

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

<input type="checkbox"/> Presolicitation	<input type="checkbox"/> Preaward	REVIEW TYPE <input type="checkbox"/> Postaward
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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
		GENERAL				
A.1	Does File contain an adequate Acquisition Plan (AP), addressing all FAR and HHSAR requirements, including, as required, a discussion in the AP of Internet Protocol compliance?	FAR 7.105; HHSAR 307.71 (>\$500K – but see doc. requirements for <\$500K or other exceptions at 307.7101) HHS AP template				
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 307.7103				
A.4	Is there evidence of milestone planning/scheduling?	FAR 7.105(b)(20); HHSAR 307.7106				
A.5	Is there evidence of adequate funding or intent to commit funds?	HHSAR 307.7104				
A.6	Does the file contain evidence of PO and COTR, or as applicable, Program and/or Project Manager required training, or an authorization to perform these duties on interim basis?	HHSAR 301.604-301.607				
A.7	If solicitation for information or planning purposes, has it been conducted properly?	FAR 14.105, 15.201, HHSAR 315.201				
A.8	Does AP discuss the rationale for the contract type selected and is type appropriate for the requirement?	FAR 7.103, 7.105, 16.103 HHS AP template				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
A.9	Has use of priority sources and existing contracts (FSS, IDIQ, GWACs) been considered?	FAR 8.002				
A.10	Has consideration been given to setting aside a part of a multiple award contract for small business concerns?	FAR 12.207, 16.505(b)(2)(i)(F) 19.502-4, 19.811-3, 19.1309, 19.1407, 19.1506				
A.11	If multi-agency or intra-agency contracting is to be used, has sufficient market research been performed to consider relative merits/costs of available contracts and contracting offices to meet the requesting organization's need?	HHSAR 317.7002				
A.12	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.13	If applicable, has CO checked the List of Products Requiring Contractor Certification as to Forced or Indentured Child Labor (www.dol.gov/ilab/)?	FAR 22.1503				
		MARKET RESEARCH				
A.14	Was adequate market research performed?	FAR 7.102; 10.001, 10.002; 12.101 (over Simplified Acquisition Threshold); HHSAR 307.71, 310				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
A.15	If contracting for debris removal, distribution of supplies, reconstruction, and other disaster or emergency relief activities in the U.S. & outlying areas, has the CO consulted the Disaster Response Registry at www.ccr.gov ?	FAR 4.1104, 7.103(v), 18.102. 26.205				
A.16	Has the CO used commercially available market research methods to identify the capabilities of small businesses and new entrants into Federal contracting that are available to meet the government's requirements for a contingency operation or defense against or recovery from nuclear, biological, chemical, or radiological attack and disaster relief, including debris removal, distribution of supplies, reconstruction and other disaster or emergency relief activities?	FAR 10.001(a)(2)(v)				
A.17	If purchasing supplies of the classes listed in the FPI Schedule, was market research conducted to determine comparability w/FPI item and written determination made?	FAR 8.602(b) (required > \$3.000)				
		BUNDLING				
A.18	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, 16.505(a), 19.202-1(e)(1)				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
A.19	If bundled contract, has notification to affected incumbent SB concerns taken place?	FAR 10.001(c)(1) & (2) 19.202-1(e)(1), 19.501				
A.20	Has coordination of anticipated bundled contract taken place with HHS SBS and SBA PCR?	FAR 19.202-1(e)(1)(iii)				
		SMALL BUSINESS ISSUES				
A.21	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.22	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				
A.23	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)00 FAR 10.001				
A.24	Has 8(a) contract been considered?	FAR 19.203				
A.25	Has HUBZone set-aside been considered?	FAR 19.1305				
A.26	Has service-disabled veteran-owned small business (SDVOSB) set-aside been considered?	FAR 19.1405				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
A.27	Has Women-Owned Small Business (WOSB) set-aside or Economically Disadvantaged Women-owned Small Business (EDWOSB) set-aside been considered?	FAR 4.803(a)(6), 4.803(a)(42), 6.207, 18.117, 19.402				
		SOW/PD/SOO/ PWS				
A.28	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.29	If acquiring EIT supplies/services, was Section 508 compliance assured, proper standards included in AP and SOW/PWS, or exception documented?	FAR 39.203, HHSAR 311.7001, 339.2				
A.30	If EIT products/services required subject to Section 508, are commercially available products/services be acquired to the maximum extent practicable while ensuring Section 508 compliance?	HHSAR 312.202(d)				
A.31	If EIT products/services do not meet some or all of the applicable Section 508 accessibility standards, has a commercial nonavailability exception determination been properly processed?	HHSAR 312.2, 314.103, 339.203				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
A.32	Did requirements documents and solicitations comply with the policy at FAR 11.002(d) regarding procurement of biobased products, products containing recovered materials, environmentally preferable products and services, including Electronic Product Assessment Tool (EPEAT)-registered electronic products, nontoxic or low-toxic alternatives, ENERGY STAR and FEMP-designated products, renewable energy, water-efficient products and non-ozone depleting products?	FAR 7.103, 11.101, FAR 23.1, 23.2, 23.4				
A.33	If applicable, is there a requirement to purchase recycled content and biobased products which meet or exceed the minimum recycled or biobased content of an EPA or USDA designated product?	FAR 23.403				
A.34	If construction, are requirements of E.O. 13514 included and does FedBizOpps notice contain the proper description?	FAR 5.207(c)(11), 36.104				
A.35	If electronic commerce methods are not used, does solicitation state that contractors are required to submit paper documents to the Government related to the acquisition printed or copied double-sided on at least 30% postconsumer fiber paper?	FAR 4.302(b)				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
A.36	If applicable, does solicitation for contractor-operation of Government-owned or leased facilities or vehicles located in the U.S. comply with EMS requirements?	FAR 23.9				
A.37	If requirement is for electronic products, are the Electronic Product Environmental Assessment Tool (EPEAT) standards being used?	FAR 23.705				
A.38	If Government property is to be furnished to contractor, has CO assured that required criteria have been met?	FAR 45.102				
A.39	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)				
A.40	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; HHSAR 304.13, 339.1, 339.2				
A.41	If IT requirement, are appropriate IT security policies and requirements, including use of common security configurations available from NIST at http://checklists.nist.gov incorporated in RFP?	FAR 39.101(d); HHSAR 339.1, 352.239-70				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
A.42	If commercial IT is being acquired, has exemption from Buy American Act been assured?	FAR 25.103(e)				
		SERVICES				
A.43	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), HHS AP template				
A.44	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), HHS AP template				
A.45	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 via e98 process?	FAR 22.1002, 22.1008-1				
A.46	Is there documentation that the services, if applicable, do not represent an inherently governmental function?	FAR 7.503; 11.106				
		IDIQ CONTRACTS				
A.47	If IDIQ, are multiple awards anticipated, or does the file document why a single award is contemplated?	FAR 16.504(c)				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
A.48	If IDIQ > \$103 million, is D&F approved by HCA in file?	FAR 16.504(c)(1)(ii)(D)				
A.49	If IDIQ, have procedures for ordering been included?	FAR 16.504				
A.50	If IDIQ, have minimum and maximum quantities been included?	FAR 16.504				
A.51	If IDIQ, has period of performance been included?	FAR 16.504				
		JUSTIFICATIONS & DETERMINATIONS				
A.52	If IDIQ, has D&F been executed for evaluation or non-evaluation of options?	FAR 17.206				
A.53	If IDIQ >103M (including all options), is D&F approved by HCA in file?	FAR 16.504(c)(1)(ii) (D)				
A.54	If establishment of GWAC, MAC or agency-specific contract anticipated and solicitation released after 12/31/2011, was business case developed & approved over \$250 million (FY13- approval threshold is \$100 million, FY 14 approval threshold is 50 million, and is Part I of the business case posted on the "Business Case Community Page" in MAX https://max.omb.gov/community/x/b5G81Q ?	OFPP Memorandum dated 9/29/11				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
A.55	If commercial item acquisition for items >Simplified Acquisition Threshold and <\$6.5M (or <\$12 million for acquisitions described in FAR 13.500(e)), have simplified procedures been used under Test Program, or has file documented rationale for not using these procedures?	FAR 12.203, 13.5				
A.56	If COTS items being acquired, has the list of inapplicable laws been updated for the COTS items?	FAR Part 2, 12.103, 12.5				
A.57	If liquidated damages planned, are they adequately documented as to their need, and not considered a penalty?	FAR 11.5				
A.58	If warranties are determined appropriate, has CO stipulated limitations and obtained approval?	FAR 46.703, 46.704, 46.705				
A.59	If multiyear contracting is used, has HCA determination been properly executed, or if conditions at HHSAR 317.105-1(b) are present, is SPE approval obtained and Congress notified, as applicable?	FAR 17.105-1; HHSAR 317.105, 317.108 (including interim HHSAR coverage)				
A.60	If options used as part of multi-year contract, is the performance of a non-severable service no longer than 5 years?	HHSAR 317.107				
A.61	If circumstances described at HHSAR 317.7003 or 317.7004 are present, have necessary D&Fs been prepared and approved?	HHSAR 317.7003, 317.7004				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
A.62	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.63	If Safety Act is applicable, has the contracting officer determined whether a block designation or a block certification has been granted by DHS?	FAR 50.205-1(a)				
A.64	If lease, is there a record of a lease or buy determination?	FAR 7.401				
A.65	If Project Officer restricts place of performance for any part of an SOW/PWS, has proper determination been made, concurred in by the CO and specified in the solicitation and contract?	HHSAR 307.108-70				
A.66	If source(s) are excluded under FAR 6.202, has determination been made and approved?	FAR 6.202(b), HHSAR 306.202				
A.67	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				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
A.68	If applicable, has Buy American Act determination been made and approved?	FAR 25.103(b)(2)				
		OCOI ISSUES				
A.69	If potential for OCOI determined, did CO get technical specialist's and legal counsel's advice for evaluating potential conflicts?	FAR 9.504{b}				
A.70	If significant potential OCOI, did CO provide written analysis, recommended course of action, draft solicitation provision and proposed contract clause?	FAR 9.504(c), FAR 9.506(b)(1)-(3)				
		BRAND NAME				
A.71	If brand name or equal, does the purchase description cover the salient physical, functional or performance characteristics of brand name?	FAR 11.104				
A.72	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				
		SYNOPSIS				
A.73	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)				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
A.74	If CO believes that advance notice is not appropriate, has memo requesting relief from synopsisizing been approved by HHS?	HHSAR 305.202				
A.75	If subject to Trade Agreements Act (TAA), is proper note in Synopsis?	FAR 25.408(b)				
A.76	If brand name is used, does synopsis contain the brand name justification or documentation?	FAR 6.302-1(c), 6.305(c), 13.501; OFPP Memo 4/17/06 OMB Memo, 11/28/07				
A.77	If notice in GPE (i.e., FBO) is not required, is file documented re: use of brand name specifications?	FAR 11.105, OFPP Memo 4/17/06				
A.78	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)				
A.79	If Small Business Sources Sought synopsis is used, has it been properly prepared?	HHSAR 319-202-2				
		COMMERCIAL ITEM				
A.80	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.81	If commercial IT is being acquired, has exemption from Buy American Act been assured?	FAR 25.103(e)				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
		STREAMLINED PROCEDURES				
A.82	If commercial item acquisition between >Simplified Acquisition Threshold and <\$6.5M (or > \$12M 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.83	If commercial item and streamlined procedures (combined synopsis/solicitation), was synopsis prepared properly?	FAR 12.602(a) & (b) 12.603(c); 13.5				
A.84	If acquisition is for printing, are the requirements of NIH Manual Chapter 6308 being followed?	NIH Manual Chapter 6308				
A.85	If applicable, when Earned Value Management System is to be used, has the AP complied with procedures?	FAR 7.105(b)(3), (10), FAR 34.2; HHSAR 311.70; OCIO Policy for IT EVM Procedures				
A.86	If contract involves safety/health issues, are proper clauses included?	HHSAR 323.70				
A.87	If contract involves animals, are proper clauses and language included in IFB?	HHSAR 370.4, 352.270-5; HHS AP; NCI Workform				
A.88	If bonds and/or insurance required, is there compliance with regulations?	FAR 28.3				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
A.89	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.90	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.91	If applicable, are stipulated conditions present for use of 2-step sealed bidding	FAR 14.502				
A.92	Has requisition been entered into I-Procurement (NBS) (or for NIAID – into AMBIS)	NBS requirement				
A.93	Is there evidence of an internal file review (and Board review if applicable), and are all issues resolved?	NIH Manual 6304.71				

SECTION B – SOLICITATION PHASE

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
		GENERAL				
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, or is commercial item, is SF 1449 used as first page??	FAR 14.201-9(a) or FAR 12.303				
B.4	Are proper provisions included?	FAR14.201-6 and NCI RFP Workform				
B.5	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 enhanced controls of the GPE, unless exempt?	FAR 5.102(a)(4) (over \$25K)				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
B.6	If applicable, does IFB include language encouraging contractors, to maximum extent possible, to donate apparently wholesome excess food to nonprofit orgs. that provide assistance to food-insecure people in the US?	FAR 26.403; 52.212-5, 52.213-4, 52.226-6				
B.7	Are proper clauses included?	FAR 14.201-7 and NCI Contract Workform				
B.8	Are date, place and time for bid opening clearly stated on face page of IFB?	FAR 14.3				
B.9	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.10	Does IFB include proper NAICS code and size standard?	FAR 19.303(a)				
B.11	If not commercial, does IFB include annual reps and certs?	FAR 4.1202 and 52.204-7				
B.12	If electronic commerce was used to issue IFB and receive proposals, did IFB specify permitted electronic methods?	FAR 14.202-8				
B.13	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)				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
B.14	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 and HHSAR requirements, as well as requirement for inclusion of proper provision/clause been followed?	FAR 4.1300 and 52.204-9; HHSAR 304.13, 339				
B.15	If bid sample required, is there compliance with FAR requirements?	FAR 14.202-4				
B.16	If hazardous materials required, has FAR 52.223-3 been included?	FAR 23.303(a)				
B.17	If applicable, has the proper language regarding Personal Identity Verification been included in the solicitation?	HHSAR 304.13, NCI Workform				
B.18	If potential conflict of interest is involved, does RFP include appropriate provisions?	FAR 9.504(b), 9.506(b)(1)-(3), NIH Manual 6009-1				
B.19	If payment is contemplated to be made using the Government-wide commercial purchase card, have proper clauses been included?	FAR 32.1108				
B.20	If descriptive literature required, is there compliance with FAR requirements?	FAR 14.202-5				
B.21	If Qualified product, have FAR requirements been followed?	FAR 9.2, 14.210				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
B.22	If liquidated damages are used, is the clause proper?	FAR 11.503				
B.23	If required, has solicitation included requirement for bonds/insurance?	FAR 28				
B.24	Does the IFB include requirement for contractor code of business ethics and conduct, and a hotline poster display, as applicable?	FAR 3.10				
B.25	Does IFB include time of delivery or period of performance?	FAR 11.4				
B.26	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.27	If applicable, does SOW/PWS permit offerors or contractors to specify their own place(s) of performance (hence authorize their employees to telecommute) (unless PO restricts place of performance and so justifies and CO concurs)?	FAR 7.108, HHSAR 307.108-70				
		IDIQ				
B.28	If IDIQ contract contemplated, are multiple awards being made or is there a justification for a single award?	FAR 16.5				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
B.29	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)				
		EVMS				
B.30	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 (i.e., HHSAR rather than FAR clauses and procedures?	FAR 34.203(a)-(d); HHSAR 334.2				
		EVALUATION FACTORS				
B.31	Does IFB include price related factors if applicable for evaluation and is the evaluation method clearly stated?	FAR 14.201-8				
B.32	If applicable, has a price evaluation adjustment for SDB concerns been included?	FAR 19.1102, 19.1103				
B.33	If applicable, has a price evaluation adjustment for HUBZone concerns been included?	FAR 19.1307				
B.34	If Government property offered, does IFB include evaluation procedures to be followed and require submittal of stated information with offerors' bids?	FAR 45.201(c)				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
		SERVICES				
B.35	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.36	If required, does IFB include requirement for bonds and insurance?	FAR 28.102-1				
		AMENDMENTS				
B.37	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.38	If oral notice of IFB amendment is used, is there compliance with FAR?	FAR 14.208				
B.39	If modification of wage determination – has it been handled properly in IFB?	FAR 22.404-6, 22.407(a)(8)				
		OPTIONS				
B.40	If options included, is provision at FAR 52.217-5 included?	FAR 17.202(a)				
B.41	If options included, did CO justify and document in contract file?	FAR 17.205				
B.42	If options included, does the IFB provide the basis for evaluation?	FAR 17.203(b), HHSAR 317.201				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
B.43	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.44	If option to extend term of contract is included, did IFB 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				
B.45	If options are used as a part of multi-year contract, has performance of non-severable services been limited to 5 years?	HHSAR 317.107				
		GPE				
B.46	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 GPE unless exempt?	FAR 5.102(a)(4); 5.102(a)(5)				
		BRAND NAME				
B.47	If brand name specifications were used was justification documented and posted to the GPE system with IFB and included in the IFB?	FAR 6.302-1(c), 11.105, OFPP Memo 4/17/06				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
		OCOI/COI				
B.48	If potential conflict of interest involved, does solicitation include appropriate provisions?	FAR 9.504(b), 9.506(d)				
		PROPERTY				
B.49	If government property offered, does solicitation include listing of property with applicable information?	FAR 45.201(a)				
B.50	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.51	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.52	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)				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
		COMMERCIAL ITEMS				
B.53	If commercial item, and combined synopsis/solicitation was used, does it contain appropriate information?	FAR 12.603				
B.54	If commercial item, will award be firm fixed-price or fixed-price with economic price adjustment?	FAR 12.207				
B.55	If commercial item, has a commercial quality assurance system been accepted?	FAR 12.211				
B.56	If a commercial item, is IFB in the proper format and is face page on SF 1449?	FAR 12.303, 12.204				
B.57	If commercial item, does it include required provisions and clauses, tailored as permitted?	FAR 12.301, 12.302, 12.502(b)				
B.58	If commercial, does IFB consider contractor quality assurance as acceptable substitute for government inspection and testing?	FAR 12.208				
B.59	If commercial, are technical data requirements and computer software requirements compliant?	FAR 12.211				
B.60	If commercial item, does IFB request existing literature?	FAR 12.205(a)				
B.61	If commercial item, is exemption from Buy American Act assured?	FAR 25.103(a)				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
B.62	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)				
		MULTI-YEAR CONTRACTING				
B.63	If multi-year contracting used, did IFB include all required factors to be considered in evaluation?	FAR 17.106-2				
B.64	If multi-year contracting used, did IFB include required clauses and ceilings?	FAR 17.109				
		2-STEP BIDDING – ADDITIONAL REVIEW FACTORS				
B.65	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)				
B.66	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.67	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				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
B.68	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.69	If 2-step sealed bidding, did Step 2 IFB include provision at FAR 52.214-25?	FAR 14.503-2(a)(2)				
B.70	If 2-step commercial sealed bidding, did Step 2 include all required provisions applicable to commercial item acquisitions?	FAR 12.302; 52.301				
B.71	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.72	If 2-step sealed bidding, was Step 2 IFB NOT synopsisized through GFE as an acquisition opportunity	FAR 14.503-2(a)(4)				
B.73	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				

SECTION C – RECEIPT, EVALUATION AND AWARD

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
		BID OPENING				
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				
		TIMELINESS				
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
		REJECTION OF BIDS				
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)				
		MISTAKES IN BID				
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				
		EVALUATION				
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 COTS is being acquired, has the component test of the Buy American Act been waived, as required?	FAR 25.100, 25.101; 12.505				
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				
C.23	If applicable, has CO ensured compliance with EIT, and if necessary, processed exceptions properly?	FAR 39.2; HHSAR 339.201-70, 339.203				
		PROTESTS				
C.24	If protest before award, was it handled properly?	FAR 19.305, 19.306, 19.307, 19.308, 33.1, NIH Manual 6033-1 and 6033-2				
C.25	If agency protest before award, were OGC and NIH PCO consulted and did they concur with response prepared by contracting officer?	HHSAR 333.103,				
		PROPERTY				
C.26	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)				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
C.27	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.28	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.29	If less than 3 bids received, did CO ascertain reason and document for future actions?	FAR 14.408-1				
C.30	Has http://www.ppirs.gov/ (to access FAPIIS) been used to check past performance and have proper procedures been followed when using FAPIIS for a responsibility determination?	FAR 9.104-6				
C.31	If nonresponsibility determination made have proper procedures been followed and has information been documented in FAPIIS?	FAR 9.105-2(b)(2), 9.104-6,				
C.32	If applicable, did CO properly report violation or possible violation of Procurement Integrity Act?	FAR 3.104-7; HHSAR 303.104-7				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
C.33	If applicable, were suspected/reported violations of the Covenant Against Contingent Fees reported properly?	FAR 3.405; HHSAR 303.405				
C.34	If applicable, has the proper language regarding Personal Identity Verification been included in the contract?	HHSAR 304.13				
C.35	Is there adequate documentation in file to support responsibility determination (including financial responsibility [e.g., current balance sheet analysis with financial ratios computed; a current D&B report, line of verifications, etc])?	FAR 9.103(b), 9.104-1 14.408-2				
C.36	Was price analysis performed and determination made that price(s) offered is/are fair and reasonable?	FAR 14.408-2				
C.37	If non-responsible bid from small business, was nonresponsibility determination referred to SBA??	FAR 9.103				
C.38	If economic price adjustment proposed by bidder or Government, was it handled properly?	FAR 14.408-4(a) or (b)				
C.39	If two or more equal low bids, was there compliance with policies?	FAR 14.408-6; 14.408-7				
C.40	Was Excluded Parties List System (EPLS) checked?	FAR 9.405(d)(1) & (4)				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
C.41	If award being made to country identified on List of Products Requiring Contractor Certification as to Forced or Indentured Child Labor (www.dol.gov/ilab/) has proper certification been obtained?	FAR 22.1503				
C.42	If task/delivery order contract over \$103 million is to be awarded to a single source, has HCA approved the determination?	FAR 16.504(c)(6)(D) (1)				
C.43	Was there an approved subcontracting plan, if applicable?	FAR 19.702)a)(2) (req. for LB award over \$650K)				
C.44	If there is an approved subcontracting plan, has it been made a part of the contract?	FAR 19.705-5(a)				
C.45	Was EEO Clearance received?	FAR 22.805 (required >\$10M exc. Construction)				
C.46	Has animal clearance been obtained, if applicable?	NIH Manual 6380-2				
C.47	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				
C.48	Has CO resolved any conflict, or potential conflict of interest before contract award?	FAR 9.506(d), 9.503				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
C.49	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.50	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				
C.51	As applicable, has CO ensured that covered contractor employees performing acquisition functions closely associated with inherently governmental functions have proper procedures in place?	FAR 3.1103, 3.1106, 52.203-16				
		AWARD				
C.52	Was award made by written or electronic notice, within acceptable time specified in bid?	FAR 14.408-1				
C.53	If award was delayed after bid opening, was extension of bid acceptance period obtained?	FAR 14.401-1(d)				
C.54	If performance/payment bond required, are they in the file and documented?	FAR 28.103-1				
C.55	If applicable, has Buy American Act determination been made and approved?	FAR 25.103(b)(2)				
C.56	If COTS being acquired, has component test of Buy American Act been waived, as required?	FAR 25.100, 25.101; 12.505				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
C.57	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.58	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.59	If FPI item determined to provide best value to the Government as a result of FPI's response to IFB, were proper ordering procedures followed?	FAR 8.602(a)(4)				
C.60	If applicable, has animal clearance been obtained?	NIH Manual 6380-2				
C.61	If applicable, is wage determination included in contract?	FAR 22.1007				
C.62	Has the contracting officer assured that no funds are obligated or expended if the contractor has not submitted a required annual VETS-100 with respect to the preceding fiscal year if applicable (http://www.vets100.com/login.aspx)?	FAR 22.1302				
C.63	Has the contracting officer assured that no prohibited sources are receiving an award?	FAR 25.7				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
C.64	Are all required clauses included in the contract?	FAR Matrix, NCI Workform (DGS)				
C.65	Does the contract, as applicable, include language regarding GAO's right to interview current contractor employees when conducting audits?	FAR 52.214-26, 52.215-2 (Use Alt. 1 if Recovery Act funds used)				
C.66	If applicable, has the requirement to use E-Verify been included?	FAR 22.1803, 52.222-54				
C.67	If the Government-wide commercial purchase card will be used as the method of payment, has the contracting officer verified in the CCR whether the proposed contractor has any delinquent debt subject to collection under the Treasury Offset Program (TOP) http://fms.treas.gov/debt/index.html ?	FAR 32.1108(b)(2)				
C.68	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.69	Is contract signed by a warranted CO and is amount within his/her authority?	FAR 1.601, 4.101				
C.70	Is there evidence of an internal file review of contract and documentation, and resolution of issues raised?	NIH Manual 6304.71				
C.71	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.72	If applicable, is draft/final public award announcement (“Congressional Liaison Office”) in file?	FAR 5.303(a), HHSAR 305.303(a) (required > \$3.5 M)				
C.73	Has CO assured that contractor is in CCR?	FAR 4.1103, 19.1503				
C.74	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.75	If multi-year contract includes a cancellation ceiling in excess of \$12.5 million, has Head of Agency provided appropriate written notification of proposed contract and proposed cancellation ceiling and made the award no earlier than 31 days after notification?	FAR 17.108, HHSAR 317.108				
C.76	Has CO ensured that, for award of a HUBZone Contract, the awardee is a HUBZone small business concern at both time of initial offer and time of award?	FAR 19.1303(d)				
C.77	Has CO entered contract into Prism/Compusearch (NBS) and completed DCIS documentation within required timeframes?	FAR 4.604(b); HHSAR 304.602				
C.78	Has source selection information been appropriately marked?	FAR 3.104-4				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
		2-STEP SB – ADDITIONAL ITEMS				
C.79	Were technical proposals submitted in Step 1 timely and handled properly?	FAR 14.503-1, 14.401, 14.403(a)				
C.80	Were late technical proposals submitted in response to Step 1 RTP handled properly?	FAR 14.502-1(b)				
C.81	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.82	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.83	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.84	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)				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
C.85	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.86	Was responsiveness of Step 2 bids determined?	FAR 14.301				
C.87	Were Step 2 bids submitted timely, and if late, were they handled properly?	FAR 14.302(a), 14.304(b)(1)				
C.88	Was a public bid opening held for Step 2 bids?	FAR 14.402-1, 14.402-2				
C.89	Was submission, modification or withdrawal of bids in Step 2 handled properly?	FAR 14.302, 14.303, 14.304				
C.90	If Step 2 bid opening postponed, were proper procedures followed?	FAR 14.402-3				
C.91	If individual Step 2 bids rejected, were proper procedures followed?	FAR 14.404-2				
C.92	If all Step 2 bids rejected, did CO notify all bidders with reason?	FAR 14.404-3				
C.93	Were all or none qualifications in Step 2 bids handled properly?	FAR 14.404-5				
C.94	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				

SECTION D – Contract Administration

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
		ADMINISTRATIVE ACTIONS				
D.1	Was COTR/PO designated in writing prior to award, along with responsibilities, and does COTR/PO have training in accordance with FAR and HHSAR requirements, or has a waiver been obtained?	FAR 1.602-2; HHSAR 301.604-70, 301.604-74, 301.605, 301.606				
D.2	If mistake after award, have appropriate procedures been followed?	FAR 14.407-4				
D.3	If FAR 52.219-28 was included in contract, did contractor represent its size status upon occurrence of events stipulated and was the representation timely?	FAR 19.301-2(b), 19.308(d), 52.219-28(b)				
D.4	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); 52.219-28				
D.5	If FAR 52.219-28 was included in contract, and contractor represented a changed size status to other than small, was contract properly modified and reported in DCIS/FPDS?	FAR 19.301-2(d)				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
D.6	If Department of Labor has determined that an exemption from SCA is inapplicable with respect to a subcontract, has CO ensured that the subcontractor complies with SCA, effective with date of subcontract award?	FAR 22.1003-4(c)(4)				
D.7	Has contractor updated information in the FAPIIS on a semi-annual basis throughout life of contract?	FAR52.209-8 (Req. > \$500K)				
D.8	If postaward audit review conducted, if the review indicates defective, has CO made proper determination, taken any corrective action, notified contractor, and reported the CO's final determination in FAPIIS, as applicable?	FAR 15.407-1(d) 42.1503, 49.208				
D.9	Have PIV products been accounted for when the conditions at FAR 4.1301 apply?	FAR 4.1301				
D.10	If CO was notified of possible contractor violation of Federal criminal law, have proper procedures been followed, including coordination with OIG?	FAR 3.1003(b)				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
D.11	If prime contractor with contract for noncommercial items in excess of \$5 million conducts a procurement under the contract that exceeds the simplified acquisition threshold (when acting as a purchasing agent for the Government, has the contractor performed market research?	FAR 44.402(b)				
D.12	If task/delivery order under IDIQ in excess of simplified acquisition threshold, has market research been conducted prior to placing order?	FAR 10.001(a)(v)				
D.13	If task or delivery order over simplified acquisition threshold is against a contract awarded by another Federal agency (i.e., GWAC or MAC), has past performance evaluation been performed?	FAR 45.1502				
D.14	If task/delivery order does not provide fair opportunity, has proper statutory exception been cited and determination made?	FAR16.505(2)				
D.15	If task/delivery order over \$3,000 but not over SAT, and if exception to fair opportunity is logical follow-on (FAR 16.505(b)(2)(i)(C), has CO documented file properly?	FAR 16.505(b)(2)(i)(C)				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
D.16	If task/delivery order over SAT and exception to fair opportunity is used, is justification properly completed and approved at the proper level, and is file properly documented?	FAR 16.505(b)(2)(ii)				
D.17	If task/delivery order over SAT and exception to fair opportunity is used, has posting requirement been properly followed?	FAR 16.505(b)(2)(ii)(D)				
D.18	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.19	If task/delivery order under IDIQ, in excess of \$5M, has CO properly notified unsuccessful offerors?	FAR 16.505(b)(4)				
D.20	As applicable, has CO bilaterally modified task order/delivery order contract to include FAR 52.203-16 regarding conflicts of interest?	FAR 3.1103, 3.1104, 3.1105, 3.1106; 52.203-16				
D.21	If options included in contract, have they been executed properly and documented?	FAR 17.207				
D.22	If contract involves acquisition of EIT subject to Section 508, has the CO ensured that the contractor has provided a properly completed HHS Section 508 Annual Report and has the Report been approved by the CO and PO?	HHSAR 317.207				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
D.23	If IDIQ contract and remaining period of performance extends beyond 3/8/2010, and amount of work or number of orders expected under remaining performance period is substantial, has bilateral modification to include FAR 52.222-54 been executed?	FAR 22.1803, 52.222-54, CAAC Letter 2009-03, dated 9/3/09				
D.24	Has the CO reported to FAPIIS (through www.cpars.csd.disa.mil) on the integrity and performance of covered Federal agency contractors, and, as applicable, entered a non-responsibility determination?	FAR 9.104-7; 42.1502				
D.25	If progress payments based on costs are used, and payments are reduced or suspended, has the contracting officer taken proper action and documented the contract file?	FAR 32.503-6 (See FAR 32.500 for applicability)				
D.26	If progress payments based on costs are used, are the progress payments commensurate with fair value of work accomplished or, if not, are the progress payments adjusted as required?	FAR 32.503-6(f) and (g) (see FAR 32.500 for applicability)				
D.27	If progress payments are used, has the limitation on making such payments been correctly determined?	FAR 32.501-3 (See FAR 32.500 for applicability)				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
D.28	If action taken to reduce or suspend progress payments, or to increase the liquidation rate, has the CO ensured that proper actions have been taken and the file documented?	FAR 32.503-6, 52.232-16				
D.29	If applicable, has the CO identified and demanded payment of a contract debt?	FAR 32.603, 32.604				
D.30	If commercial, is there compliance with commercial quality assurance/inspection requirements?	FAR 12.208				
D.31	If mistake after award, have appropriate procedures been followed?	FAR 14.407-4				
		PROTESTS				
D.32	If protest after award, has CO determination for agency protest been handled timely?	FAR 33.104				
D.33	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.34	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.35	If protest after award of task/delivery order under IDIQ, is it only on the basis that order increases scope, period, or maximum value of contract?	FAR 16.505(a)(9)(i)				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
D.36	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				
		MODIFICATIONS & CHANGE ORDERS				
D.37	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				
D.38	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.39	If contract modification requires surety and the contract price was changed upward or downward by more than 25% or \$50K, has consent of surety been obtained prior to issuing modification?	FAR 28.106-5				
D.40	If contract modification for a commercial item, has CO complied with prohibition on obtaining certified cost or pricing information?	FAR 15.403-1				
D.41	If contract modification or exercise of an option meeting the criteria of a subcontracting plan, have the goals associated with the modification/option been added to those in the existing subcontracting plan?	FAR 19.702				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
D.42	If change order issued, is it within scope, within parameters of Changes clause, signed by a warranted CO (within his/her authority)?	FAR 43.2				
D.43	If change order issued, was equitable adjustment definitized?	FAR 43.2				
D.44	If change orders have been executed, were they definitized in a timely manner?	FAR 43.204				
D.45	Does supplemental agreement definitizing a change order include a Contractor's Statement of Release?	FAR 43.204(c)				
D.46	If modification is for new work, is approved JOFOC in file?	FAR 6.303, HHSAR 306.303				
D.47	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.48	Did CO ensure availability of funds prior to issuing mod./change order?	FAR 43.105				
D.49	As applicable, has CO modified existing contracts on a bilateral basis in compliance with FAR 52.204-10?	FAR 52.204-10 (> \$25K)				
D.50	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				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
D.51	If existing contract contains clause at FAR 52.209-8, and conditions at FAR 9.104-7 apply, has CO bilaterally modified existing contract to replace FAR 52.209-8 with FAR 52.209-9?	FAR 9.104-7, 52.209-9, Alt. 1				
		INVOICES				
D.52	Have contractor's invoices been reviewed/approved/disapproved in a timely manner?	FAR 32				
		TERMINATIONS				
D.53	If termination for convenience/default deemed necessary, was process handled properly?	FAR 49				
D.54	If contract does not contain a termination for default clause and contractor has failed to perform, have proper procedures been followed?	HHSAR342.7002(c)				
D.55	As applicable, has CO ensured that information related to termination for cause notices and any amendments are reported in FAPIIS, and if a termination for cause was subsequently converted to a termination for convenience, or otherwise withdrawn, has the CO ensured that conversion of withdrawal is reported?	FAR 8.406-4(e), 12.403(c)(4), 42.1503, 49.208				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
		NOVATIONS				
D.56	If novation/change of name agreement requested, was process handled properly?	FAR 42.12				
		PAST PERFORMANCE				
D.57	Are past performance evaluations (interim/final) in file?	FAR 42.1502				
		CLAIMS/ DISPUTES				
D.58	Are claims/disputes handled properly?	FAR 33.2, HHSAR 333.2				
D.59	Has CO made a timely response to contractor dispute under CDA?	FAR 33.211(c)-(f)				
D.60	Has contractor submitted certified claim under CDA?	FAR 33.207				
D.61	Has CO consulted OGC in resolving dispute under CDA?	HHSAR 333.211				
D.62	Has CO successfully resolved claim under CDA?	FAR 33.210				
D.63	Has CO rendered final decision under CDA IAW FAR & agency provisions?	FAR 33.211, HHSAR 333.211				
D.64	If applicable, is alternate dispute resolution process used?	FAR 33.214				
		INSPECTIONS				
D.65	Is there compliance with acceptance/inspection/quality assurance requirements?	FAR 46.102				
D.66	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
		SUB-CONTRACTING				
D.67	If applicable, are subcontract reports by prime contractor and subcontractors in file (using eSRS), and have the reports been evaluated?	FAR 19.704(a)(10), 19.705-6, 19.705-7, 19.706 (Req. for Large Bus. > \$550K)				
		DEBARMENT				
D.68	Have debarment/suspension procedures been properly followed?	FAR 9.4, HHSAR 309.4				
		VECP				
D.69	Has Value Engineering Change Proposal (VECP) been received and processed appropriately?	FAR 48.103				
		PROPERTY				
D.70	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				
		MISCELLANEOUS				
D.71	If applicable, are ARRA reports submitted by the contractor and reviewed by Gov't. reviewer as required?	FAR 4.15, 52.204-11, OALM, OAMP, DAPE periodic guidance on Reporting Requirements and Checklist for Contractor Reports				

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
D.72	If applicable for a contract funded with ARRA funds, and if CO received a complaint of reprisal as described in FAR 3.907-2, have proper procedures been followed?	FAR 3.907-2, 3.907-3, 3.907-4				
D.73	If applicable, has a prime contractor of a contract or task/delivery order in an amount in excess of \$5 million for the procurement of items other than commercial items engaged in market research before making purchases?	FAR 10.003, 16.506				
D.74	As required, has the contracting officer ensured that contractors have implemented the mandatory contractor business ethics program requirements?	FAR 42.302				

SECTION E – Contract Closeout

No.	Action Item	FAR/HHSAR Part	Yes	No	N/A	Comments
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	If applicable, as adequate final indirect cost proposal been submitted and verified?	FAR 42.705				
E.5	If applicable, have quick closeout procedures been used?	FAR 42.708				
E.6	Has disposition of GFP/GFE been addressed?	FAR 45.603				
E.7	Has final past performance evaluation been received?	FAR 42.1502 (over \$100K)				
E.8	If applicable, has a contract audit in accordance with agency procedures been performed?	HHSAR 304.804-70				
E.9	Have storage, handling & disposal of contract files been accomplished in accordance with agency procedures?	FAR 4.805				
E.10	Has closeout been accomplished in a timely manner?	FAR 4.804-1				
E.11	Has the HHS GWAC contract been used to accomplish closeout, or has a justification been prepared for the file?	HHS guidance				
E.12	Have excess funds been deobligated and returned to customer?	FAR 4.804-5				