

**NIH BOARD OF CONTRACT AWARDS REVIEW CHECKLIST
ARCHITECT-ENGINEER ACQUISITIONS**

<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/Evaluation Board Activities

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
		Acquisition Planning				
A.1	Was adequate market research performed?	FAR 7.102; 10.001, 10.002; 12.101 (over \$100K); HHSAR 307.7105				
A.2	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 documentation requirements for <\$500K or other exceptions at 307.7101(c)) HHS AP template				
A.3	Was acquisition plan developed by entire team and has each participant been identified in the AP?	FAR 7.102(b) FAR 7.105				
A.4	If RFI or exchanges with industry, were they conducted properly?	FAR 15.201				
A.5	If solicitation for information or planning purposes, has it been conducted properly?	FAR 14.105, 15.201, HHSAR 315.201				
A.6	Does AP discuss the rationale for the contract type selected and is the type appropriate for the requirement?	FAR 7.103, 7.105 16.103, HHS AP template				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
A.7	If other than firm fixed price contract contemplated, is the acquisition plan approved and signed at least one level above the contracting officer?	FAR 7.103				
A.8	For other than firm-fixed price contracts, is there a discussion of strategy planned to transition to firm-fixed price contracts to the maximum extent practicable?	FAR 7.105				
A.9	If cost-reimbursement, does AP discuss why a level-of-effort, price redetermination or fee provision was included, as applicable?	FAR 16.103(v)				
A.10	If contract cannot be entirely firm-fixed price, has the contracting officer considered whether or not a portion of the contract can be established on a firm-fixed price basis?	FAR 16.104(e)				
A.11	If cost-reimbursement contract, does AP discuss appropriate Government surveillance during performance?	FAR 16.301-3(a)(4)(ii)				
A.12	Did the Government develop an independent government cost estimate and is it adequate?	FAR 7.105; 36.605, HHSAR 307.7103				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
A.13	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.14	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				
A.15	Is there evidence of milestone planning/scheduling?	FAR 7.105(b)(20); HHSAR 307.7106				
A.16	If funded with disaster assistance funds and requested by DHS, does the acquisition include requirement to display any fraud hotline poster applicable to specific project?	FAR 3.1003(b)(2)				
A.17	Is there evidence of adequate funding or intent to commit funds?	HHSAR 307.7104				
A.18	Does the file contain evidence of PO/COTR, or as applicable, Program and/or Project Manager required training, or an authorization to perform these duties on interim basis?	FAR 15.201: HHSAR 301.604- 301.607				
A.19	If access to federal facility is contemplated, have requirements of FAR and HHSAR been assured?	FAR 7.103(u); HHSAR 304.13				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
A.20	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.21	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.22	If commercial IT is being acquired, has exemption from Buy American Act been assured?	FAR 25.103(e)				
A.23	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				
		Small Business				
A.24	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				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
A.25	If CO rejects the SBS' or SBA PCR's recommendation, has the justification been documented on the HHS Form 653 and, if SBA PCR recommendation has been rejected, has the SBA PCR been timely notified?	FAR 19.202-1, FAR 19.505, HHSAR 319.501				
A.26	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 RFP?	FAR 19.202-1(e)(1); 19.501(f) FAR 10.001				
A.27	If 8(a) contract is contemplated, has Offering Letter been sent to SBA?	FAR 19.804				
A.28	If 8(a) acquisition, does requirement meet the test for a single source 8(a) acquisition? If over the threshold, is the requirement set up as competitive?	FAR 19.805-1				
A.29	Has HUBZone set-aside been considered?	FAR 19.1305				
A.30	Has service-disabled veteran-owned small business (SDVOSB) set-aside been considered?	FAR 19.1405				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
A.31	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				
A.32	If award of 8(a) sole source contract over \$20 million, has JOFOC been written and approval obtained?	FAR 6.302-5; 6.303-1; 6.303-2; 19.808-1(a)				
		Contract Type/Purchase Description/SOW/SOO				
A.33	Do services correctly fall under the Brooks Act definition?	P.L. 95-582, FAR 36.601-4				
A.34	Is Purchase description/statement of work, specification, etc. adequate, limiting use of “brand name or equal” unless justified, and following established purchase description order of preference?	FAR 11.002, 11.101(a)				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
A.35	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.36	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.37	If construction, are requirements of E.O. 13514 included and does FedBizZOpps notice contain the proper description?	FAR 5.207(c)(11), 36.104				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
A.38	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)				
A.39	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.40	For facility design contracts, does SOW require that A-E specify in construction design specs: use of maximum practicable amt. of recovered materials IAW perf. requirements, availability, price reasonableness, & cost-effectiveness, & as appropriate, does SOW also require A-E to consider energy & conservation, pollution prevention, & waste reduction to max. extent practicable in developing const. design specs?	FAR 36.601-3(a)				
A.41	If both A&E and other services are required, are proper procedures followed?	FAR 36.601-36				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
A.42	If Government property is to be furnished to contractor, did CO assure that required criteria are met?	FAR 45.102				
		Services				
A.43	Is there documentation that the services, if applicable, do not represent an inherently governmental function?	FAR 7.503; 11.106				
		Bundling				
A.44	Does AP 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, 19.202-1(e)(1)				
A.45	If bundled contract is anticipated, has proper notification to affected incumbent SB concerns taken place?	FAR 10.001(c)(1) & (2), 7.107(a); 19.202-1(e)(1)				
A.46	Has coordination of anticipated bundled contract taken place with HHS SBS and PCR?	FAR 19.202- 1(e)(1)(iii)				
		Sources				
A.47	Are sources selected in accordance with the procedures in FAR 36.6?	FAR 36.601-3, 36.602				
A.48	If interagency acquisition, have proper procedures been followed?	FAR 8.404, 17.501, 17.502, 17.503, 17.504				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
		Source Selection Planning				
A.49	If past performance is not to be evaluated, has CO provided rationale?	FAR 15.403(c)(3)(iii)				
A.50	Is A&E Evaluation Board composed of members who have experience in architecture, engineering, construction and Government acquisition?	FAR 36.602-2(a)				
		EIT				
A.51	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.52	If acquiring EIT supplies/services, including EIT deliverables such as electronic documents and reports, has a separate technical evaluation factor or a mandatory qualification factor been included in the RFP?	HHSAR 315.304				
A.53	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)				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
A.54	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, 339.203				
		OCOI/COI				
A.55	If potential for OCOI/COI has been determined, did CO obtain assistance/advice of technical specialists and OGC in evaluating potential conflicts?	FAR 9.504(b) (required unless waived by agency head)				
A.56	If significant potential for OCOI/COI, did CO provide written analysis, recommended course of action, draft RFP provision and clause language to HCA?	FAR 9.504(c) 9.506(b)(1)-(3) (required unless waived by agency head)				
		D&Fs/JUSTIFI- CATIONS				
A.57	If submission of cost/pricing data >SAT but <\$700K is required, has approval been obtained?	FAR 15.403-4(a)				
A.58	If applicable, is there an approved D&F for use of a T&M or L/H contract?	FAR 16.601(c)				
A.59	If applicable, is there an approved D&F for use of a letter contract and has it been properly approved?	FAR 16.603-3(a), HHSAR 316.603- 3, OAMP Policy Letter 2004-01				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
A.60	If applicable, has D&F been executed for evaluation or non-evaluation of options?	FAR 17.206				
A.61	If applicable, is there a properly approved D&F for use of a letter contract?	FAR 16.603, HHSAR 316.603-3, OAMP Policy Letter 2004-1				
A.62	If a particular source is excluded from competition to establish or maintain alternative source(s), has determination been made and approved?	FAR 6.202(b), HHSAR 306.202				
A.63	If contract action with Government employee or business concern substantially owned or controlled by one or more Government employees, did CO obtain exception to policy?	FAR 3.602, HHSAR 303.602				
A.64	If liquidated damages planned, are they adequately documented as to their need, and not considered a penalty?	FAR 11.5				
A.65	If acquisition meets definition of “emergency acquisition flexibilities” have available acquisition flexibilities or emergency flexibilities been considered, & if not, has action been justified as to rationale for not using these flexibilities?	FAR Part 18				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
A.66	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.67	If IDIQ >\$103M (including all options) is D&F approved by HCA in file?	FAR 16.504(c)(1)(ii) (D)				
A.68	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				
A.69	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.70	Did CO determine insurance levels against loss of or damage to Government property and need for bonds?	FAR 28.306(b)(1)				
		Synopsis				
A.71	Is there a FedBizOpps notice of intent to contract for A&E services, including specific selection criteria	FAR 5.205(d), 36.601-1				
A.72	Does synopsis include proper NAICS code and size standard?	FAR 19.303(a)				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
A.73	Does synopsis allow at least a 30-day response time from date of publication of notice of intent to contract for A-E services?	FAR 5.203(d) (includes competitive 8(a) acquisitions)				
A.74	If non-competitive acquisition under a FAR Part 6 exception requiring advertising in FedBizOpps, has the synopsis been issued or is a draft synopsis in file?	FAR 6.3, 6.4, 6.5, HHSAR 306.2, 306.3, 306.5				
A.75	If CO believes that advance notice is not appropriate, has memo been sent to HHS requesting relief from synopsis and has it been approved?	HHSAR 305.202				
A.76	If CO determined that RFP 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)				
A.77	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)				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
A.78	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.79	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 RFP?	FAR 50.205-2(b)				
		Evaluation Planning				
A.80	Is a technical evaluation plan in the file, including the elements covered in HHSAR 315.305(a)(3) and approved at one level above the project officer?	HHSAR 315.305(a)(3)				
A.81	Is SF-330, A-E Qualifications form used for evaluation of potential A&E contractors?	FAR 36.702(b)				
A.82	Do selection criteria for potential A-E contractors consider professional qualifications necessary for satisfactory performance?	FAR 36.602- 1(a)(1)				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
A.83	Do selection criteria consider specialized experience and technical competence in type of work required, and where appropriate, experience in energy conservation, pollution prevention, waste reduction and use of recovered materials?	FAR 36.602-1(a)(2)				
A.84	Do selection criteria consider capacity to accomplish work in required time period?	FAR 36.602-1(a)(3)				
A.85	Do selection criteria consider past performance on contracts with Government agencies and private sector in terms of cost control, quality of work and compliance with performance schedules?	FAR 36.602-1(a)(4)				
A.86	Do selection criteria consider location in general geographical area of the project and knowledge of locality of the project (application of this criterion must leave an appropriate no. of qualified firms)?	FAR 36.602-1(a)(5)				
A.87	If using a design competition, has head of agency given approval?	FAR 36.602-1(b)				
A.88	Does RFP clearly state all factors and subfactors and their relative importance?	FAR 15.304(d), HHSAR 315.204-5(c)(1)				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
A.89	Did evaluation factors and significant subfactors include extent of participation of SDB concerns in performance of the contract?	FAR 15.304(c)(4)				
A.90	If acquiring EIT, is there a separate technical evaluation factor or mandatory qualification criterion to determine offeror compliance with applicable Section 508 accessibility standards?	HHSAR 315.304				
		Misc. Issues				
A.91	If IDIQ, are multiple awards anticipated, or does the file document why a single award is contemplated?	FAR 16.504(c)				
A.92	If IDIQ, have procedures for ordering been included?	FAR 16.504				
A.93	If IDIQ, have minimum and maximum quantities been included?	FAR 16.504				
A.94	If IDIQ, has period of performance been included?	FAR 16.504				
A.95	Is there evidence of an internal file review?	NIH Manual 6304.71				
A.96	If RFI or exchanges with industry, were they conducted properly?	FAR 15.201				
A.97	Does the RFP include requirement for contractor code of business ethics and conduct, and a hotline poster, as applicable?	FAR 3.10				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
A.98	If an incentive-fee or award-fee type contract is being used, has the required D&F been executed and signed by the HCA, and is compliance with FAR assured?	FAR 16.404(b), 16.301-3, 16.401(e)(3)				
		Evaluation Board Functions				
A.99	If non-Government individuals sit on the Evaluation Board, has it been ensured that no firm is eligible for award during the period in which any of its principals or associates are participating members of the Evaluation Board?	FAR 36.602-2(b)				
A.100	Has the Evaluation Board reviewed current data files on eligible firms and responses to the FedBizOpps concerning the specific project?	FAR 36.602-3				
A.101	Has the Evaluation Board reviewed the firms in accordance with criteria specified?	FAR 36.602-1, 36.602-3(b)				
A.102	Has the Evaluation Board held discussions with at least 3 of the most highly qualified firms regarding concepts and the relative utility of alternative methods of furnishing the required services?	FAR 36.602-3(c)				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
A.103	Has the Evaluation Board prepared a selection report to the designated selection authority detailing strengths/weaknesses for each evaluation criterion, discussions held, and recommending, in order of preference, at least 3 firms that are considered to be the most highly qualified to perform the required services?	FAR 36.602-3(d)				
A.104	Has the designated selection authority reviewed the recommendations and made the final selection in the form of a listing, in order of preference of the firms considered most highly qualified to perform the work?	FAR 36.602-4				
A.105	If the designated selected authority does not agree with the recommendations made by the Evaluation Board in the order of the Board's preference, has he/she provided a written explanation of the reason(s)?	FAR 36.602-4(b)				
A.106	Has the Evaluation Board been notified of the final selection?	FAR 36.602-4(d)				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
		Misc. Issues				
A.107	Does the RFP include time of delivery or performance schedule?	FAR 11.4				
A.108	If contract will involve safety/health issues, are proper clauses included?	HHSAR 323.7002				
A.109	Has requisition been entered into I-Procurement (or for NIAID – into AMBIS)?	NBS Requirement				
A.110	Is there evidence of an internal file review?	NIH Manual 6304.71				
A.111	If applicable, are the policies regarding the funding of contracts exceeding one year of performance, including Interim HHSAR coverage, being followed?	HHS Acquisition Policy Memorandum 2010-1, Interim HHSAR Coverage at 307.7108, 317.1, 332.7, 352.232- 70, 352.272-71, 352.272-72. NCI Workform				

SECTION B – SOLICITATION PHASE

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
		RFP				
B.1	Does RFP include proper NAICS code and size standard?	FAR 19.303(a)				
B.2	If solicitation period consistent with FAR 5.203?	FAR 5.203 (includes competitive 8(a) acquisitions)				
B.3	Has the RFP informed the offeror that no construction contract may be awarded to the firm that designed the project, except as provided at FAR 36.209?	FAR 36.606(b)				
B.4	Does RFP include annual reps and certs	FAR 4.1202 and 52.204-7				
B.5	If electronic commerce was used to issue RFP and receive proposals, did RFP specify permitted electronic methods?	FAR 15.203(c)				
B.6	Are proper provisions/clauses included?	FAR 36.606, 36.609, 52.301 Matrix, NCI Contract Workform				
B.7	Does RFP include period of performance?	FAR 11.4				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
B.8	Does RFP require the A-E contractor to design the project so that construction costs will not exceed a contractually specified dollar limit (funding limitation), unless inapplicable?	FAR 36.209-1, 52.236.22				
B.9	If oral RFP used, is there compliance with FAR?	FAR 15.203(f)				
B.10	If liquidated damages are used, is the clause proper?	FAR 11.503				
B.11	If letter contract used in a sole source acquisition, is there compliance with FAR requirements?	FAR 15.203(e)				
B.12	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.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, associated OMB guidance, and requirement for inclusion of proper clause been followed?	FAR 4.13 and 52.204-9; HHSAR 304.13, 339				
B.14	If hazardous materials required, has FAR 52.223-3 been included?	FAR 23.303(a)				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
B.15	Are date, place and time for receipt of offers clearly stated on face page of RFP?	FAR 15.204-2				
B.16	Does the RFP include requirement for contractor code of business ethic and conduct, and a hotline poster display, as applicable?	FAR 3.10				
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 payment is contemplated to be made using the Government-wide commercial purchase card, have proper clauses been included?	FAR 32.1108				
B.19	If CO determined that RFP 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/ NIH Policy Part	Yes	No	N/A	Comments
B.20	If contract or order (including task or delivery order) exceeds simplified acquisition threshold, and is a cost reimbursement type contract/order, have the proper clauses regarding Limitations on Pass-Through Charges been included?	FAR 15.408, 52.215-22, 52.215-23				
		OCOI/OCI				
B.21	If potential conflict of interest involved, does solicitation include appropriate provisions?	FAR 9.504(b), 9.506(d)				
		RFP Amendments				
B.22	If oral notice of RFP amendment is used, is there compliance with FAR?	FAR 15.206(f)				
B.23	If RFP is amended, have amendments been sent and was closing date extended if necessary?	FAR 15.206				
		Evaluation				
B.24	Does RFP provide basis for award?	FAR 15.304				
		Options				
B.25	If options included, did CO justify and document in contract file?	FAR 17.205				
B.26	If options included, does the RFP provide the basis for evaluation?	FAR 17.203(b), HHSAR 317.201				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
B.27	If options included, does the RFP 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.28	If options included, is provision at FAR 52.217-5 included?	FAR 17.202(a)				
B.29	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				
		IDIQ				
B.30	Does the RFP specify the period of performance, the minimum and maximum quantities, procedures for fair opportunity, etc. necessary under IDIQ contracts?	FAR 16.504(a)				
		Cost/Pricing Data – Non- FP				
B.31	Does RFP adhere to pricing policy and used order of precedence for determining type of certified cost or pricing data required? Did CO comply with prohibition on obtaining cost or pricing data or obtain waiver?	FAR 15.402, 15.403-1, 15.403- 4(a)(2)				
B.32	If RFP will waive requirement for certified cost or pricing data, has HCA approved waiver?	FAR 15.403- 1(c)(4)				
No.	Action Item	FAR/HHSAR/	Yes	No	N/A	Comments

		NIH Policy Part				
B.33	Does RFP include instructions for submission of certified cost or pricing data or data other than certified cost or pricing data (information)?	FAR 15.403(5)(a)(1)-(4)				
B.34	If submission of certified cost or pricing data or data other than cost or pricing data is required, does RFP state that such data can be submitted in offeror's own format?	FAR 15.403-5(b)(2) (unless CO determines a specific format is essential)				
B.35	If cost-reimbursement contract used is RFP appropriately structured as Level of Effort or Completion type and is proper language used?	FAR 16.3				
B.36	If RFP will require submission of cost or pricing data >\$150K but <\$700K, has HCA authorized CO to obtain the data?	FAR 15.403-4(a)(2)				
		Misc. Issues				
		Multiyear Contracting				
B.37	If multi-year contracting used, did RFP include all required factors to be considered in evaluation and all required clauses?	FAR 17.106-2, 17.109				
B.38	If multi-year contracting used, did RFP include required clauses?	FAR 17.109				
B.39	If Government property offered, does RFP include a listing of property with minimum information stated?	FAR 45.102, 45.201(a)				
No.	Action Item	FAR/HHSAR/	Yes	No	N/A	Comments

		NIH Policy Part				
B.40	If use of Government property was anticipated on more than one contract, did SOW include additional instructions regarding property management, accountability and use?	FAR 45.201(d)				

SECTION C – RECEIPT, EVALUATION AND AWARD

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
		Receipt				
C.1	Have proposals been received no later than time set for receipt of offers, and if not, are late proposals handled properly?	FAR 15.208, HHSAR 315.208				
C.2	Are proposal modifications, revisions, or withdrawals handled properly?	FAR 15.208, HHSAR 315.208				
C.3	If electronic proposals were permitted, were any unreadable electronic bids handled properly?	FAR 15.203(c)				
		Evaluation				
C.4	If option quantities or periods were solicited, was proper evaluation conducted?	FAR 17.206				
C.5	Do at least 50% of HHS evaluators have appropriate training?	HHSAR 307.170-2				
C.6	Was small business subcontracting evaluation accomplished properly?	FAR 15.305(a)(5)				
C.7	Is cost or price evaluation compliant?	FAR 15.305(a)(3), 15.404-1(a)-(c), HHSAR 315.305				
C.8	Are evaluators' certifications in file?	HHSAR 315.305(a)(3)(ii)(E)(2) and (3)				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
C.9	Has Evaluation Board prepared a selection report recommending, in order of preference, at least three firms that are considered to be the most highly qualified to perform the required services? Does the report include a description of the discussions and evaluation conducted by the board to allow the selection authority to review the considerations upon which the recommendations are based?	FAR 36.602-3(d)				
C.10	If the firm listed as the most preferred is not the firm recommended as the most highly qualified by the evaluation board, has the selection authority provided for the contract file a written explanation of the reason for the preference?	FAR 36.603-4(b)				
C.11	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				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
		Negotiations				
C.12	Has the contracting officer conducted the negotiations IAW FAR Part 15, beginning with the most preferred firm in the final selection?	FAR 36.606(a)				
C.13	If EIT products/services are being acquired, before conducting negotiations or making award, has CO provided a summary of the TEP's assessment of offeror responses to the RFP's evaluation factor for review by the Section 508 Official or designee and has that Official indicated approval/disapproval of the TEP's assessment? Has CO coordinated resolution of issues, as applicable? Is the approved assessment in the official contract file, or an exception determination obtained?	HHSAR 315.304(b); 339.203				
C.14	Does the contract, as applicable, include language regarding GAO's right to interview current contractor employees when conducting audits?	FAR 15.209(b); FAR 52.215-2 (Use Alt. 1 if Recovery Act funds are used)				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
C.15	Has the contracting officer sought advance agreement on any charges for computed-assisted design, or if the firm's proposal does not cover appropriate modern, cost-effective design methods (e.g., computer-assisted design), has the contracting officer discussed this topic with the firm?	FAR 36.606(d)				
C.16	Has the extent of any subcontracting been discussed and are the limits of a firm's subcontracting been agreed upon IAW FAR 52.244-4?	FAR 36.606(e), 52.244-4				
C.17	Have proposal revisions/final proposal revision been handled properly?	FAR 15.307, HHSAR 315.307				
C.18	If a mutually satisfactory contract cannot be negotiated, has the firm been notified that negotiations have been terminated and were negotiations initiated with the next firm on the final selection list?	FAR 36.606(f)				
C.19	If negotiations fail with all selected firms, has the contracting officer referred the matter to the selection authority?	FAR 36.606(f)				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
		Cost/Price Analysis				
C.20	Have prenegotiation objectives, including profit/fee analysis, been established?	FAR 15.406-1, 15.404-4, HHSAR 315.404-4				
C.21	Was written final proposal revision received?	FAR 15.307				
C.22	Has cost analysis, price analysis, cost realism been performed as required?	FAR 15.404, HHSAR 315.404-2				
C.23	If cost analysis report has been provided from DFAS or through field pricing information, have recommendations been followed or has the file been documented justifying why recommendations were not followed?	FAR Part 15, NIH Manual 6015-1				
C.24	If cost analysis was performed, is there adequate evaluation of negotiated direct labor costs?	FAR 31.202;				
C.25	If cost analysis was performed, is there adequate evaluation of negotiated fringe benefit costs?	FAR 31.202;				
C.26	If cost analysis was performed, is there adequate evaluation of negotiated materials and supplies costs?	FAR 31.202;				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
C.27	If cost analysis was performed, is there adequate evaluation of negotiated other direct costs?	FAR 31.202;				
C.28	If cost analysis was performed, is there adequate evaluation of negotiated indirect costs?	FAR 31.202;				
C.29	If indirect costs proposed meet the definition of “excessive pass-through charge”, are they considered unallowable?	FAR 31.203				
C.30	Has subcontract pricing been appropriately considered?	FAR 15.404-3				
C.31	Has profit/fee been adequately analyzed?	FAR 15.404-4, HHSAR 315.404-4				
C.32	If certified cost or pricing data was required, did contractor execute a proper Certificate of Current Cost or Pricing Data?	FAR 15.406-2				
C.33	If certified cost or pricing data waived, is waiver in accordance with stipulated guidelines?	FAR 15.403-1(c)(4)				
C.34	If CO learned that any certified cost or pricing data was inaccurate, incomplete, or noncurrent, is there compliance with procedures in FAR?	FAR 15.407-1				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
		OCOI/COI				
C.35	If COI existed that could not be avoided or mitigated, did CO notify contractor, provide reasons and allowed the contractor a reasonable opportunity to respond?	FAR 9.504(e)				
C.36	Has CO resolved any conflict, or potential conflict of interest before contract award?	FAR 9.506(d), 9.503				
C.37	If CO found that it was in best interest of the Government to award contract notwithstanding a COI/OCOI, was a written waiver obtained?	FAR 9503, 9.504(e)				
C.38	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.39	Does award document include all required clauses for the type of contract used?	FAR 52.301, NCI Workform (DGS)				
C.40	If applicable, has the requirement to use E-Verify been included?	FAR 22.1803, 52.222.54				
C.41	Has price reasonableness been established?	FAR 15.406-3, HHSAR 315.372				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
C.42	Is an adequate, signed negotiation memorandum (“Summary of Negotiations”) in the file?	FAR 15.406-3, HHSAR 315.372				
C.43	Does Summary of Negotiations adequately address negotiated amounts for each contract period?	FAR 15.406-3(a)(7),(8), HHSAR 315.372(g)				
C.44	Is Summary of Negotiations internally consistent with the cost/price amounts for each contract period and with the contract document?	FAR 15.406-3(a)(7), (8); HHSAR 315.372(g)				
C.45	If Facilities Capital Cost of Money was proposed/negotiated, was a dollar-for-dollar offset made to fee or profit objective?	FAR 31.205-10				
C.46	Is source selection properly and sufficiently documented?	FAR 15.308				
C.47	Does contract reflect agreement of the parties?	HHSAR 315.371(a)(2)				
C.48	Was affirmative determination of responsibility (including financial responsibility) made?	FAR 9.103(b), 9.104-1; HHSAR 315.372				
C.49	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				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
C.50	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.51	If agency protest, were OGC and NIH PCO consulted and did they concur with response prepared by contracting officer?	HHSAR 333.103,				
C.52	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.53	Was Excluded Parties List System (EPLS) checked?	FAR 9.405(d)(1) & (4)				
C.54	Was proper notification provided to unsuccessful offerors?	FAR 36.607				
C.55	Was there an approved subcontracting plan, if applicable?	FAR 19.702)a)(2) (req. for LB award over \$550K)				
C.56	If subcontracting plan is applicable, has it been included as a part of the contract?	FAR 19.705- 5(a)(5)				
C.57	Was EEO Clearance received?	FAR 22.805 (required >\$10M exc. Construction				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
C.58	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), 4.1201,15.204-5				
C.59	If letter contract is definitization schedule included in contract?	FAR 16.603-2(b) and (c)				
C.60	Is there written assurance that adequate funds are available (funds certification), or is the award conditioned upon availability of funds?	FAR 32.702, 32.703-2				
C.61	Have prenegotiation objectives, including profit or fee objectives been established?	FAR 15.406-1, 15.404-1, 315.404-4				
C.62	If SBSA, was preaward notice furnished to offerors, unless CO made determination of urgency?	FAR 15.503(a)(2)(i)				
C.63	If debriefings are held, are they conducted properly?	FAR 36.607(b) (FAR 15.503, 15.506(b)-(f), 15,507(c)				
C.64	Is contract prepared on SF 252 and signed by a warranted CO and is amount within his/her authority?	FAR 1.601, 4.101, 36.702(a)				
C.65	Is there evidence of an internal file review of contract and documentation?	NIH Manual 6304.71				
C.66	Is draft FedBizOpps Award Notice in file?	FAR 5.301 (required >\$25K)				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
C.67	Is draft public award announcement (“Congressional Liaison Office”) in file?	FAR 5.303(a), HHSAR 305.303(a) (required > \$3.5M)				
C.68	Is contractor is in CCR?	FAR 4.1103, 19.1503				
C.69	Has CO entered contract into Prism/Compusearch (NBS) and completed DCIS documentation within required timeframes?	FR 4.604(b); HHSAR 304.602				
C.70	Has source selection information been appropriately marked?	FAR 3.104-4				
C.71	If advance payments are appropriate is executed D&F in file?	FAR 32.402(c)				
C.72	If the contract is for non-severable services has the prohibition against the use of incremental funding been followed?	HHS Acq. Policy Memo 2010-01, “Guidance Regarding Funding of Contracts Exceeding 1 Year of Performance; HHSAR 332.702- 70				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
C.73	If applicable, is the guidance at HHS Acquisition Policy Memo 2010-01 being correctly followed?	HHS Acq. Policy Memo 2010-01, "Guidance Regarding Funding of Contracts Exceeding 1 Year of Performance; HHSAR 332.702-70				
C.74	If applicable, is the awardee a HUBZone small business at both time of initial offer and time of award?	FAR 19.1303(d)				
C.75	Does contract contain precise requirements for progress reports, if applicable?	HHSAR 332.703-1(b)(7)				
C.76	If letter contract, is it appropriate and compliant with requirements?	FAR 16.603, HHSAR 316.603				
C.77	Did CO ensure that fee complied with limitations?	FAR 15.404(c)(4)				
C.78	If appropriate, are CAS clauses included in contract?	FAR 30.201-4, Appendix 9903-2				
C.79	If award fee contract, is it compliant with limitations in FAR?	FAR 16.401(e)(5), 16.301-3, 16.401				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
C.80	If award fee contract, has award fee plan been established outlining the procedures for evaluating award fee and Award Fee Board established for conducting this evaluation?	FAR 16.401				
C.81	If applicable, did CO properly report violation or possible violation of Procurement Integrity Act?	FAR 3.104-7; HHSAR 303.104-7				
C.82	If applicable were suspect/reported violations of the Covenant Against Contingent Fees reported properly?	FAR 3.405; HHSAR 303.405				
C.83	If applicable, has the proper language regarding Personal Identity Verification been included in the contract?	HHSAR 304.13				
C.84	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)				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
C.85	Has the CO assured that no funds are obligated or expended if the contractor has not submitted a required VETSA-100 with respect to the preceding fiscal year if applicable (http://www.vets100.com.login.aspx)?	FAR 22.1302				
C.86	Has the CO assured that no prohibited sources are receiving an award?	FAR 25.7				
C.87	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				

SECTION D – Contract Administration

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
D.1	If letter contract or undefinitized action, contract definitized in a timely manner.	FAR 16.603				
D.2	Is COTR 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 obtained?	FAR 1.602-2; HHSAR 301.604-70, 301.604-74, 301.605, 301.606				
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	If FAR 52.219-28 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)				
D.5	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)				
D.6	Has compliant postaward debriefing been held if requested and is there a record in the file?	FAR 15.506				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
D.7	Is contractor size status representation validated or updated in the ORCA and its data in the CCR also updated to reflect current status?	FAR 19.308(d), 52.219-28				
D.8	Has contractor updated information in the FAPIIS on a semi-annual basis throughout life of contract?	FAR 52.209-8 (Req.>\$500K)				
D.9	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; 45.1502				
D.10	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.11	If task/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.12	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				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
D.13	If performance-based payments, has finance request for performance criterion successfully accomplished been reviewed and approved?	FAR 32.1007				
D.14	If applicable, has the CO identified and demanded payment of a contract debt?	FAR 32.603, 32.604				
		Post Award Protests				
D.15	If protest after award, has CO determination for agency protest been handled timely?	FAR 33.104				
D.16	If protest after award, has CO obtained concurrence from Protest Control Officer (and OGC, if agency protest)?	HHSAR 333.103(f)(2)(iii)				
D.17	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.18	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)				
D.19	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				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
		Modifications and Change Orders				
D.20	Are contract modifications properly documented, citing correct authority and funding, within scope, and issued properly as unilateral or bilateral?	FAR 43				
D.21	If modification is for new work, is approved JOFOC in file?	FAR 6.303, HHSAR 306.303, JOFOC Desk Guide				
D.22	Did CO ensure availability of funds prior to issuing modification/change order?					
D.23	As applicable, has CO modified existing contracts on a bilateral basis in compliance with FAR 52.204-10?	FAR 52.204-10 (>25K)				
D.24	If contract modification for a commercial item, has CO complied with prohibition on obtaining certified cost or pricing information?	FAR 15.403-1				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
D.25	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				
D.26	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.27	If change order issued, was equitable adjustment definitized?	FAR 43.2				
D.28	If change orders have been executed, were they definitized in a timely manner?	FAR 43.204				
D.29	Does supplemental agreement definitizing a change order include a Contractor's Statement of Release?	FAR 43.204(c)				
D.30	If modification to a construction contract awarded as a result of this A-E contract is required due to an error or deficiencies in the A-E contract, has the CO considered the extent to which the A-E contractor may be liable, enforced the liability and collected the amount due? Has the file been properly documented?	FAR 36.608				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
D.31	If the price of construction proposed in response to a solicitation exceeds the construction funding limitation in the A-E contract, has the A-E firm been held solely responsible for redesigning the project within the funding limitation, at no increase in price? (unless there were unanticipated material costs or undue delay)	FAR 36.609-1				
D.32	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				
D.33	Has contract modification been entered into Prism/Compusearch (NBS) and FPDS (through DCIS), including mods for change in size status, as applicable?	FAR 4.604(b)(5); NBS				
D.34	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				
		Claims\Disputes				
D.35	Are claims/disputes handled properly?	FAR 33.2, HHSAR 333.2				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
D.36	Has CO made a timely response to contractor dispute under CDA?	FAR 33.211(c)-(f)				
D.37	Has contractor submitted certified claim under CDA?	FAR 33.207				
D.38	Has CO consulted OGC in resolving dispute under CDA?	HHSAR 333.211				
D.39	Has CO successfully resolved claim under CDA?	FAR 33.210				
D.40	Has CO rendered final decision IAW FAR & agency provisions?	FAR 33.211, HHSAR 333.211				
D.41	If applicable, is alternate dispute resolution process used?	FAR 33.214				
		Management				
D.42	If mistake after award, have appropriate procedures been followed?	FAR 15.508				
D.43	If options included in contract, have they been executed properly and documented?	FAR 17.207				
D.44	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 COTR?	HHSAR 317.207				
D.45	Have contractor's invoices been reviewed/approved/disapproved in a timely manner?	FAR 32				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
D.46	If termination for convenience/default deemed necessary, was process handled properly?	FAR 49				
D.47	If novation/change of name agreement requested, was process handled properly?	FAR 42.12				
D.48	Are performance evaluation reports in file, as required?	FAR 42.1502(f)				
D.49	If contractor's overall performance was unsatisfactory, was contractor advised, and provided the basis for the report? Was contractor given opportunity to provide comments? If so, did the evaluating official resolve any alleged factual discrepancies and make appropriate changes in the report?	FAR 42.1503 (Req. >\$30,000)				
D.50	If cost overrun, has coordination taken place with program office, additional funds request received from contractor, statement from program office to fund/terminate contract, fixed fee unadjusted?	HHSAR 342.7101, 342.7102				
D.51	Have debarment/suspension procedures been properly followed?	FAR 9.4, HHSAR 309.4				
D.52	If applicable, has there been consent to subcontracts or approved system?	FAR 44.201				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
D.53	Are subcontracting compliance reports submitted by prime contractor and subcontractors (using eSRS), and have they been evaluated?	FAR 19.704(a)(10), 19.705-6, 19.705-7, 19.706 (Required for Large Bus. > \$500K)				
D.54	If task/delivery order under IDIQ in excess of \$5M, has CO properly notified unsuccessful offerors?	FAR 16.505(b)(4)				
D.55	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.56	If award was noncompetitive under FAR 6.302-1 or 6.302-2, has the required justification (JOFOC) been made available at the agency website and www.fedbizopps.gov within the required time after award, and properly edited?	FAR 6.305				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
D.57	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 <u>bilateral</u> modification to include FAR 52.222-54 been executed?	FAR 22.1803, 52.222-54, CAAC Letter 2009-03, dated 9/3/09				
D.58	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.59	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.60	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)				
D.61	If contract does not contain a termination for default clause and contractor has failed to perform, have proper procedures been followed?	HHSAR 342.7002(c)				
D.62	If applicable, has award fee evaluation been properly conducted?	FAR 16.404(a)(2), 16.405-2(b)(3)				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
D.63	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				
D.65	Have PIV products been accounted for when FAR 4.1301 conditions apply?	FAR 4.1301				
D.66	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				
D.67	If applicable for a contract funded with ARRA funds and non-compliance with Section 1605 of Recovery Act or Buy American Act have been alleged, have allegations been properly reviewed and processed?	FAR 25.607				
D.68	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				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
D.69	If applicable, has CO monitored the adequacy of the contractor's accounting system during the period of contract performance?	FAR 42.302(a)(12)				
D.70	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/ NIH Policy 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 submitted to PPIRS?	FAR 42.1502, 42.1503 (over SAT)				
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				

