provisions applicable to commercial item acquisitions?	FAR 12.302; 52.301				
B.64	If 2-step sealed bidding, did Step 2 IFB state that bidder shall comply with specifications and bidder's technical proposal?	FAR 14.503-2(a)(3)				
B.65	If 2-step sealed bidding, was Step 2 IFB NOT synopsized through GFE as an acquisition opportunity	FAR 14.503-2(a)(4)				
B.66	If 2-step sealed bidding, are names of firms submitting acceptable proposals in Step 1 listed in GPE for benefit of prospective subs??	FAR 14.503-2(b) & 5.207				

<b>SECTION C – RECEIPT, EVALUATION AND AWARD</b>						
<b>No.</b>	<b>Action Item</b>	<b>FAR/HHSAR Part</b>	<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>Comments</b>
		<b>BID OPENING</b>				
C.1	Have bids been received no later than time set for bid opening?	FAR 14.302(a)				
C.2	If 2-step sealed bidding, were Step 2 bids submitted not later than the date and time set for bid opening?	FAR 14.302(a)				
C.3	Was public bid opening held and bids properly recorded and made available for public inspection?	FAR 14.403(a) & (b)				
C.4	If bid opening was postponed, have proper procedures been followed?	FAR 14.402-3				
C.5	If IFB cancelled before opening, have number of bids invited and received been recorded?	FAR 14/403(d)				
C.6	If IFB cancelled after opening, have proper procedures been followed?	FAR 14.404-1(c), HHSAR 314.404-1				
C.7	If IFB cancelled after opening and negotiation in Government's best interests, have proper procedures been followed?	FAR 14.404-1(f)(1) & (2), HHSAR 314.404-1				
		<b>TIMELINESS</b>				
C.8	If bid from FPI received, was it timely and properly considered?	FAR 8.602(b)(4)(ii)				
C.9	Have late bids, if any, been handled properly?	FAR 14.304(b)(1)				
C.10	Have submission, modification, or withdrawal of bids handled properly?	FAR 14.302, 14.303, 14.304				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
		<b>REJECTION OF BIDS</b>				
C.11	If individual bids were rejected, has CO handled properly?	FAR 14.402-2				
C.12	If all bids were rejected, did CO notify all bidders regarding reason?	FAR 14.404-3				
C.13	If bid guarantee is noncompliant, has bid been rejected or has CO waived requirement?	FAR 28.101-4(a)				
		<b>MISTAKES IN BID</b>				
C.14	Were minor bid informalities or irregularities handled properly?	FAR 14.405				
C.15	Have mistakes in bid been handled properly?	FAR 14.407-1, 02, -3, HHSAR 314.407-3				
		<b>EVALUATION</b>				
C.16	Has responsiveness of bids been determined?	FAR 14.301				
C.17	If electronic bids were permitted, were any unreadable electronic bids handled properly?	FAR 14.406				
C.18	Were any restrictions on disclosure of descriptive literature handled properly?	FAR 14.404-4				
C.19	Were “all or none” bids handled properly?	FAR 14.404-5				
C.20	If option quantities or periods were solicited, was proper evaluation conducted?	FAR 17.206				



No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
C.21	If applicable, has Buy American Act determination been made and approved?	FAR 25.103(b)(2), HHSAR 325.102(a)				
C.22	Did CO evaluate bids in accordance with the method described in the IFB and is award being made to the responsive, responsible bidder whose bid will be most advantageous to the Government, considering only price and price-related factors included in IFB?	FAR 14.408-1				
		<b>MISTAKES OR INFORMALITIES</b>				
C.23	Have mistakes in bid been handled properly?	FAR 14.407-1				
C.24	Have minor bid informalities or irregularities been properly handled?	FAR 14.405				
		<b>PROTESTS</b>				
C.25	If protest before award, was it handled properly?	FAR 33.1, NIH Manual 6033-1 and 6033-2				
C.26	If agency protest before award, were OGC and NIH PCO consulted and did they concur with response prepared by contracting officer?	HHSAR 333.103,				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
		<b>PROPERTY</b>				
C.27	Did bid evaluation consider any potentially unfair competitive advantage resulting from possession of Government property by adjusting offers by applying (for evaluation purposes only) a rental equivalent?	FAR 45.202(a)				
C.28	If government property is to be used by contractor, did CO ensure that the offeror's property management plans, methods practices or procedures for accounting for the property were consistent with solicitation requirements?	FAR 45.202(b)				
C.29	If commercial item, are commercial quality assurance system, technical data requirements, and/or computer software requirements acceptable and compliant?	FAR 12.208, 12.211, 12.212				
C.30	If less than 3 bids received, did CO ascertain reason and document for future actions?	FAR 14.408-1				
C.31	Was affirmative determination of responsibility (including financial responsibility) made?	FAR 9.103(b), 9.104-1 14.408-2				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
C.32	Is there adequate documentation in file to support responsibility determination (e.g., current balance sheet analysis with financial ratios computed; a current D&B report, line of verifications, etc)?	FAR 9.104-1				
C.33	Was price analysis performed and determination made that price(s) offered is/are fair and reasonable?	FAR 14.408-2				
C.34	If non-responsible bid from small business, was nonresponsibility determination referred to SBA??	FAR 9.103				
C.35	If economic price adjustment proposed by bidder or Government, was it handled properly?	FAR 14.408-4(a) or (b)				
C.36	If two or more equal low bids, was there compliance with policies?	FAR 14.408-6; 14.408-7				
C.37	Was Excluded Parties List System (EPLS) checked?	FAR 9.405(d)(1) & (4)				
C.38	If award being made to country identified on List of Products Requiring Contractor Certification as to Forced or Indentured Child Labor ( <a href="http://www.dol.gov/ilab/">www.dol.gov/ilab/</a> ) has proper certification been obtained?	FAR 22.1503				
C.39	Was there an approved subcontracting plan, if applicable?	FAR 19.702)a)(2) (req. for LB award over \$500K)				
C.40	If there is an approved subcontracting plan, has it been made a part of the contract?	FAR 19.705-5(a)				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
C.41	Was EEO Clearance received?	FAR 22.805 (required >\$10M exc. Construction)				
C.42	Has animal clearance been obtained, if applicable?	NIH Manual 6380-2				
C.43	Are contractor's Representations and Certifications complete and accurate or, if used, are electronic Reps & Certs referenced in contract file adequate?	FAR 4.803(a)(11), 4.1201,14.201-5				
		<b>OCOI/COI</b>				
C.44	Has CO resolved any conflict, or potential conflict of interest before contract award?	FAR 9.506(d), 9.503				
C.45	If conflict of interests exists that cannot be avoided or mitigated, did CO so notify contractor, and allow reasonable period for contractor to respond?	FAR 9.504(e)				
C.46	If CO found it in the best interest of government to award contract notwithstanding a COI, did CO obtain written waiver from agency head or designee?	FAR 9.503, 9.504				
		<b>AWARD</b>				
C.47	Was award made by written or electronic notice, within acceptable time specified in bid?	FAR 14.408-1				
C.48	If award was delayed after bid opening, was extension of bid acceptance period obtained?	FAR 14.401-1(d)				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
C.49	If performance/payment bond required, are they in the file and documented?	FAR 28.103-1				
C.50	If applicable, have procedures for TAA acquisitions been followed and have the proper notifications to unsuccessful WTO bidders been prepared?	FAR 25.408; FAR 25.5				
C.51	If PBA, did CO ensure that contract includes a PWS, measurable performance standards, a method of assessing contractor performance against performance standards, and performance incentives, if appropriate?	FAR 37.601				
C.52	If applicable, has animal clearance been obtained?	NIH Manual 6380-2				
C.53	If applicable, is wage determination included in contract?	FAR 22.404-2				
C.54	Is there written assurance that adequate funds are available, or is the award conditioned upon availability of funds?	FAR 32.702, 32.703-2				
C.55	Is contract signed by a warranted CO and is amount within his/her authority?	FAR 1.601, 4.101				
C.56	Is there evidence of an internal file review of contract and documentation, and resolution of issues raised?	NIH Manual 6304.71				
C.57	Is draft/final FedBizOpps Award Notice in file?	FAR 5.301 (required >\$25K)				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
C.58	If applicable, is draft/final public award announcement (“Congressional Liaison Office”) in file?	FAR 5.303(a), HHSAR 305.303(a) (required > \$1M)				
C.59	Has CO assured that contractor is in CCR?	FAR 4.1103				
C.60	Has written or electronic post-award notice been provided within 3 calendar days after contract award to each unsuccessful bidder?	FAR 14.409-1				
C.61	Does award document include all clauses required for the type of contract?	FAR 52.301				
C.62	Has CO entered contract into Prism/Compusearch (NBS) and completed DCIS documentation within required timeframes?	FAR 4.604(b); HHSAR 304.602				
C.63	Has source selection information been appropriately marked?	FAR 3.104-4				
		<b>2-STEP SB – ADDITIONAL ITEMS</b>				
C.64	Were technical proposals submitted in Step 1 timely and handled properly?	FAR 14.503-1, 14.401, 14.403(a)				
C.65	Were late technical proposals submitted in response to Step 1 RTP handled properly?	FAR 14.502-1(b)				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
C.66	If 2-step sealed bidding, are proposals properly evaluated and categorized as acceptable, reasonably susceptible of being made acceptable, or unacceptable?	FAR 14.503-1(e)(2)				
C.67	If 2-step sealed bidding, are proposals which modified, or failed to conform to the essential requirements of RTP determined to be nonresponsive and therefore unacceptable?	FAR 14.503-1(e)(2)				
C.68	If insufficient acceptable proposals received to ensure price competition under Step 2, did CO identify proposal deficiencies and request clarifying/supplemental info?	FAR 14.503-1(f)(1) & (2)				
C.69	If 2-step sealed bidding, were unsuccessful offerors in Step 1 advised of the basis for determination not to continue to Step 2, and were debriefings held if requested by unsuccessful offerors after Step 1?	FAR 14.503-1(g)				
C.70	If 2-step SB discontinued, did CO include statement of facts and circumstances in contract file and notify each offeror in writing?	FAR 14.503-1(i)				
C.71	Was responsiveness of Step 2 bids determined?	FAR 14.301				
C.72	Were Step 2 bids submitted timely, and if late, were they handled properly?	FAR 14.302(a), 14.304(b)(1)				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
C.73	Was a public bid opening held for Step 2 bids?	FAR 14.402-1, 14.402-2				
C.74	Was submission, modification or withdrawal of bids in Step 2 handled properly?	FAR 14.302, 14.303, 14.304				
C.75	If Step 2 bid opening postponed, were proper procedures followed?	FAR 14.402-3				
C.76	If individual Step 2 bids rejected, were proper procedures followed?	FAR 14.404-2				
C.77	If all Step 2 bids rejected, did CO notify all bidders with reason?	FAR 14.404-3				
C.78	Were all or none qualifications in Step 2 bids handled properly?	FAR 14.404-5				
C.79	For Step 2 bids, were minor bid informalities and mistakes in bid handled properly?	FAR 14.405, 14.407-1, 14.407-2, 14.407-3				



<b>SECTION D – Contract Administration</b>						
<b>No.</b>	<b>Action Item</b>	<b>FAR/HHSAR Part</b>	<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>Comments</b>
		<b>ADMINISTRATIVE ACTIONS</b>				
D.1	Was COTR/PO designated in writing?	NCI Contract Workform				
D.2	Does COTR/PO have training in accordance with HHSAR requirements or has a waiver obtained?	HHSAR 307.170 and 307.170-1 and 2				
D.3	If mistake after award, have appropriate procedures been followed?	FAR 14.407-4				
D.4	If FAR 52.219-28 was included in contract, did contractor represent its size status upon occurrence of events stipulated?	FAR 19.308(d), 52.219-28(b)				
D.5	Is contractor size status representation validated or updated in the ORCA and its data in the CCR to reflect its current status?	FAR 19.308(d)				
D.7	If options included in contract, have they been executed properly and documented?	FAR 17.207				
D.8	If task/delivery order over \$5M under IDIQ, does requirement sent under fair opportunity provide proper information?	FAR 16.505(a)(9)(b) (iii)				
D.9	If task/delivery order under IDIQ, in excess of \$5M, has CO properly notified unsuccessful offerors?	FAR 16.505(b)(4)				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
		<b>PROTESTS</b>				
D.10	If protest after award, has CO determination for agency protest been handled timely?	FAR 33.104				
D.11	If protest after award, has CO obtained concurrence from Protest Control Officer (and OGC, if agency protest)?	HHSAR 333.103(f(1) and (2)(iii))				
D.12	If protest after award, has CO followed appropriate protest procedures in response to protest filed with GAO?	FAR 33.104, HHSAR 333.104 NIH Manual 6033-1 & 6033-2				
D.13	If protest after award of task/delivery order under IDIQ, and if <\$10M, is it only on the basis that order increases scope, period, or maximum value of contract?	FAR 16.505(a)(9)(i)				
D.14	If applicable, has D&F to allow performance been properly approved?	FAR 33.104(c) & (d), HHSAR 333.104(c) & (d), NIH Manual 6033-2				
D.15	If mistake after award, have appropriate procedures been followed?	FAR 14.407-4				
		<b>MODIFICATIONS</b>				
D.16	Are contract modifications properly documented, citing correct authority and funding, within scope, and issued properly by a warranted CO, as unilateral or bilateral?	FAR 43				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
D.17	If change order issued, is it within scope, within parameters of Changes clause and signed by a warranted CO (within his/her authority)?	FAR 43.2				
D.18	Did CO ensure availability of funds prior to issuing contract modification?	FAR 43.105				
D.19	Has contract modification been entered into Prism/Compusearch (NBS) and FPDS (through DCIS) including mods for change in size status, as applicable?	FAR 4.6006(b)(5); NBS				
D.20	If change order issued, was equitable adjustment definitized?	FAR 43.2				
D.21	If change orders have been executed, were they definitized in a timely manner?	FAR 43.204				
D.22	Does supplemental agreement definitizing a change order include a Contractor's Statement of Release?	FAR 43.204(c)				
D.23	If options included in contract, have they been executed properly and documented?	FAR 17.207				
D.24	If modification is for new work, is approved JOFOC in file?	FAR 6.303, HHSAR 306.303, JOFOC Desk Guide				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
D.25	Where applicable, are contractor's requests for equitable adjustment processed IAW FAR 50.103 and is there a compliant approval/denial Memorandum of Decision in file?	FAR 50.103-6				
D.26	If a contract with options and a subcontracting plan was required, or if a modification to a contract, have revised subcontracting goals been negotiated?	FAR 19.705-2				
D.27	Where applicable, are contractor's requests for equitable adjustment processed in accordance with FAR 50.103 and is there a compliant approval/denial Memorandum of Decision in file?	FAR 50.103-6				
		<b>INVOICES</b>				
D.28	Have contractor's invoices been reviewed/approved/disapproved in a timely manner?	FAR 32				
		<b>TERMINATIONS</b>				
D.29	If termination for convenience/default deemed necessary, was process handled properly?	FAR 49				
		<b>NOVATIONS</b>				
D.30	If novation/change of name agreement requested, was process handled properly?	FAR 42.12				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
		<b>PAST PERFORMANCE</b>				
D.31	Are past performance evaluations (interim/final) in file?	FAR 42.1502				
		<b>CLAIMS/ DISPUTES</b>				
D.32	Are claims/disputes handled properly?	FAR 33.2, HHSAR 333.2				
D.33	Has CO made a timely response to contractor dispute under CDA?	FAR 33.211(c)-(f)				
D.34	Has contractor submitted certified claim under CDA?	FAR 33.207				
D.35	Has CO consulted OGC in resolving dispute under CDA?	HHSAR 333.211				
D.36	Has CO successfully resolved claim under CDA?	FAR 33.210				
D.37	Has CO rendered final decision under CDA IAW FAR & agency provisions?	FAR 33.211, HHSAR 333.211				
D.38	If applicable, is alternate dispute resolution process used?	FAR 33.214				
		<b>INSPECTIONS</b>				
D.39	Is there compliance with acceptance/inspection/quality assurance requirements?	FAR 46.102				
D.40	If commercial, is there compliance with commercial quality assurance/inspection requirements?	FAR 12.208				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
		<b>SUB-CONTRACTING</b>				
D.41	If applicable, are subcontract reports by prime contractor and subcontractors in file, and have the reports been evaluated?	FAR 19.704(a)(10), 19.705-6, 19.705-7, 19.706 (Req. for Large Bus. > \$550K)				
		<b>DEBARMENT</b>				
D.42	Have debarment/suspension procedures been properly followed?	FAR 9.4, HHSAR 309.4				
		<b>VECP</b>				
D.43	Has Value Engineering Change Proposal (VECP) been received and processed appropriately?	FAR 48.103				
		<b>PROPERTY</b>				
D.44	Was an analysis conducted of the contractor's property management policies, procedure, practices and systems, and if noncompliant, did CO provide written notification as required?	FAR 45.105				

<b>SECTION E – Contract Closeout</b>						
<b>No.</b>	<b>Action Item</b>	<b>FAR/HHSAR Part</b>	<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>Comments</b>
E.1	Has final payment/settlement been made?	FAR 4.804-5				
E.2	Have administrative closeout procedures been accomplished?	FAR 4.804-5				
E.3	Has contract completion statement been prepared?	FAR 4.804-5(b)				
E.4	Has disposition of GFP/GFE been addressed?	FAR 45.603				
E.5	Has final past performance evaluation been received?	FAR 42.1502 (over \$100K)				
E.6	If applicable, has a contract audit in accordance with agency procedures been performed?	HHSAR 304.804-70				
E.7	Have storage, handling & disposal of contract files been accomplished in accordance with agency procedures?	FAR 4.805				
E.8	Has closeout been accomplished in a timely manner?	FAR 4.804-1				
E.9	Has the HHS GWAC contract been used to accomplish closeout, or has a justification been prepared for the file?	HHS guidance				
E.10	Have excess funds been deobligated and returned to customer?	FAR 4.804-5				