

**NIH BOARD OF CONTRACT AWARDS REVIEW CHECKLIST
NEGOTIATED ACQUISITIONS
(including R&D and Commercial Acquisition)**

REVIEW TYPE	
<input type="checkbox"/> Presolicitation	<input type="checkbox"/> Preaward
<input type="checkbox"/> Postaward	
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/ 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	If RFI or exchanges with industry, were they conducted properly?	FAR 15.201				
A.3	Does File contain an adequate Acquisition Plan (AP), addressing all FAR and HHSAR requirements?	FAR 7.105; HHSAR 307.71 (>\$500K – but see documentation requirements for <\$500K or other exceptions at 307.7101(c)) HHS AP template				
A.4	Does AP discuss the rationale for the contract type selected and is the type appropriate for the requirement?	FAR 16.103 HHS AP template				
A.5	Was acquisition plan developed by entire team and has each participant been identified in the AP?	FAR 7.102(b) FAR7.105				
A.6	Did the Government develop an independent government cost estimate and is it adequate?	FAR 7.105; HHSAR 307.7103				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
A.7	Is there evidence of milestone planning/scheduling?	FAR 7.105(b)(20); HHSAR 307.7106				
A.8	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				
A.9	If requirement is potentially appropriate for Safety Act protections, is there evidence in the file that the program office obtained pre-qualification notice?	FAR 50.205-2(a)(3)				
A.10	If funded with disaster assistance funds and requested by DHS, does the acquisition include requirement to display any fraud hotline poster applicable to specific project?	FAR 3.1003(b)(2)				
A.11	Is there evidence of adequate funding or intent to commit funds?	HHSAR 307.7104				
A.12	Does the file contain evidence of project officer required training or a waiver?	HHSAR 307.170; 307.170-1				
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				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
		Small Business				
A.14	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.15	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 notified?	FAR 19.202-1, FAR 19.505, HHSAR 319.501				
A.16	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.17	If 8(a) contract, has Offering Letter been sent to SBA?	FAR 19.804				
A.18	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.19	Has HUBZone set-aside been considered?	FAR 19.1305				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
A.20	Has service-disabled veteran-owned small business (SDVOSB) set-aside been considered?	FAR 19.1405				
		Contract Type/Purchase Description/ SOW/SOO				
A.21	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.22	If brand name or equal, does the purchase description cover the salient physical, functional or performance characteristics of brand name?	FAR 11.104				
A.23	If requirement is for electronic products, are the Electronic Product Environmental Assessment Tool (EPEAT) standards being used?	FAR 23.705				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
A.24	Did requirements documents achieve maximum practicable energy efficiency as well as use of recovered material, environmentally preferable materials, energy- and water-efficient products, renewable energy technologies, products containing energy-efficient standby power devices, ENERGY STAR or FEMP products as required, and biobased products, as applicable?	FAR 11.101, FAR 23.2, 23.4, 23.7				
A.25	If Government property to be furnished to contractor, were the criteria at FAR 45.102 met?	FAR 45.102				
		OCOI/COI				
A.26	If potential for OCOI determined, has CO obtained assistance/advice of legal counsel and technical specialists in evaluating potential conflicts?	FAR 9.504(b)				
A.27	If significant potential COI, has CO provided written analysis, recommended course of action, and draft RFP provision and contract clause?	FAR 9.504(c)				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
		Noncompetitive Contracts				
A.28	Has market research been accomplished to ensure that a noncompetitive contract is necessary?	FAR 10.002(b)(2)				
A.29	If other than full and open competition, has JOFOC been prepared and approved?	FAR 6.303-1 HHSAR 306.303-1, JOFOC Desk Guide				
		Service Contract				
A.30	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.31	Is there documentation that the services, if applicable, do not represent an inherently governmental function?	FAR 7.503; 11.106				
A.32	If services, has a performance-based acquisition (PBA), including PBA SOW, been written and has the acquisition plan discussed the strategies for implementing a performance-based acquisition (including associated measures, incentives, if any, and quality surveillance plan)?	FAR 7.105, 37.102, 37.6; HHSAR 307.105 HHS AP				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
A.33	If PBA for services and other than a firm-fixed price basis, has rationale been documented?	FAR 7.105(b)(4)				
A.34	If services. and PBA is not being contemplated, has the AP addressed the rationale for not using PBA?	FAR 7.104, 37.102, 37.6, HHS AP HHSAR 307.7105				
		Bundling				
A.35	Does AP address bundling and was market research conducted to determine whether bundling was necessary and if so, was it justified and approved?	FAR 7.107				
A.36	If bundled contract, has notification to affected incumbent SB concerns taken place?	FAR 10.001(c)(1) & (2)				
A.37	Has coordination of anticipated bundled contract taken place with HHS SBS and PCR?	FAR19.202- 1(e)(1)(iii)				
		Sources				
A.38	Has use of priority sources and existing contracts (FSS, IDIQ, GWACs) been considered?	FAR 8.002				
A.39	If purchasing supplies of the classes listed in the FPI Schedule, was market research conducted to determine comparability with FPI item and written determination made?	FAR 8.602(b) (required > \$3.000)				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
		EIT/EPA				
A.40	If acquiring EIT supplies/services, was Section 508 compliance assured or exception documented?	FAR 39.203				
A.41	If requirement includes EPA designated items or services that contain recovered material (>10K), was compliance assured or exception documented? (see http://www.epa.gov/cpg)	FAR 23.405				
A.42	If requirement includes USDA designated items containing biobased products or materials (http://www.usda.gov/biopreferred) has compliance been ensured or exception documented?	FAR 23.405(a)(2)				
		R&D Issues				
A.43	If R&D, is there evidence of peer review of concept and 75% of reviewers were/will be non-Government?	HHSAR 315.305(a)(3)(ii) (F), NIH Manual 6315-1				
		IT Issues				
A.44	If IT requirement, have agency planners complied with capital planning and investment control requirements in 40 USC 11312 and OMB Circular A-130?	FAR 7.103(t)				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
A.45	If IT requirement, are IT security requirements in FISMA, OMB's implementing policies (including Appendix III of OMB Circular A-130) and NIST guidance and standards being followed?	FAR 7.103(u), 39.101, 39.106				
A.46	If commercial IT is being acquired, has exemption from Buy American Act been assured?	FAR 25.103(e)				
A.47	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)				
		D&Fs				
A.48	If IDIQ >100M, is D&F approved by HCA in file?	FAR 16.504(c)(1)(ii) (D)				
A.49	If applicable, is there an approved D&F for use of a T&M or LH contract?	FAR 16.601(c)				
A.50	If applicable, is there a properly approved D&F for use of a letter contract?	FAR 16.603-3(a), HHSAR 316.603- 3, OAMP Policy Letter 2004-01				
A.51	If multi-year contracting used, has HCA determination been obtained?	FAR 17.105-1				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
A.52	If a particular source has been excluded from contract action to establish or maintain alternative source/sources, has determination been made and approved?	FAR 6.202(b)				
A.53	If contract action is with a Government employee or business concern substantially owned/controlled by one or more Government employees, has HCA authorized exception?	FAR 3.602, HHSAR 303.602				
A.54	If applicable, has D&F been executed for evaluation or non-evaluation of options?	FAR 17.206				
A.55	If commercial item time and materials or labor-hours contract is being contemplated, has D&F been executed?	FAR 12.207(b)				
A.56	If commercial item acquisition for items >\$100K and <\$5.5M (or >\$11M for acquisitions described in FAR 13.500(e)), have simplified procedures been used under Test Program, or has file documented rationale for not using these procedures?	FAR 12.203, 13.5				
A.57	If COTS items being acquired, has the list of inapplicable laws been updated for the COTS items?	FAR Part 2, 12.103, 12.5				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
A.58	If firm-fixed price, level-of-effort contract (>\$100K) used, has Chief of Contracting Office approved?	FAR 16.207-3(d)				
A.59	If applicable, has Buy American Act determination been made and approved?	FAR 25.103(b)(2),				
A.60	If submission of cost/pricing data >SAT but <\$650K, has approval been obtained?	FAR 15.403-4(a)				
A.61	If RFP is to include Quantity Surveys, (FAR 52.236.16, Alt. 1), has determination been made at one level above CO?	FAR 36.516				
A.62	If liquidated damages planned, are they adequately documented as to their need, and not considered a penalty?	FAR 11.5				
A.63	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/ NIH Policy Part	Yes	No	N/A	Comments
A.64	If commercial IDIQ contract ONLY allows T&M or L/H orders, has determination been made explaining why firm-fixed-price or fixed-price with economic price adjustment was not practical?	FAR 12.207(c)				
A.65	Did CO determine insurance levels against loss of or damage to Government property and need for bonds?	FAR 28.306(b)(1)				
A.66	If warranties determined appropriate, did CO consider criteria for use, are limitations stipulated and has approval been obtained?	FAR 46.703, 46.705, 46.704				
		Synopsis				
A.67	If no FAR exception, FedBizOpps (FBO) notice been properly published?	FAR 5.101 (>\$25,000), 5.202, 5.203(a) (may be < 15 days-commercial items)				
A.68	If subject to Trade Agreements Act (TAA), has proper note been included in Synopsis?	FAR 25.408(b)				
A.69	If CO believes that advance notice is not appropriate, has memo requesting relief from synopsisizing been approved by HHS?	HHSAR 305.202				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
A.70	If brand name specifications, did CO include justification or documentation required in FBO?	FAR 6.302-1(c), 13.501, OFPP memo 4/17/06				
A.71	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.72	If noncompetitive acquisition requiring synopsis, was it properly documented, issued in FedBizOpps or is a draft synopsis in the file?	FAR 5.201, 6.302; 6.4, 6.5; HHSAR 306.2, 205.3, 206.5				
A.73	If commercial item and streamlined procedures (combined synopsis/solicitation), was synopsis prepared properly?	FAR 12.603(c)				
A.74	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)				
A.75	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)				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
A.76	If contract is to be funded in whole or in part by the American Recovery and Reinvestment Act of 2008 (Recovery Act), has a proper notice been published in FedBizOpps , including a narrative of products/services that is clear and unambiguous to the public?	FAR 5.704				
		Evaluation Planning				
A.77	Are evaluation factors and significant subfactors tailored to acquisition and do they represent the key areas of importance and emphasis to be considered?	FAR 15.304(b)(1) HHSAR 315.204-5(c)(2)				
A.78	Is price or cost an evaluation factor?	FAR 15.304(c)(1)				
A.79	Do evaluation factors and significant subfactors address quality of product/service?	FAR 15.304(c)(2)				
A.80	Does RFP include a statement that indicates, at a minimum, whether all evaluation factors, other than cost or price, when combined, are significantly more important, approximately equal in importance, or significant less important, than cost or price?	FAR 15.304(e)				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
A.81	Is past performance an evaluation factor or is there documentation in the file as to why past performance will not be considered?	FAR 15.304(c)(3)(ii), HHSAR 315.204-5(c)(3) (competitive >\$100K)				
A.82	Did evaluation factors and significant subfactors include extent of participation of SDB concerns in performance of the contract?	FAR 15.304(c)(4)				
A.83	If bundling and significant subcontracting opportunities exist, do evaluation factors/subfactors assure evaluation of offeror's past attainment of SB goals?	FAR 15.304(c)(3)(iii)				
A.84	If bundling and significant subcontracting opportunities exist, do evaluation factors/subfactors include evaluation of proposed SB goals in offeror's subcontracting plan?	FAR 15.304(c)(5)				
A.85	Do evaluation factors/subfactors assure that offerors are not unfavorably evaluated if telecommuting included, unless it prohibited and CO executed determination ?	FAR 15.304(c)(6), 7.108(b)				
A.86	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
		IDIQs				
A.87	If IDIQ, are multiple awards anticipated, or does the file justify why a single award is contemplated?	FAR 16.504(c)				
A.88	If IDIQ, have procedures for ordering been included?	FAR 16.504				
A.89	If IDIQ, have minimum and maximum quantities been included?	FAR 16.504				
A.90	If IDIQ, has period of performance been included?	FAR 16.504				
		Misc. Issues				
A.91	Does the RFP include time of delivery or performance schedule?	FAR 11.4				
A.92	If commercial item acquisition for items >\$100K and <\$5.5M, have simplified procedures been used under Test Program, or has file documented rationale for not using these procedures?	FAR 12.203, 13.5				
A.93	If acquisition is for printing, are the requirements of NIH Manual Chapter 6308 being followed?	NIH Manual Chapter 6308				
A.94	If lease, is there a record of a lease or buy determination?	FAR 7.401				
A.95	If contract involves safety/health issues, are proper clauses included?	HHSAR 323.7002				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
A.96	If contract involves animals, are proper clauses and language included in RFP?	HHSAR 370.4. 352.270-9, HHS AP, NCI RFP Workforms				
A.97	If contract involves human subjects, are proper clauses and language included in RFP?	HHSAR 370.3, 352.270-8, HHS AP, NCI RFP Workform (DGS)				
A.98	If advisory multi-step process, is there compliance with procedures?	FAR 15.202				
A.99	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; HHS Earned Mgmt. Value Policy, OCIO Policy for IT EVM Procedures				
A.100	If bonds and/or insurance required, is there compliance with regulations/procedures?	FAR 28.3				
A.101	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.102	Is there evidence of an internal file review?	NIH Manual Chapter 6304.71				

SECTION B – SOLICITATION PHASE						
No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
		RFP				
B.1	Is uniform contract format used (if no exception under FAR 15.204)?	FAR 15.204-1 (unless exempt by FAR 15.204)				
B.2	For commercial item acquisition, is prescribed format used and is the cover page an SF 1449?	FAR 12.303				
B.3	Does RFP include proper NAICS code and size standard?	FAR 19.303(a)				
B.4	Is solicitation period consistent with FAR 5.203?	FAR 5.203				
B.5	If not commercial, does RFP include annual reps and certs provision?	FAR 4.1202 and 52.204-7				
B.6	If electronic commerce was used to issue RFP and receive proposals, did RFP specify permitted electronic methods?	FAR 15.203(c)				
B.7	Are proper provisions included?	FAR 52.301 Matrix, NCI RFP Workform				
B.8	If contract is to be funded with Recovery Act funds, has the clause at 52.203-15 been included?	FAR 3.907-7, 52.203-15				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
B.9	If applicable, does the solicitation include language encouraging contractors, to the maximum extent possible, to donate apparently wholesome excess food to nonprofit organizations that provide assistance to food-insecure people in the US?	FAR 26.403; 52.212-5, 52.213-4, 52.226-6				
B.10	Are proper clauses included?	FAR 52.301 Matrix, NCI Contract Workform				
B.11	If SCA is applicable, does RFP contain the proper wage determination and clauses?	FAR 22.1007, FAR 22.1009, 22.1016				
B.12	If required, does the RFP contain the proper wage determination or a statement that it will be included later, and is proposed contract limited to 5 years or less?	FAR 22.1002				
B.13	If oral RFP used, is there compliance with FAR?	FAR 15.203(f)				
B.14	If letter contract and a sole source acquisition, is there compliance with FAR?	FAR 15.203(e)				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
B.15	If purchasing supplies of classes listed in Federal Prison Industries (FPI) Schedule but not determined comparable based on market research, has the RFP been provided to FPI (unless available through FedBizOpps)?	FAR 8.602(a)(4)(ii)				
B.16	If Qualified product, have FAR requirements been followed?	FAR 9.2, 14.210				
B.17	If liquidated damages, is the clause proper?	FAR 11.503				
B.18	If brand name specifications used, did CO include with the RFP required justification or documentation?	FAR 6.302-1(c)				
B.19	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.20	If contractor will 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 provision/clause been followed?	FAR 4.13 and 52.204-9				
B.21	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.22	Are date, place and time for receipt of offers clearly stated on face page of RFP?	FAR 15.204-2				
B.23	If required, has solicitation included requirement for bonds/insurance?	FAR 28				
B.24	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 Federal Technical Data Solution (FedTeDS) unless exempt?	FAR 5.102(a)(4); 5.102(a)(5) (over \$25K)				
B.25	If FedTeDS was used, did it meet FBO synopsis and advertising requirements?	FAR 5.102(a)(4)				
B.26	Does the RFP include requirement for contractor code of business ethic and conduct, and a hotline poster display, as applicable?	FAR 3.10				
B.27	If brand name specifications used, did RFP include required justification or documentation?	FAR 6.302-1(c)				
		RFP Amendments				
B.28	If oral notice of RFP amendment, is there compliance with FAR?	FAR 15.206(f)				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
B.29	If RFP is amended, have amendments been sent to all parties receiving the RFP and was closing date extended if necessary?	FAR 15.206				
B.30	If modification of wage determination – has it been handled properly in RFP?	FAR 22.404-6, 22.407(a)(8)				
		Evaluation				
B.31	If human subjects, women and minorities, children, Data Safety Monitoring Boards (DSMBs), HIV antiretroviral treatment trials in developing countries, generation of research data, biomedical research of model organisms are involved, are proper clauses included and do evaluation criteria reflect how this will be rated?	NIH Manual 6315-1, NCI RFP Workform				
B.32	Does RFP include factors and significant subfactors to be used to evaluate proposals, and their relative importance?	FAR 15.203(a)(3), HHSAR 315.204- 5(c)				
B.33	If applicable, has a price evaluation adjustment for HUBZone concerns been included?	FAR 19.1307				
B.34	If applicable, has a price evaluation adjustment for SDB concerns been included?	FAR 19.1307				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
B.35	If Government property offered, does RFP include evaluation procedures to be followed and require submittal of stated information with offerors' proposals?	FAR 45.201(c)				
B.36	Does RFP provide basis for award?	FAR 15.304				
		Options				
B.37	If options included, does the RFP provide the basis for evaluation?	FAR 17.203(b), HHSAR 317.201				
B.38	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.39	If options included, is provision at FAR 52.217-5 included?	FAR 17.202(a)				
B.40	If option to extend term of contract is included, did RFP include a method to provide allowance for increases/decreases in labor costs resulting from inclusion of current WDs upon exercise of options?	FAR 22.404-12				
		IDIQ				
B.41	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/ NIH Policy Part	Yes	No	N/A	Comments
B.42	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)				
		Commercial Item				
B.43	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)				
B.44	If a commercial item, is RFP in the proper format with proper clauses?	FAR 12.303				
B.45	If commercial item, does RFP request existing literature instead of unique technical proposals?	FAR 12.205(a)				
B.46	If commercial item, and combined synopsis/solicitation was used, does it contain appropriate information?	FAR 12.603				
B.47	If commercial IT acquired, is exemption from Buy American Act assured?	FAR 25.103(a)				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
B.48	If commercial item acquisition, will award be a firm-fixed-price or fixed-price with economic price adjustment, or if properly executed D&F in file, and contract provides for a ceiling price, on a time-and-materials or labor-hour basis?	FAR 12.207				
B.49	If commercial item, and tailoring of RFP provisions has taken place, is it compliant?	FAR 12.302				
B.50	If commercial item, has a commercial quality assurance system been accepted?	FAR 12.208				
B.51	If commercial item, as applicable, are technical data requirements compliant?	FAR 12.211				
B.52	If commercial item, as applicable, are computer software requirements compliant?	FAR 12.212				
		Cost/Price				
B.53	Does RFP adhere to pricing policy and used order of precedence for determining type of cost or pricing data required? Did CO comply with prohibition on obtaining cost or pricing data?	FAR 15.402, 15.403-1				
B.54	If RFP will waive requirement for cost or pricing data, has HCA approved waiver?	FAR 15.403- 1(c)(4)				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
B.55	If RFP will require submission of cost or pricing data >100K but <\$550K, has HCA authorized CO to obtain the data?	FAR 15.403-4(a)(2)				
B.56	Does RFP include instructions for submission of cost or pricing data or other than cost or pricing data (information)?	FAR 15.403(5)(a)(1)-(4)				
B.57	If submission of 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.58	If cost-reimbursement contract is used, is RFP appropriately structured as Level of Effort or Completion type and is proper language used?	FAR 35.005(c)				
B.59	If RFP will require submission of cost or pricing data >100K but <\$650K, has HCA authorized CO to obtain the data?	FAR 15.403-4(a)(2)				
		EVMS				
B.60	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 RFP include proper clauses and procedures?	FAR 34.203(a)-(d)				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
		Property				
B.61	If Government property was offered, did RFP include listing of property with minimum information specified?	FAR 45.201(a)				
B.62	If Government property was offered in competitive acquisition, did RFP specify that contractor is responsible for all costs related to making property available for use?	FAR 45.201(b)				
B.63	If Government property was offered, did RFP include evaluation procedures to be followed and require offerors to submit specified information with their proposal?	FAR 45.201(c)				
B.64	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)				
		Multi-Year Contracting				
B.65	If multi-year contracting used, did RFP include all required factors to be considered in evaluation?	FAR 17.106-2				
B.66	If multi-year contracting used, did RFP include required clauses?	FAR 17.109				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
		MISC. ISSUES				
B.67	If PBA methods used, is a Performance Work Statement (PWS) or Statement of Objectives (SOO) included in RFP, as well as a Quality Assurance Surveillance Plan (either in RFP or to be developed by offeror)?	FAR37.604, 46.401(a)				

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 proposal from FPI received, was it timely and if so, was it properly considered?	FAR 8.602(b)(4)(ii)				
C.4	If electronic proposals were permitted, were any unreadable electronic bids handled properly?	FAR 15.203(c)				
		Evaluation				
C.5	If R&D was composition of technical evaluators proper?	HHSAR 315.305(a)(3)(ii) (F), NIH Manual 6315-1				
C.6	If unsolicited proposal, were procedures appropriately followed?	FAR 15.6, HHSAR 315.6				
C.7	If R&D was ALERT System notice provided?	NIH Manual 6309-1				
C.8	Do at least 50% of HHS evaluators have appropriate training?	HHSAR 307.170- 2				
C.9	If past performance is an evaluation factor, has it been properly evaluated? Has http://www.ppirs.gov/ been used to check past performance?	FAR 15.305				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
C.10	Was technical evaluation conducted in accordance with stated evaluation factors?	FAR 15.305(a)(1), 15.404-1(a)-(c)				
C.11	Were any restrictions on disclosure of descriptive literature handled properly?	HHSAR 315.305(a)(3)(ii) (F)(3)				
C.12	Were restrictions on use of support contractor personnel for proposal evaluation (other than R&D) complied with?	FAR 15.305(c), 37.203(d)				
C.13	Was cost information furnished to members of technical panel?	FAR 15.305(a)(4), 15.404-1(e)				
C.14	If option quantities or periods were solicited, was proper evaluation conducted?	FAR 17.206				
C.15	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.16	Did proposal 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/ NIH Policy Part	Yes	No	N/A	Comments
C.17	If Government property is to be used by contractor, did CO ensure that offeror's property management plans, methods, practices, or procedures for accounting for the property were consistent with RFP requirements?	FAR 45.202(b)				
C.18	Are evaluators' certifications in file?	HHSAR 315.305(a)(3)(ii)(E)(2) and (3)				
C.19	Is a technical evaluation report in the file and does it contain a report of relative strengths and weaknesses of each offeror?	FAR 15.305, HHSAR 315.305(a)(3)(vi)				
C.20	Was small business subcontracting evaluation accomplished properly?	FAR 15.305(a)(5)				
C.21	Has the Project Officer completed the Project Officer Technical Evaluation Questionnaire and have his/her comments been taken into account during negotiations?	HHSAR 315.306, NIH Manual 6015-1 and 6315-1				
C.22	Is cost or price evaluation compliant?	FAR 15.305(a)(3), 15.404-1(a)-(c), HHSAR 315.305				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
C.23	If Service Contract Act is applicable, and closing date for receipt of offers has already passed, were new wage determinations, (if applicable), furnished to all offerors not eliminated from competition?	FAR 22.404-5				
		Communications				
C.24	If award to be made without discussions, were exchanges limited to clarifications?	FAR 15.306(a)				
C.25	Have communications held with offerors before establishment of competitive range been compliant?	FAR 15.306				
		Competitive Range				
C.26	Has competitive range determination been sufficiently documented?	FAR 15.306(c)				
C.27	Has notice been given to offerors excluded from competitive range or otherwise eliminated from competition?	FAR 15.503(a)(1)				
		Discussions				
C.28	Have exchanges with offerors after establishment of competitive range followed stipulated procedures?	FAR 15.306(d) and (e), HHSAR 316.306(d)				
C.29	Have proposal revisions/final proposal revision been handled properly?	FAR 15.307, HHSAR 315.307				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
C.30	Have any finalization of details with the selected source taken place, and if so, are they in accordance with established guidelines?	HHSAR 315.370				
		Cost Analysis				
C.31	Has cost analysis, price analysis, cost realism been performed as required?	FAR 15.404, HHSAR 315.404-2				
C.32	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 the recommendations were not followed?	FAR Part 15, NIH Manual 6015-1				
C.33	If cost analysis was performed, is there adequate evaluation of negotiated direct labor costs?	FAR 31.202; OMB Circular A-21				
C.34	If cost analysis was performed, is there adequate evaluation of negotiated fringe benefit costs?	FAR 31.202; OMB Circular A-21				
C.35	If cost analysis was performed, is there adequate evaluation of negotiated materials and supplies costs?	FAR 31.202; OMB Circular A-21				
C.36	If cost analysis was performed, is there adequate evaluation of negotiated other direct costs?	FAR 31.202; OMB Circular A-21				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
C.37	If cost analysis was performed, is there adequate evaluation of negotiated indirect costs?	FAR 31.202; OMB Circular A-21				
C.38	If applicable, was the Salary Rate Limitation correctly applied and is the Salary Rate Limitation clause included in the contract?	NIH Manual 6030-1				
C.39	Has subcontract pricing been appropriately considered?	FAR 15.404-3				
C.40	If applicable, has profit been adequately analyzed?	FAR 15.404-4, HHSAR 315.404-4				
C.41	If cost or pricing data was required, did contractor execute a proper Certificate of Current Cost or Pricing Data?	FAR 15.406-2				
C.42	If cost or pricing data waived, is waiver in accordance with stipulated guidelines?	FAR 15..403-1(c)(4)				
C.43	If CO learned that any cost or pricing data was inaccurate, incomplete, or noncurrent, is there compliance with procedures in FAR?	FAR 15.407-1				
		Negotiations				
C.44	Have prenegotiation objectives, including profit or fee analysis, been established?	FAR 15.406-1, HHSAR 315.404-4				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
C.45	Were written final proposal revisions requested with common cut-off date?	FAR 15.307				
		Award				
C.46	If applicable, have procedures for Trade Agreements Act (TAA) acquisitions been followed and have the proper notifications to unsuccessful WTO offerors been prepared?	FAR 25.408; FAR 25.5				
C.47	Are all required clauses, including those associated with the Recovery Act, as applicable, included in contract?	FAR Matrix NCI Workform (DGS)				
C.48	If contract is to be funded using Recovery Act funds, does the contract include FAR 52.212-5, Alternate II, FAR 52.214-26, Alternate I, or FAR 52.215-2, Alternate I, as applicable?	FAR 12.204, 14.201-7 or 15.209, as applicable				
C.49	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.50	Has CO resolved any conflict, or potential conflict of interest before contract award?	FAR 9.506(d), 9.503				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
C.51	If conflict of interest existed that could not be avoided or mitigated, did CO notify contractor, provided the reasons, and allow the contractor a reasonable period to respond?	FAR 9.504(e)				
C.52	If CO found that it was in the best interests of the Government to award a contract notwithstanding a COI, was a written waiver obtained?	FAR 9.503, 9.504(e)				
C.53	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.54	If FPI item determined to provide best value to the Government as a result of FPI's response to RFP, were proper ordering procedures followed?	FAR 8.602(a)(4)				
C.55	If applicable, has Buy American Act determination been made and approved?	FAR 25.103(b)(2)				
C.56	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				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
C.57	If applicable, were offerors provided current wage determination prior to submission of final proposal revision?	FAR 22.10				
C.58	Has price reasonableness been established, based on adequate price competition, prices set by law or regulation, commercial items?	FAR 15.406-3, HHSAR 315.372				
C.59	Is an adequate, signed negotiation memorandum (“Summary of Negotiations”) in the file?	FAR 15.406-3, HHSAR 315.372				
C.60	Does Summary of Negotiations adequately address negotiated amounts for each contract period?	FAR 15.406-3(a)(7),(8), HHSAR 315.372(g)				
C.61	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.62	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.63	Was affirmative determination of responsibility (including financial responsibility) made?	FAR 9.103(b), 9.104-1; HHSAR 315.372				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
C.64	Is there adequate documentation in file to support responsibility determination (i.e., current balance sheet analysis with financial ratios computed, a current D&B report, line of verifications, etc.)?	FAR 9.104-1				
C.65	If non-responsible offer from small business, was nonresponsibility determination referred to SBA??	FAR 9.103				
C.66	If protest before award, was it handled properly?	FAR 33.1, NIH Manual 6033-1 and 6033-2				
C.67	If agency protest, were OGC and NIH PCO consulted and did they concur with response prepared by contracting officer?	HHSAR 333.103,				
C.68	Was Excluded Parties List System (EPLS) checked?	FAR 9.405(d)(1) & (4)				
C.69	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.70	Was proper notification provided to unsuccessful offerors? If SBSA was there a proper preaward notice to offerors unless CO made determination of urgency?	FAR 15.503(a)(2)(i) (A)-(D) (Required if conditions exist)				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
C.71	Was there an approved subcontracting plan, if applicable?	FAR 19.702)a)(2) (req. for LB award over \$550K)				
C.72	If subcontracting plan is applicable, has it been included as a part of the contract?	FAR 19.705- 5(a)(5)				
C.73	Was EEO Clearance received?	FAR 22.805 (required >\$10M exc. Construction)				
C.74	Are contractor's Representations and Certifications complete and accurate?	FAR 15.204-5				
C.75	If applicable, are performance-based finance payments established in contract only to extent actually needed for performance?	FAR 32.1004(b), 32.104				
C.76	If performance/payment bond required, are they in the file and documented?	FAR 28.103-1				
C.77	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.78	Is contract signed by a warranted CO within his/her authority?	FAR 1.601, 4.101				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
C.79	Was preaward notice furnished to offerors if SDB concern received benefit based on disadvantaged status, or if using HUBZone procedures, or if using service-disabled veteran owned procedures?	FAR 15.503(a)(2)(i) (B), 15.503(a)(2)(i) (C), 15.503(a)(2)(i) (D)				
C.80	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.81	If EVMS was required, did award document include proper clause?	FAR 34.203, 52.234-4				
C.82	If R&D contract for Phase II, III or IV clinical trial, is clause titled "Registration of Clinical Trials in the Government Database" included as appropriate?	NCI Workform				
C.83	Is there evidence of an internal file review of contract and documentation?	NIH Manual 6304.71				
C.84	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.85	Is draft public award announcement in file (“Congressional Liaison Office”)?	FAR 5.303(a), HHSAR 305.303(a) (required > \$3.5M)				
C.86	Has CO assured that contractor is in CCR?	FAR 4.1103				
C.87	Has CO entered contract into Prism/Compusearch (NBS) and completed DCIS documentation within the required timeframes?	FAR 4.604(b); HHSAR 304.602				
C.88	If contract is funded in whole or in part by the American Recovery and Reinvestment Act of 2009, has this been identified in DCIS/FPDS?	FAR 4.605(c)				
C.89	If awarded under the American Recovery and Reinvestment Act of 2009, and if contract exceeds \$500,000 (including all modifications and orders under task and delivery order contracts), does the publicized award notice include a narrative of products and services that is clear and unambiguous?	FAR 5.705(a)				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
C.90	If awarded under the American Recovery and Reinvestment Act of 2009, and if contract (including all modifications and orders under task and delivery order contracts), is not both fixed-price and competitively awarded, does the publicized award notice include the rationale for not using other than fixed-price and/or competitive approach?	FAR 5.705(b)				
C.91	If contract is to be funded using Recovery Act funds, are reporting requirements included?	FAR 4.1502, 52.204-11, NCI Workform				
C.92	Has source selection information been appropriately marked?	FAR 3.104-4				
C.93	If requested, was compliant preaward debriefing conducted, and documented?	FAR 15.505				
C.94	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.95	If applicable, are performance-based finance payments established in contract only to extent actually needed for performance?	FAR 32.1004(b). 32.104				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
C.96	If letter contract and based on price competition, price ceiling established and is definitization schedule included in contract?	FAR 16.603-2(b) and (c)				
C.97	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.98	Has clearance for foreign contract been received, if applicable?	FAR 25.802, HHSAR 325, NIH Manual 6325-1				
C.99	Has animal clearance been obtained?	NIH Manual 6380-2				
C.100	If advance payments are appropriate is executed D&F in file?	FAR 32.402(c)				
C.101	Is use of incremental funding appropriate?	HHSAR 332.702				
C.102	Is contract-specified timetable consistent with planned phases or increments and corresponding allotments of funds?	HHSAR 332.703-1(b)(2)				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
C.103	At time of award, if less than the first year of performance funded, did the CO document file as to why it was advantageous to Gov't. & did the funding cover a complete phase or increment of performance?	HHSAR 332.703-1(b)(5)				
C.104	Does contract contain precise requirements for progress reports, if applicable?	HHSAR 332.703-1(b)(7)				
C.105	If letter contract, is it appropriate and compliant with requirements?	FAR 16.603, HHSAR 316.603				
C.106	Is source selection proper and sufficiently documented?	FAR 15.308				
C.107	Does contract reflect agreement of the parties?	HHSAR 315.371(a)(2)				
C.108	If appropriate, are CAS clauses included in contract?	FAR 30.201 -4, Appendix 9903-2				
C.109	If required, is consultant certification in file?	FAR 9.504-4, NIH Manual 6009-1				
C.110	Has written postaward notice been provided within 3 days after contract award to each offer in competitive range but not selected for award and has debriefing been held if requested by unsuccessful offerors?	FAR 15.503(b), 15.505, 15.506				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
C.111	Has preaward notice been made to offerors when using HUBZone procedures or service-disabled veteran-owned procedures?	FAR 15.503(a)(2)(i)(C) and (D)				
C.112	Has preaward notice been given to offerors if SDB concern received benefit based on disadvantaged status?	FAR 15.502(a)(2)(i)(B)				
C.113	If applicable, is there a record of the debriefings in the contract file?	FAR 15.506				

SECTION D – Contract Administration						
No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
		Administrative Actions				
D.1	/Was COTR/PO designated in writing?	NCI Contract Workform				
D.2	Does COTR/PO have training in accordance with HHSAR requirements or has a waiver obtained?	HHSAR 307.170 and 307.170-1 and 2				
D.3	Has compliant postaward debriefing been held if requested and is there a record in the file?	FAR 15.506				
D.4	If award was noncompetitive under FAR 6.303-2 or 6.303-2, 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				
D.5	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.6	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)				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
D.7	If letter contract or undefinitized action, was contract definitized in a timely manner?	FAR 16.603				
D.8	Is contractor size status representation validated or updated in the ORCA and its data in the CCR also updated to reflect current status?	FAR19.308(d), FAR 52.219-28				
D.9	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.10	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.11	If task/delivery order under IDIQ in excess of \$5M, has CO properly notified unsuccessful offerors?	FAR 16.505(b)(4)				
		Post Award Protests				
D.12	If protest after award, has CO determination for agency protest been handled timely?	FAR 33.104				
D.13	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)				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
D.14	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.15	If protest after award of task/delivery order under IDIQ, and if <\$10M, is it only on the basis that order increases scope, period, or maximum value of contract?	FAR 16.505(a)(9)(i)				
D.16	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 and Change Orders				
D.17	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.18	If modification is for new work, is approved JOFOC in file?	FAR 6.303, HHSAR 306-303, JOFOC Desk Guide				
D.19	Did CO ensure availability of funds prior to issuing modification/change order?	FAR 43.105				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
D.20	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.21	If change order issued, was equitable adjustment definitized?	FAR 43.2				
D.22	If change orders have been executed, were they definitized in a timely manner?	FAR 43.204				
D.23	Does supplemental agreement definitizing a change order include a Contractor's Statement of Release?	FAR 43.204(c)				
D.24	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.25	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.26	If a contract with options and a subcontracting plan was required, or if a modification to a contract, have revised subcontracting goals been negotiated?	FAR 19.705-2				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
D.27	If contract was funded with Recovery Act funds, has it been modified to include the clause at FAR 52.204-11, and are reports submitted as required?	FAR 4.15, 52.204-11				
		Claims				
D.28	Are claims/disputes handled properly?	FAR 33.2, HHSAR 333.2				
D.29	Has CO made a timely response to contractor dispute under CDA?	FAR 33.211(c)- (f)				
D.30	Has contractor submitted certified claim under CDA?	FAR 33.207				
D.31	Has CO consulted OGC in resolving dispute under CDA?	HHSAR 333.211				
D.32	Has CO successfully resolved claim under CDA?	FAR 33.210				
D.33	Has CO rendered final decision IAW FAR & agency provisions?	FAR 33.211, HHSAR 333.211				
D.34	If applicable, is alternate dispute resolution process used?	FAR 33.214				
		Management				
D.35	If mistake after award, have appropriate procedures been followed?	FAR 15.508				
D.36	If options included in contract, have they been executed properly and documented?	FAR 17.207				
D.37	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.38	If termination for convenience/default deemed necessary, was process handled properly?	FAR 49				
D.39	If novation/change of name agreement requested, was process handled properly?	FAR 42.12				
D.40	Are past performance evaluations (interim/final) in file?	FAR 42.1502				
D.41	Is there compliance with acceptance/inspection/quality assurance requirements?	FAR 46.102				
D.42	If commercial, is there compliance with commercial quality assurance/inspection requirements?	FAR 12.208				
D.43	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.44	Have debarment/suspension procedures been properly followed?	FAR 9.4, HHSAR 309.4				

No.	Action Item	FAR/HHSAR/ NIH Policy Part	Yes	No	N/A	Comments
D.45	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.46	Has there been consent to subcontracts or approved system?	FAR 44.201				
D.47	Are subcontracting reports, including report required at the expiration of the contract, 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. >\$550K)				
D.48	If applicable, has award fee evaluation been conducted properly?	FAR 16.404(a)(2), 16.405(2)(b)(3)				
D.49	Was an analysis conducted of the contractor's property management policies, procedures, practices and systems, and if noncompliant, did CO provide written notification as required?	FAR 45.105				
D.50	Has Value Engineering Change Proposal (VECP) been received and processed appropriately?	FAR 48.103				

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	Has disposition of GFP/GFE been addressed?	FAR 45.603				
E.5	Has final past performance evaluation been received?	FAR 42.1502 (over \$100K)				
E.6	If applicable, has a contract audit in accordance with agency procedures been performed?	HHSAR 304.804-70				
E.7	Have storage, handling & disposal of contract files been accomplished in accordance with agency procedures?	FAR 4.805				
E.8	Has closeout been accomplished in a timely manner?	FAR 4.804-1				
E.9	Has the HHS GWAC contract been used to accomplish closeout, or has a justification been prepared for the file?	HHS guidance				
E.10	Have excess funds been deobligated and returned to customer?	FAR 4.804-5				