

NIH POLICY MANUAL

6007-1 Deadline Dates for Procurement Requests

Issuing Office: OA/OLAO 301-496-2303

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1. **Explanation of Material Transmitted:** This manual chapter provides information and establishes the deadline dates for submitting requisitions through the New Business System (NBS) and the necessary acquisition documents to the Office of Acquisitions, within the Office of Logistics and Acquisition Operations for awards in the current fiscal year and the first quarter of FY2009.

2. **Filing Instructions:**

Remove: Manual Issuance 6007-1 dated 6/1/04

Insert: Manual Issuance 6007-1 dated 7/11/08

PLEASE NOTE: For information on:

- content of this chapter, contact the issuing office listed above.
 - NIH Manual System, contact the Division of Management Support, Office of Management Assessment (OMA), on 301-496-2832.
 - on-line information go to the NIH Homepage and enter this URL:
<http://www1.od.nih.gov/oma/manualchapters/>
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A. Purpose: This manual chapter provides information and establishes the deadline dates for submitting requisitions through the New Business System (NBS) and the necessary acquisition documents to the Office of Acquisitions, within the Office of Logistics and Acquisition Operations for awards in the current fiscal year and the first quarter of FY2009.

B. Background: In order to accommodate our procurement workload and reflect emphasis on quality and compliance with established contracting policy and procedures, deadline dates are established to allow for the accomplishment of many key procurement actions including: (1) various clearances and/or specifications for competitive acquisitions; (2) synopsis requirements; (3) development of legally and technically sufficient procurement documents; and (4) completion of required presolicitation and preaward reviews.

C. References

1. Federal Acquisition Regulation (FAR), Part 7

2. Federal Acquisition Regulation (FAR), Part 13.5
3. Health and Human Services Regulation (HHSAR), 307.71
4. HHSAR 307.1, and 307.70
5. http://www3.od.nih.gov/ocm/contracts/documents_forms.htm

D. Policy: REQUISITIONS THROUGH THE NEW BUSINESS SYSTEM (NBS) AND THE NECESSARY ACQUISITION DOCUMENTS, INCLUDING ANY REQUIRED CLEARANCES AND/OR JUSTIFICATIONS, MUST BE RECEIVED IN THE OFFICE OF ACQUISITIONS NO LATER THAN THE SPECIFIED DEADLINE DATES FOR SPECIFIC EQUIPMENT, SUPPLIES OR SERVICES. FOR EACH ACQUISITION IN EXCESS OF \$500,000, AN ACQUISITION PLAN (AP) IS REQUIRED, INCLUDING DOCUMENTATION SUCH AS AN INDEPENDENT GOVERNMENT COST ESTIMATE, STATEMENT OF WORK (SOW), AND EVALUATION CRITERIA.*

* An AP is required for all acquisitions to be placed by an HHS contracting office expected to exceed \$500,000 (inclusive of options) with the following exceptions:

- a. letter contracts;
- b. unsolicited proposals;
- c. regulated utility services available from only one source;
- d. proposals under the Small Business Innovative Research (SBIR) and Small Business Technology Transfer (STTR) programs;
- e. acquisition of commercial items/services (see FAR 2.101), including orders placed under Federal Supply Schedule contracts meeting the definition of a commercial item/service, not exceeding \$5.5 million (\$11 million for acquisitions as described in FAR 13.500(e));
- f. task orders or delivery orders of any dollar amount placed under: (a) an Indefinite-Delivery, Indefinite-Quantity (IDIQ) contract, other than a Government-wide Acquisition Contract (GWAC), or (b) a Blanket Purchase Agreement (BPA), provided there is an approved acquisition planning document for the original action, and there is no significant deviation from that plan;
- g. orders of any dollar amount placed under HHS-wide Acquisition Contracts (HWACs);
- h. contract/order modifications that (a) exercise options; (b) provide incremental funding; or (c) make changes authorized by the Changes clause; and

- i. assisted acquisitions (see 317.7002) processed pursuant to an interagency agreement. However, the OPDIV must comply with the requirements specified in Subpart 317.70, Interagency Acquisition.

Requisitions received without the necessary acquisition documents can unnecessarily delay award of the requirement. Although submission of requirements by the applicable deadline dates should result in award by the end of the fiscal year, *the earliest possible submission of requirements is encouraged and recommended.*

E. Procurement Administrative Lead Times (PALTs): Appendix 1 sets forth average procurement administrative lead times (PALTs) for six broad classes of new contract actions. These PALTs reflect the average number of calendar days, from receipt of a complete Acquisition Plan (AP), required by the Office of Acquisitions to make award of a contract. Requesters are encouraged to make use of these PALTs in planning for new contract requirements as well as contract renewals.

It is important to contact the Office of Acquisitions, within the Office of Logistics and Acquisition Operations well in advance of finalization of your acquisition request, so that the Contracting Officer may assist in determining the appropriate contracting method. (See Appendix 1.)

Requesters should bear in mind that these PALTs represent *average* processing times and do not account for extraordinary problems, which may arise on certain contract actions.

Proper and timely requests will enable the Office of Logistics and Acquisition Operations to better serve your needs and also minimize the lapsing of funds at the end of the fiscal year.

F. Procurement Deadline Dates: The deadline dates specified in Appendix 2 set forth the deadline dates for receipt of all requisitions and the necessary acquisition documents for both contract actions and simplified acquisitions, including all necessary clearances and supporting documentation for awards in the current fiscal year and the first quarter of FY2009.

Appendix 2 is updated and distributed annually during the first quarter of each new Fiscal Year.

G. Additional Information: For further information on this manual chapter, contact the Division of Acquisition Programs staff on 301-496-6071. For information concerning a specific deadline date, contact the Director, Office of Acquisitions, OLAO.

See Appendix for a listing of the contact points for the Office of Acquisitions, OLAO).

H. Records Retention and Disposal: All records (e-mail and non-e-mail) pertaining to this chapter must be retained and disposed of under the authority of [NIH Manual 1743](#),

Keeping and Destroying Records, Appendix 1, NIH Records Control Schedule, Item 2600-A-4, Routine Procurement Files and Item 1100-M-1, Administrative files.

NIH e-mail messages (messages, including attachments, that are created on NIH computer systems or transmitted over NIH networks) that are evidence of the activities of the agency or have informational value are considered Federal records. These records must be maintained in accordance with current NIH Records Management guidelines. If necessary, back-up file capability should be created for this purpose. Contact your IC Records Officer for additional information.

All e-mail messages are considered Government property, and, if requested for a legitimate Government purpose, must be provided to the requester, employees', supervisors', NIH staff conducting official reviews or investigations, and the Office of Inspector General may request access to or copies of the e-mail messages. E-mail messages must also be provided to Congressional oversight committees if requested and are subject to Freedom of Information Act requests.

Since most e-mail systems have back-up files that are retained for significant periods of time, e-mail messages and attachments are likely to be retrievable from a back-up file after they have been deleted from an individual's computer. The back-up files are subject to the same requests as the original messages.

I. Management Controls: The purpose of this manual issuance is to provide information and deadline dates for submitting requisitions through the New Business System and the necessary acquisition documents to the Office of Acquisitions, within the Office of Logistics and Acquisition Operations for awards in the current fiscal year and the first quarter of FY2009. The Office of Logistics and Acquisition Operations will update this issuance annually with current deadline dates, to ensure that appropriate documentation is provided by the Ordering Offices in sufficient time to allow for the timely award of contracts or the processing of purchase orders.

APPENDICES

APPENDIX 1: Procurement Administrative Lead Times (PALTs)

TYPE OF CONTRACT ACTION BY OLAO

A. Sealed Bid Contracts:

<u>Dollar Value</u>	<u>PALT</u>
Under \$500,000	80 days
\$500,000 & greater	120 days

1. Sealed bidding procedures are appropriate to obtain supplies and services. Contracting officers shall solicit sealed bids when:

- a. time permits the solicitation, submission, and evaluation of sealed bids;
- b. the award will be made on the basis of price and other price-related factors;
- c. it is not necessary to conduct discussions with the responding offerors about their bids;
and
- d. there is a reasonable expectation of receiving more than one sealed bid

2. Examples of typical items acquired through the use of sealed bidding procedures include:

- a. Medical, laboratory, and scientific equipment such as ultrasound systems, synthesizers, and X-ray systems.
- b. Laboratory and medical supplies such as chemicals, surgical instruments, drugs, animal food and bedding, and isotopes.
- c. Administrative, maintenance, medical and laboratory services such as elevator repairs, warehousing, delivery services, and laboratory testing.

3. Sealed bidding procedures are inappropriate for use when:

- a. discussions with offerors are necessary;
- b. the requirement is available only from a single source, or the specification contains restrictions which would limit the number of bidders; and
- c. factors other than price are necessary in selection of the awardee.

B. Commercial Acquisitions:

1. For each negotiated acquisition over \$100,000 an Acquisition Plan (AP) is required, including documentation such as an independent government cost estimate, statement of work (SOW), and evaluation criteria. A “commercial item” means any item or service other than real property, that is of a type customarily used for nongovernmental purposes and that (1) has been sold, leased, or licensed to the general public; or (2) has been offered for sale, lease, or license to the general public. See FAR Part 2.101.

<u>Dollar Value</u>	<u>PALT</u>
Over \$100,000	45 days
\$100,000 to \$5,000,000	90 days
Over \$5,000,000	120 days

C. Negotiated Non-Commercial Competitive Contracts:

<u>Dollar Value</u>	<u>PALT</u>
Under \$500,000	120 days
Over \$500,000,000	270 days

1. When the requirement does not meet the conditions described above for use of sealed bidding procedures, competitive negotiation procedures may be used. This involves the solicitation of price and/or technical proposals from competing firms, with the opportunity to engage in written or oral discussions prior to selection of the awardee. These procedures are typically utilized in the acquisition of complex equipment and services such as:

- a. equipment - NMR spectrometer, X-ray imager, hot cells; and
- b. services - chemical and radioactive waste management, animal care, software design, transcription services, equipment maintenance, blood sample testing.

D. Negotiated Non-Competitive Contracts (Commercial and Non-Commercial):

<u>Dollar Value</u>	<u>PALT</u>
Under \$500,000	120 days
\$500,000 & greater	150 days

1. Negotiated non-competitive procedures apply to those requirements which fall under one of seven statutory authorities permitting contracting through other than sealed bidding or negotiated competitive procedures. The two most commonly used exceptions are:

- a. only one responsible source and no other supplies or services will satisfy agency requirements (i.e., sole source); and
- b. unusual and compelling urgency.

2. A written Justification for Other Than Full and Open Competition (JOFOC) must be submitted with the RFC package to support an exception based upon either of these exceptions.

- a. For sole source requirements, for non commercial items, a notice of intent to negotiate a sole source contract is published in the FedBizOpps for a period of 45 calendar days.

Sole source acquisitions for commercial items may be advertised in the FedBizOpps for a reasonable time period. The use of Note 22 is no longer required; however a statement

similar to Note 22 should be incorporated into the FedBizOpps Notice. (See JOFOC Desk Guide) http://www3.od.nih.gov/ocm/contracts/PDF/JDG2_99.pdf.

Additionally, when citing unusual and compelling urgency, the Contracting Officer is required to solicit offers from as many potential sources as is practicable under the circumstances.

3. Sole source acquisitions under the 8(a) program for disadvantaged small business firms falls under an exemption authorized by statute. No JOFOC or notice of intent is required in processing this type of acquisition.

4. The FedBizOpps notice has been waived for simplified acquisitions (\$25,000 through \$100,000) under certain circumstances. See (<http://www.dhhs.gov/osdbu/>) for details or contact Annette Owens-Scarboro, at 301-496-9639 to determine if applicable. Go to left frame and click on “Program Notes” button. In main frame, click on “Class Waiver of Synopsis—FAR 5.2”.

¹ All PALTs are the average number of calendar days prior to the end of the fiscal year for the ICs to submit a complete and adequate Acquisition Plan (AP).

APPENDIX 2: Procurement Deadline Dates for Contracts and Simplified Acquisitions

EQUIPMENT, SUPPLIES AND SERVICES

1. GENERAL EQUIPMENT, SUPPLY, AND/OR SERVICE PROCUREMENT ACTIONS

	<u>Dollar Value</u>	<u>Deadline</u>
a. Equipment, Supplies & Services (Open Market)	\$100,000 & greater	(See PALT) Competitive 06/02/08
		Sealed Bid, Commercial Acquisition or Sole Source 06/02/08
b. Equipment, Supplies & Services (Open Market)	>\$25,000 - \$100,000	07/21/08
c. Equipment, Supplies & Services (Open Market)	>\$2,500 - \$25,000	09/08/08
d. Equipment, Supplies & Services (Open Market, FSS & Task Orders under IDIQ Contracts)	\$2,500 or less	09/24/08

e. Supplies & Services (FSS)	>\$2,500 - MOL	09/10/08
f. Services (FSS)	>\$2,500 - MOL	08/01/08
g. Equipment, Supplies & Services (other Govt Agency) (e.g. UNICOR, GPO & etc)	ALL	09/10/08
h. FEDSTRIP Orders	ALL	09/10/08
i. Task Orders under IDIQ Contract	>\$2,500 - unlimited	08/01/08
j. GWAC Orders	ALL	08/01/08
k. Funded Modifications (GSA & OM)	> \$500K	08/01/08
l. Funded Modifications (OM)	\$25K-\$500K	08/15/08
m. Funded Modifications (GSA)	\$25K-\$500K	08/29/08
n. Administrative Modifications	Any Amount	09/02/08

2. DECENTRALIZED (DELPRO ACTIONS)

<u>Dollar Value</u>	<u>Deadline</u>
ALL	09/22/08

3. PURCHASE ORDER-VOUCHER-INVOICE (SF-44)

<u>Dollar Value</u>	<u>Deadline</u>
>\$0 - \$2,500	09/22/08

4. NIH STOCK REQUIREMENT

<u>Dollar Value</u>	<u>Deadline</u>
ALL	09/30/08

5. RENTAL/MAINTENANCE RENEWALS & NEXT FISCAL YEAR REQUIREMENTS

	<u>Dollar Value</u>	<u>Deadline</u>
a. Rental/Maintenance Renewals or Other Open Market procurements requiring an early FY08 effective date	Over \$100,000	(See PALT) and See Below*
b. Rental/Maintenance Renewals, Deposit Accounts & Standing Orders for 10/1 effective date (Open Market & FSS)	\$100,000 or Less	See Below*

**As soon as the NBS will accept requisitions with the new FY CAN.*

6. R&D REQUIREMENTS

<u>Dollar Value</u>	<u>Deadline</u>
> \$100,000	07/01/08

See Section D, Policy, for guidance on submitting requirements for contracts and simplified acquisitions. For assistance in the preparation of required supporting documents (e.g. source identification, purchase descriptions, specifications, JOFOCs, SOWs, Waivers, etc), contact the Director, Office of Acquisitions, OLAO (see Appendix 3).

APPENDIX 3: Office of Acquisitions, OLAO

OFFICE OF THE DIRECTOR

	<u>Phone</u>	<u>Fax</u>	<u>PA Code</u>	<u>Bldg/Room</u>
Main # (301) 496-2303				
Holliday, Greg, Acting Director	(301)496-2303	(301)480-3154	AO	6011/529H
Williams, Bronté, Exec. Assistant (Contr)	(301)496-8054	(301)480-3154		6011/529H
Coonley, Robert, Contract Officer	(301)496-8413	(301)496-8413	FP	6011/529L

BRANCH 1 – CONTRACTS (Serves NCMHD, NEI, NIA, NIDCD, NIGMS, and NINR)

Jones, Silver, Acting Branch Chief	(301)496-8504	(301)402-0178	FJ	6100/6E01
Kuta, Lou, Contract Specialist	(301)496-8024	(301)402-0178	GB	6100/6E01
Maine, Andrew, Contract Specialist	(301)451-7364	(301)402-0178	FG	6100/6E01S
Russell, Drake, Contract Specialist	(301)496-8055	(301)402-0178		6100/6E01Q

BRANCH 2 – CONTRACTS (Serves OD, ORS, and ORF)

Sweeney, Danielle, Acting Branch Chief	(301)402-3065	(301)435-1236	FN	6011/529G
Best, John, Contract Specialist	(301)496-4595	(301)402-6971		6011/547D

Cook, Sanford, Contract Specialist	(301)402-5583	(301)402-3407	GJ	6011/529M
Gerstel, Sharmaine, ARP	(301)594-3744	(301)402-3407		6011/529N
Hayden-Kaplowitz, Carol Contract Spec	(301)402-3340	(301)402-7494	GV	6011/529T
Hiltner, Cathy, Contract Specialist	(301)402-3063	(301)402-5449		6011/541C
Johnson, Timothy, Contract Specialist	(301)402-5450	(301)402-1050	FH	6011/529W
Nickens, Dorothy, Contract Specialist	(301)496-0301	(301)480-1146	GQ	6011/537E
Wadda-Vaughn, Doris, Contract Spec.	(301)402-3351	(301)480-3662	GZ	6011/539B

BRANCH 3 – CONTRACTS (Serves OD, ORS, and ORF)

Tiffany, Foteni, Branch Chief	(301)402-3079	(301)402-1251	BN	6011/529J
Banzon, Ronald Intern	(301)402-0716			6011/541D
Flynn, Erin, Contract Specialist	(301)402-8214	(301)480-4642	GM	6011/541B
Geiser, Lorraine, Contract Specialist	(301)402-3349	(301)480-3407	DV	6011/529P
Goldman, Marcia, Contract Specialist	(301)496-2302	(301)402-0887	BD	6011/539A
Lael, Kelly, Intern	(301)435-3980	(301)451-5428		6011/529I
Stevenson, Terita, Contract Specialist	(301)402-3727	(301)480-1203	GI	6011/539C
Worsham, Zedekiah, Contract Specialist	(301)594-3560	(301)480-0941	GO	6011/541E

BRANCH 4 – SPECIAL CONTRACTS (A-76, NIH Wide Contracts, and Multiple Award Contracts)

Bartelmes, William, Branch Chief	(301)594-0957	(301)435-8514	FO	6011/537D
Adams, Lisa, Contract Specialist	(301)496-7792	(301)402-1141	FW	6100/6E01
Apter, Susan, Contract Specialist	(301)102-9671	(301)402-3407	FK	6011/537C
Brown, Anthony, Contract Specialist	(301)402-2847	(301)408-4163		6011/539D
Kathman, Kathleen, Contract Specialist	(301)435-8447	(301)402-3407	FY	6011/529X
Manning, Larry, Contract Specialist	(301)402-3067	(301)435-8513	DD	6011/537F
Johnson, Darlene, Contract Specialist	(301)443-7810	(301)402-4430		6011/529R
Porter, Yvette, Cont. Specialist (Detail)	(301)496-8022	(301)402-0178		6100/6E01F
Underwood, Arisane, Contract Specialist	(301)402-5401	(301)402-3407	FZ	6011/529S

The Office of Acquisitions, OLAO, the following Institutes/Centers:

OD (including ORS and ORF), NCMHD, NEI, NIA, NIDCD, NIGMS, and NINR

Simplified Acquisition Branch

BRANCH 5 – SIMPLIFIED ACQUISITIONS

	<u>Phone</u>	<u>Fax</u>	<u>PA Code</u>	<u>Bldg/Room</u>
Worsham, Zedekiah, Acting Branch Chief	(301)594-3560	(301)480-0941	GO	6011/541E
Carroll, Vivian, Procurement Assistant	(301)435-3957	(301)435-8514		6011/WKSTA
Davol, Tabitha, On Detail	(301)402-3459	(301)496-8422		6011/549A
Dougherty, Francis, Procurement Tech.	(301)435-3905	(301)402-3407		6011/538
Edwards, Anita, Procurement Clerk	(301)496-6605	(301)402-3481		6011/541E
Garnes, Lloyd, Purchasing Agent	(301)402-3341	(301)480-3476	DT	6011/529V
Harley, James, Procurement Assistant	(301)435-3910	(301)402-3407		6011/537C
Hairston, Robinette, On Detail	(301)594-9481	(301)402-3407		6011541F
Hobson, Kirtner, Contract Specialist	(301)443-7810			6011/529R
Holley, Van, Contract Specialist	(301)594-9439	(301)496-3407	GW	6011/537B
Mundy, Carol, On Detail	(301)402-8826	(301)496-8486		6011/503Q
Rivera, Wendy, Purchasing Agent	(301)435-3919	(301)480-1137	FX	6011/529S
Roberts, Aleise, Contract Specialist	(301)402-3342	(301)480-3407	GT	6011/529U

Savage, Keith, Contract Specialist

(301)496-0303 (301)402-3407

6011/537A