



May 22, 2018

United States
Department of
Agriculture

Office of the
Assistant Secretary
for Management

Departmental
Administration

Office of
Contracting and
Procurement

Procurement
Operations Division

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ACQUISITION OPERATING PROCEDURE (AOP)

From: Richard R. Jiron
Mission Area – Senior Contracting Official

Subject: AOP No. 25: Procurement Review Program

◆ **PURPOSE:** The Procurement Operations Division (POD) Procurement Review Program is established to ensure compliance with federal laws, regulatory policies, and USDA regulations in the solicitation, award and administration of contracts.

◆ **EFFECTIVE DATE:** The effective date of the AOP is May 22, 2018 .

◆ **AUTHORITIES:** FAR 1.602-2 Contracting Officers – Responsibilities, FAR 4.8 Government Contract Files.

◆ **REVISIONS:** The AOP is revised to provide the Architect-Engineering Contract Checklist, the Termination for Default/Cause Checklist, and the Termination for Convenience Checklist.

◆ **PROCESS:**

1. The POD Procurement Review Program consists of two parts. The first part is a required self-inspection of individual contract files.
 - a. Contract specialists/contracting officers shall complete and document the applicable File Review Checklists, identified at Attachment 1 as a part of the contract file for each new contract action, including modifications and closeout.
 - b. For contract actions subject to higher level reviews and approval, the applicable Checklist(s) shall be completed up to the current stage in the acquisition prior to submission for higher level review and approval. The Checklist(s) shall contain indication of both contract specialist/contracting officer use and review prior to submission to the next level.

2. The second part of the program consists of an ongoing process to ensure effectiveness of the contracting operations and to evaluate how well the contracting staff:
 - a. Comply with laws, regulatory policies, and USDA regulations in all procurement actions and related activities;
 - b. Comply with contract terms, and ensure compliance by contractor(s);
 - c. Maintain an appropriate and effective level of oversight of contractor activities;
 - d. Ensure data and information reported to internal and external activities and systems are current, complete and accurate; and
 - e. Conduct activities in a manner reflective of the highest level of ethics, integrity and fairness.

The Program will promote continuous process improvement by identifying systemic or recurring procurement issues, including opportunities for improvement as well as best practices.

3. A sampling of the contract actions will be pulled for a comprehensive review. This includes any offices or activities under the Mission Area-Senior Contracting Official's oversight. This review will be conducted on an annual basis, or as determined necessary by the POD Chief or Deputy Chief.
4. The review team will be made up of Procurement Analysts, but may also include management, additional acquisition personnel and/or entry level 1102s acting as observers, as a professional development activity. Review team members will receive Continuous Learning Points, as determined by the designated Bureau Certification Manager or USDA Acquisition Career Manager, as applicable.
5. The team will perform a detailed review of each contract file and complete the applicable Checklists identified at Attachment 1. The review team may request additional information from the contract specialist/contracting officer during the conduct of the review. Review topics include, but are not limited to:
 - a. Acquisition planning;
 - b. Proper use of appropriate procedures (FAR 8.4, 12, 13, 14, 15, 16.5, or 17.5) for new acquisitions;
 - c. Use of strategic sourcing;
 - d. Appropriate use of contract type;

- e. Market research;
 - f. Socio-economic considerations;
 - g. Level of competition;
 - h. Contract pricing;
 - i. Source selection;
 - j. Contract document, structure and format (including clauses);
 - k. Contract change management;
 - l. Contract modifications, option exercises, extensions, and terminations;
 - m. Contract file documentation and organization;
 - n. Quality assurance;
 - o. Management of contractor reports and correspondence;
 - p. Subcontract consent/approval and oversight;
 - q. Administration of contractor invoices and contract funding amounts;
 - r. Contractor performance assessment; and
 - s. Contract closeout
6. The review team will complete and submit a summary report to the POD Chief upon conclusion of the annual review. The report will identify any major, recurring or systemic trends and recommendations for mitigation, as well as any best practices observed. The file review checklists will be included with the report.
7. The POD Chief will review and consider the annual review report in developing and implementing changes to the Division's AOPs, including changes to guidance, tools, and the Program itself. The POD Chief, as a result of a periodic review, may recommend adjustment of warrant authorities, pre-solicitation and pre-award review thresholds, and require specific training or mentoring, and/or additional periodic Program reviews, as needed.
8. Branch Chiefs shall prepare and submit a response as a result of any recurring or systemic patterns of non-compliance. The response should include corrective actions to be taken to resolve findings in a timely manner.

◆ **EXPIRATION DATE:** This AOP shall remain in effect until canceled.

AOP No. 25: Procurement Review Program – Attachment 1

Contract Action File Review Checklists

The following checklists should be used in combination for each contract action reviewed, as necessary. For example, the review of a Part 16.5 Indefinite Delivery Contract for commercial IT services that includes option periods should use the checklists for Indefinite Delivery Contract, Service Contract, Information Technology, Option Exercise, etc.

New Award – Federal Supply Schedule Task/Delivery Order – FAR Subpart 8.4
New Award – Federal Supply Schedule Blanket Purchase Agreement (BPA) – FAR Subpart 8.4
New Award – Federal Supply Schedule Task/Delivery Order under a BPA – FAR Subpart 8.4
New Award – Simplified Acquisition Commercial, FAR Parts 12 & 13
New Award – Sealed Bidding Commercial, FAR Part 14
New Award – Negotiated Commercial, FAR Parts 12 & 15
New Award - Indefinite Delivery Contract, FAR Subpart 16.5
New Award – Task/Delivery Order (Non-FSS), FAR Subpart 16
New Award – Construction Contract, FAR Part 36
New Award – Architect-Engineering Contract, FAR Subpart 36.6
New Award – Service Contract, FAR Part 37
New Award – Information Technology, FAR Part 39
Modification – Administrative, FAR Part 43
Modification – Change Order & Definitization, REA or Claim, FAR Part 43
Modification – Supplemental Agreement, Part 43
Modification – Funding under a Continuing Resolution, FAR Part 43
Modification – Option Exercise, FAR Subpart 17.2
Modification – Contract Closeout, FAR Subpart 4.8
Termination for Default/Cause, FAR Part 49
Termination for Convenience, FAR Part 49

USDA/DA/OPPM/POD FILE REVIEW CHECKLIST

Action Type: **New Award**

Procedures: **FAR Subpart 8.4 (Federal Supply Schedule Order)**

Order PIID: [Click to enter PIID](#) Contractor: [Click to enter contractor name](#)

FSS Contract PIID: [Click to enter FSS PIID](#) Order Date: [Click to select date](#)

Value: \$[Click to enter total order value](#)

Base PoP/Delivery Date: [Click to enter base PoP or delivery date](#)

Option Periods: [Click to enter PoP for each option](#)

Competition: [Choose level of competition from list](#)

Set-Aside: [Click to indicate type of set-aside, if any](#)

Contracting Officer: [Click to enter CO name.](#)

Description: [Click to enter description](#)

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
ACQUISITION PLANNING PHASE			
Funded Purchase Requisition or written assurance from funds certifying official on funds availability	FAR 32.7; AOP #20		
Specifications, SOW/ SOO/PWS: promote competition; limit use of “brand name”; include restrictive provisions only to extent necessary to satisfy needs; define requirements that allow offerors to supply commercial items/ services; and do not require performance of inherently governmental functions.	FAR 7.302 and 11.002		
HSPD-12/PIV requirements included in Spec/SOW/SOO/PWS if contractors will require routine access to federal facility in performance of any work and appropriate clauses included in solicitation and contract	FAR 4.13; PA 81C		
Spec/SOW/SOO/PWS supports sustainable acquisition policies (E-	FAR 23.1, 23.2, 23.3, 23.4 and 23.7		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
Star, FEMP, Biobased, Recovered Material content, non-ozone depleting) if purchasing items that are: energy consuming or USDA or EPA designated items for bio-based or recovered material content			
Spec/SOW/SOO/PWS identifies supplies or services as separately identified line items and subline items, as needed, to support requirements of FAR 4.1002 through 4.1008 which must be applied by 1 Oct 2019	FAR 4.1001, 4.1003 and 4.1004		
Use of GFP/GFE is evaluated and considered in performance of contract. If demonstrated to be in Government's interest, list of GFP/GFE is included in Spec/SOW/SOO/PWS	FAR 45.102 and 45.201		
File documentation includes Independent Government Estimate	FAR 4.803 and 7.105		
Level of market research is appropriate given the complexity of the requirement, and documentation includes acquisition history, suggested sources, and research of available contract vehicles. Research also includes identification of GSA FSS by reviewing FSS program and schedules as well as FSS terms and conditions to assure proper fit with agency need. If formal RFI issued for market research purposes, documentation includes RFI, responses, comments and disposition.	FAR 10.001 and 10.002; PA 101B		
Market research considers required/mandatory sources of supply (AbilityOne Procurement List or Federal Prison Industries Schedule)	FAR 8.002; AGAR 408.7		
If acquiring supplies of the classes listed in FPI Schedules:	FAR 8.602		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
<ul style="list-style-type: none"> Comparable items are purchased through FPI unless waiver is obtained. If FPI items are not comparable in terms of price, quality, or delivery, written determination is made and FPI is included in solicitation 			
If acquiring supplies/services on the Procurement List and participating agencies cannot: provide supplies/services within timeframe required or produce/ provide the quantity economically, a purchase exception is requested and granted	FAR 8.703, 8.704 and 8.705		
If lease of equipment is anticipated, record of lease or buy determination is documented in file	FAR 7.401		
Open market items are identified	FAR 8.402(f)		
Limited Sources Justification and approval when limiting competition/fair opportunity or specifying Brand Name is completed and signed at appropriate level of authority	FAR 8.405-6; AOP #5		
Acquisition Plan addresses all requirements and elements set forth in the FAR and is approved at appropriate level	FAR 7.102 and 7.105; PA 130; AOP #3		
Determination of Best Procurement Approach, if > \$550K	FAR 8.404(b)(2) and FAR 17.502-1		
Preference for firm-fixed price orders is given to the maximum extent practicable. If T&M or LH type, D&F completed; ceiling price included in order; and HCA approves when PoP >= 3 years.	FAR 8.404(h)		
If options are utilized, they are justified, and written determination included in file. If they will not be evaluated with pricing, decision is approved one level above CO. No unpriced options are used.	FAR 17.205 and 17.206; PA 117		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
Procurement Approach completed and approved for acquisitions > \$5 million in accordance with...	AOP #24		
PoP > 5 yrs. is approved by HCA	AGAR 417.204		
Acquisitions >\$2M that involve consolidation and/or bundling include written determination; are cleared w/ OSDBU and SBA PCR; and notification is provided to affected incumbent SBs 30 days prior to solicitation.	FAR 7.107 and FAR 19.202-1; DR 5090-001(6)(d)		
OSDBU is notified during market research phase (via AD-1205) if acquisitions >\$1M will not consider SBs	DR 5090-001		
If services are being acquired, requirement does not include A&E Services; applicable wage determination is obtained if requirement involves use of services employees (e.g., subject to the SCA) (applicable when GSA does mass refresh and removes existing SCA clauses and wage determinations)	FAR 8.403(c)		
Potential OCIs are evaluated and identified with a plan to avoid, neutralize or mitigate significant potential conflicts before contract award. Written analysis and course of action is approved by chief of contracting office prior to solicitation if CO believes there is a significant potential OCI.	FAR 9.504 and 9.506		
If award will be made on basis other than price, file contains a plan for evaluation of quotes which identifies factors to be considered in determining best value. Conflict of Interest/ Confidentiality Certifications obtained from evaluation team members as applicable	FAR 8.405-1(f), 8.405-2(c), and 8.405-2(d)		
Applicable pre-solicitation reviews obtained with comments and disposition included in file	DR 5000-4; AOP #8		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
SOLICITATION PHASE			
RFQ includes additional regulatory/statutory requirements/clauses as applicable (Brand Name or Equal, Options, Availability of Funds, HSPD-12 requirements, etc.)	FAR 8.404(b)(1) and 8.402(f)(4)		
Relevant information and instructions to quoters, such as quoter information required for supply/service evaluation or past performance evaluation are included with RFQ	Best Practice		
RFQ is limited to FSS contractors (competition not sought outside of FSS)	FAR 8.404(a)		
For orders of supplies and services not requiring a SOW that exceed micro-purchase threshold but do not exceed the Simplified Acquisition Threshold (SAT), procedures are followed in accordance with...	FAR 8.405-1(c) or 8.045-2(c)(2)		
For services requiring a SOW, and for proposed orders exceeding the SAT (whether a SOW is required or not), RFQ issued through e-Buy to provide fair notice to all contractors, or provided to as many schedule contractors as practicable to reasonably assure quotes from at least 3 FSS contractors. RFQ contains description of supplies to be delivered or services to be performed and basis on which selection will be made	FAR 8.405-1(d) and 8.405-2(c)		
If RFQ is issued with a SOW, SOW includes work to be performed, location, PoP, applicable performance standards, and any special requirements. RFQ identifies type of order to be placed (e.g., FFP, T&M, etc.), and firm-fixed prices are established as appropriate.	FAR 8.405-2		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
Basis for evaluating quotes included in RFQ and consistent with Plan to evaluate quotes	FAR 8.405-1(d)(4) and 8.405-2(c)(3)		
If > SAT, RFQ requests price reductions	FAR 8.405-4		
If brand name is specified, RFQ >\$25K is posted to GSA's eBuy with Limited Source Justification.	FAR 8.405-6		
Wage Determination and appropriate clauses included as applicable	FAR 22.1006		
GFP/GFI is listed as applicable	FAR 45.201		
Amendments issued using SF 30 or OF 309, and are properly completed and documented			
Solicitation of Open Market items complies with all requirements for such	FAR 8.402		
EVALUATION/AWARD PHASE			
Communications with Interested Parties documented in file	Best Practice		
Abstract of quotations/prices or list of FSS contractors surveyed and their prices quoted included in file	FAR 8.405-1(c)(1)		
Disposition of late quote(s)	IAW RFQ		
OCIs identified and dispositioned	FAR 9.506		
Timely offer from Federal Prison considered, if received	FAR 8.602(a)(4)(iii)		
Lack of adequate competition (at least 3 quotes) documented and written D&F included in file if less than 3 quotes	FAR 8.405-1(d)(3)(ii) and 8.405-2(c)(3)(iii)(B)		
Quotation evaluations are consistent with RFQ	FAR 8.405-1(d)(4) and 8.405-2(c)(3)(iii)(C)		
Evaluation of quotes does not use formal Part 15 procedures	Best Practice		
Level of effort and labor mix are evaluated when ordering services requiring a SOW, and determination of price reasonableness is made	FAR 8.405-2(d)		
Evaluation/Best Value Analysis and Award Decision consistent with the Plan and RFQ (including rationale for any tradeoffs) and documented in	FAR 8.405-1(g) and 8.405-2(f)		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
the file along with information required by...			
Fair and Reasonable Price Determination for Open Market Items if applicable	FAR 8.402(f)		
Contractor Representations and Certifications are documented in contract file	FAR 4.803		
File includes documentation supporting a determination of responsibility or non-responsibility, including queries of all required systems (e.g., SAM (if no exception applies), EPLS (all awards) and FAPIIS (if > SAT)?	FAR 4.1102, 4.1103, 9.103, 9.104-1, 9.104-6, 9.105-2, and 9.404(c)(7)		
Wage Determination updated if necessary	FAR 22.1006		
OF 347 or other award form properly completed and references FSS Contract	FAR 8.406-1		
Award pricing and terms comply with FSS Contract and include information required in 8.406-1(d)	FAR 8.406-1		
Special Item Number (SIN) and corresponding line or subline item awarded in the schedule is referenced in the order	FAR 4.1005 and 8.404(j)		
CLIN structure meets criteria for establishing contract line items	FAR 4.10		
Pre-Award Reviews obtained with comments/disposition documented in file	DR 5000-04; PA 91D; AOP #8		
Unsuccessful offerors promptly notified	FAR 8.405-2		
Public/Congressional notification of award > \$1 million	FAR 5.303; AGAR 405.303		
If Limited Sources Justification (LSJ) under 8.405-6(a), award notice & LSJ posted to GPE (<i>Note – not required for Brand Name</i>)	FAR 5.301, 8.405-6		
Order signed by warranted CO	FAR 1.602 and 4.101		
Action is within the CO's warrant authority	FAR 1.602-1; PA 100D		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
FPDS Contract Action Report is finalized and reviewed and contains no coding errors	FAR 4.6		
Contract documents distributed to appropriate personnel (contractor, requestor/customer, SBA, etc.) and file documented appropriately	Best Practice and DR 5090-001		
COR Designated, and Duties outlined in Delegation Letter, sent to COR, COR's Supervisor and Contractor.	FAR 1.602-2; AOP #13		
General: File organization, Indexes; Use of IAS	FAR 4.8; AOP #7; PA 105C		
Copy of the FSS contract is in the order file	Best Practice		
POST-AWARD			
If requested, brief explanation provided to unsuccessful offerors if award decision was based on factors other than price alone.	FAR 8.405-2		
Record of Protests	FAR 33.102		
Any changes in terms and conditions is made by written agreement of parties	(See applicable mod checklist)		
Options, if applicable, are exercised after timely notification to contractor	(See applicable option checklist)		
Past performance evaluations are prepared at least annually and at the time the work is completed.	FAR 42.1502		

Other Checklists that may apply:

- Services Contract (Part 37)
- Information Technology (Part 39)
- Modification (Administrative, Supplemental Agreement, Option Exercise, Funding, Change Order, or Closeout, as applicable)

SUMMARY OF OBSERVATIONS

After completing the file review – provide a bulleted list of any general observations.

Reviewer (Name, Title and Date)

USDA/DA/OPPM/POD FILE REVIEW CHECKLIST

Action Type: **New Award**

Procedures: **FAR Section 8.405-3 (Federal Supply Schedule BPA)**

BPA PIID: [Click to enter PIID](#) Contractor: [Click to enter contractor name](#)

FSS Contract PIID: [Click to enter FSS PIID](#) Agreement Date: [Click to select date](#)

Ceiling Value: [Click to enter total order value](#)

Base Ordering Period: [Click to enter Base Ordering Period](#)

Option Periods: [Click to enter PoP for each option](#)

Single or Multiple Award: [Click to choose award type](#)

Competition: [Choose level of competition from list](#)

Set-Aside: [Click indicate type of set-aside, if any](#)

Contracting Officer: [Click to enter CO name](#)

Description: [Click to enter description](#)

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or Reviewer Comments
ACQUISITION PLANNING PHASE			
Specifications, SOW/ SOO/PWS: promote competition; limit use of “brand name”; include restrictive provisions only to extent necessary to satisfy needs; define requirements that allow offerors to supply commercial items/ services; and do not require performance of inherently governmental functions.	FAR 7.302, 11.002, and 8.405-3(b)(2)(i)		
HSPD-12/PIV requirements included in Spec/SOW/SOO/PWS if contractors will require routine access to federal facility in performance of any work and appropriate clauses included in solicitation and contract	FAR 4.13; PA 81C		
Spec/SOW/SOO/PWS supports sustainable acquisition policies (E-Star,	FAR 23.1, 23.2, 23.3, 23.4, & 23.7		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or Reviewer Comments
FEMP, Biobased, Recovered Material content, non-ozone depleting) if purchasing items that are: energy consuming or USDA or EPA designated items for bio-based or recovered material content			
Spec/SOW/SOO/PWS identifies supplies or services as separately identified line items and subline items, as needed, to support requirements of FAR 4.1002 through 4.1008 which must be applied by 1 Oct 2019	FAR 4.1001, 4.1003, FAR 4.1004		
Use of GFP/GFE is evaluated and considered in performance of contract. If demonstrated to be in Government's interest, list of GFP/GFE is included in Spec/SOW/SOO/PWS	FAR 45.102 and 45.201		
IGE for total value of acquisition is documented in file	FAR 4.803 and 7.105		
Level of market research is appropriate given the complexity of the requirement, and documentation includes acquisition history, suggested sources, and research of available contract vehicles. Research includes identification of GSA FSS by reviewing FSS program and schedules as well as FSS terms and conditions to assure proper fit with agency need. If formal RFI issued for market research purposes, documentation includes RFI, responses, comments and disposition.	FAR 10.001 and 10.002; PA 101B		
Market research considers required/mandatory sources of supply (AbilityOne Procurement List or Federal Prison Industries Schedule)	FAR 8.002		
<p>If acquiring supplies of the classes listed in FPI Schedules:</p> <ul style="list-style-type: none"> • Comparable items are purchased through FPI unless waiver is obtained. • If FPI items are not comparable in terms of price, quality, or delivery, 	FAR 8.602		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or Reviewer Comments
written determination is made and FPI is included in solicitation			
If acquiring supplies/services on the Procurement List and participating agencies cannot: provide supplies/services within timeframe required or produce/ provide the quantity economically, a purchase exception is requested and granted	FAR 8.703, 8.704 and 8.705		
If lease of equipment is anticipated, record of lease or buy determination is documented in file	FAR 7.401		
Open Market Items are identified	FAR 8.402(f)		
Limited Sources Justification and approval when limiting competition/fair opportunity or specifying Brand Name is completed and signed at appropriate level of authority	FAR 8.405-6; AOP #5		
Acquisition Plan addresses all requirements and elements set forth in the FAR and is approved at appropriate level.	FAR 7.102 and 7.105; PA 130; AOP #3		
Determination of Best Procurement Approach, if > \$550K	FAR 8.404(b)(2) and FAR 17.502-1		
Preference for establishing a multiple award BPA is given to the maximum extent practicable. Single- vs. multiple-award BPA decision documented by the CO	FAR 8.405-3(a)(3)		
Procurement Approach completed and approved for acquisitions > \$5 million in accordance with...	AOP #24		
Single-award BPA > \$112M justified and approved by SPE	FAR 8.405-3(a)(3)(ii)		
For services requiring a SOW, the applicable services are identified in the FSS publication and contractor price list; SOW includes work to be performed, location, PoP, applicable performance standards, and any special requirements; preference for firm-fixed price orders is given to the maximum extent practicable. If T&M	FAR 8.405-3(b)(2)(ii) and 8.404(h)		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or Reviewer Comments
or LH type, D&F completed; ceiling price included in order; and HCA approves when PoP >= 3 years.			
If options are utilized, they are justified, and written determination included in file. If they will not be evaluated with pricing, decision is approved one level above CO. No unpriced options are used.	FAR 17.205 and 17.206; PA 117		
D&F for Advisory and Assistance Services and D&F for Non-Personal Services are included in the file and 91D Review is documented in file	FAR 37.204 and 37.103(a); PA 91D		
Duration of multiple award BPAs generally do not exceed five years. Single award BPAs do not exceed one year, but may have up to four one-year options. PoP > 5 yrs. approved by HCA	FAR 8.405-3(d); AGAR 417.204		
Acquisitions >\$2M that involve consolidation and/or bundling include written determination; are cleared w/OSDBU and SBA PCR; and notification is provided to affected incumbent SBs 30 days prior to solicitation.	FAR 7.107 and 19.202-1; DR 5090-001(6)(d)		
OSDBU is notified during market research phase (via AD-1205) if acquisitions >\$1M will not consider SBs	DR 5090-001		
If services are being acquired, requirement does not include A&E Services; applicable wage determination is obtained if requirement involves use of services employees (e.g., subject to the SCA) (applicable when GSA does mass refresh and removes existing SCA clauses and wage determinations)	FAR 8.403(c)		
Potential OCIs are evaluated and identified with a plan to avoid, neutralize or mitigate significant potential conflicts before contract award. Written analysis and course of action is approved by chief of	FAR 9.504 and 9.506		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or Reviewer Comments
contracting office prior to solicitation if CO believes there is a significant potential OCI.			
If award will be made on basis other than price, file contains a plan for evaluation of quotes which identifies factors to be considered in determining best value. Conflict of Interest/Confidentiality Certifications obtained from evaluation team members as applicable	FAR 8.405-1(f), 8.405-3(a)(7)(viii)		
Applicable pre-solicitation reviews obtained with comments and disposition	DR 5000-4; AOP #8		
SOLICITATION PHASE			
RFQ includes additional regulatory/statutory requirements/clauses as applicable (Brand Name or Equal, Options, Availability of Funds, HSPD-12 requirements, etc.)	FAR 8.404(b)(1) and 8.402(f)(4)		
RFQ and resulting BPA address the authorized ordering activities, frequency of ordering, invoicing, discounts, requirements (e.g., estimated quantities, work to be performed), delivery locations and time.	FAR 8.405-3(a)(4)		
RFQs and resulting BPA, if multiple award specifies procedures for placing orders under the BPAs in accordance with FAR 8.405-3(c)(2)	FAR 8.405-3(a)(5)		
Relevant information and instructions to quoters, such as quoter information required for supply/service evaluation or past performance evaluation are included with RFQ	Best Practice		
RFQ limited to FSS contractors (competition not sought outside of FSS)	FAR 8.404(a)		
For supplies and services not requiring a SOW that do not exceed the Simplified Acquisition Threshold (SAT), or for services that require a SOW that	FAR 8.405-3(b)(1)(i) or FAR 8.405-3(b)(2)(iv)		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or Reviewer Comments
do not exceed the SAT, procedures are followed in accordance with...			
For services requiring a SOW, and for proposed BPAs exceeding the SAT (whether a SOW is required or not), RFQ issued through e-Buy to provide fair notice to all contractors, or provided to as many schedule contractors as practicable to reasonably assure quotes from at least 3 FSS contractors. RFQ contains description of supplies to be delivered or services to be performed, and basis upon which selection is to be made.	FAR 8.405(3)(b)(1)(ii) or 8.405-3(b)(2)(v)		
If RFQ is issued with a SOW, SOW includes work to be performed, location, PoP, applicable performance standards, and any special requirements. Agency requirements are performance-based to maximum extent practicable and order type for services identified in SOW is specified. Firm-fixed priced orders are established to the maximum extent practicable. If T&M/LH, procedures at 8.404(h) are followed.	FAR 8.405-3(b)(2)		
Basis for evaluating quotes includes price, and other factors as may be necessary when determining best value; the basis is included in RFQ and consistent with plan for evaluation of quotes	FAR 8.405-3(a)(2) and 8.405-3(b)(2)(iii)		
If > SAT, RFQ requests price reductions	FAR 8.405-3(b)(1)(ii)(C) and 8.405-4		
If brand name is specified, RFQ >\$25K is posted to GSA's eBuy with Limited Source Justification.	FAR 8.405-6		
Wage Determination and appropriate clauses included as applicable	FAR 22.1006		
GFP/GFI is listed as applicable	FAR 45.201		
Amendments issued using SF 30 or OF 309, and are properly completed and documented			

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or Reviewer Comments
Solicitation of Open Market items complies with all requirements for such	FAR 8.402		
EVALUTION/AWARD PHASE			
Communications with Interested Parties documented in file	Best Practice		
Abstract of quotations/prices or list of FSS contractors surveyed and their prices quoted included in file	FAR 8.405-3(a)(7)		
Disposition of late quote(s)	IAW RFQ		
OCIs identified and dispositioned	FAR 9.506		
Timely offer from Federal Prison considered, if received	FAR 8.602(a)(4)(iii)		
Lack of adequate competition (at least 3 quotes) documented and written determination included in file	FAR 8.405-3(b)(1)(ii)(B)(2) and 8.405-3(b)(2)(v)(B)		
Evaluation of quotes does not use formal Part 15 procedures	Best Practice		
Level of effort and labor mix are evaluated when ordering services requiring a SOW, and determination of price reasonableness is made in accordance with...	FAR 8.405-3(b)(2)(vi)		
Evaluation/Best Value Analysis and Award Decision are consistent with the plan and RFQ (including rationale for any tradeoffs) and documented in the file along with information required by FAR 8.405-3(a)(7)	FAR 8.405-3(b)(1)(ii)(B)(2) and 8.405-3(b)(2)(vi)		
Fair and Reasonable Price Determination for Open Market Items if applicable	FAR 8.402(f)		
Contractor Representations and Certifications are documented in contract file	FAR 4.803		
File includes documentation supporting a determination of responsibility or non-responsibility, including queries of all required systems (e.g., SAM (if no exception applies), EPLS (all awards) and FAPIIS (if > SAT)?	FAR 4.1102, 4.1103, 9.103, 9.104-1, 9.104-6, 9.105-2, and 9.404(c)(7)		
Wage Determination updated if necessary	FAR 22.1006		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or Reviewer Comments
OF 347 or other award form properly completed and references FSS Contract	FAR 8.406-1		
Award pricing and terms comply with FSS Contract and include information required in 8.406-1(d)	FAR 8.406-1		
Special Item Number (SIN) and corresponding line or subline item awarded in the schedule is referenced in the order	FAR 4.1005 and 8.404(j)		
Pre-Award Reviews obtained with comments/disposition documented in file	DR 5000-04; PA 91D; AOP #8		
Unsuccessful offerors promptly notified	FAR 8.405-3(b)(3)		
Public/Congressional notification of award >\$1 million	FAR 5.303, AGAR 405.303		
If Limited Sources Justification (LSJ) under 8.405-6(a), award notice & LSJ posted to GPE (<i>Note – not required for Brand Name</i>)	FAR 5.301, 8.405-6		
Order signed by warranted CO	FAR 1.602 and FAR 4.101		
Action is within the CO's warrant authority	FAR 1.602-1; PA 100D		
FPDS Contract Action Report is finalized and reviewed and contains no coding errors	FAR 4.602 and 4.606		
Contract documents distributed to appropriate personnel (contractor, requestor/customer, SBA, etc.) and file documented appropriately	Best Practice and DR 5090-001		
COR Designated, and duties outlined in Delegation Letter, sent to COR, COR's Supervisor and Contractor.	FAR 1.602-2; AOP13		
General: File organization, Indexes; Use of IAS	FAR 4.8; AOP7; PA 105C		
Copy of the FSS contract(s) is in the order file	Best Practice		
POST-AWARD			
If requested, brief explanation provided to unsuccessful offerors if award decision was based on factors other than price alone.	FAR 8.405-3(b)(3)		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or Reviewer Comments
Record of Protests	FAR 33.102		
For multiple award BPAs greater than one year, or single award BPAs with option years, an annual review is conducted at least once a year and D&F included in file	FAR 8.405-3(e)		
Any changes in terms and conditions is made by written agreement of parties	(See applicable mod checklist)		
Options, if applicable, are exercised after timely notification to contractor	(See applicable option checklist)		
Past performance evaluations are prepared at least annually and at the time the work is completed.	FAR 42.1502		

Other Checklists that may apply:

- Information Technology (Part 39).
- Services Contract (Part 37).
- Modification (Administrative, Supplemental Agreement, Option Exercise, Funding, Change Order, or Closeout, as applicable).

SUMMARY OF OBSERVATIONS

After completing the file review – provide a bulleted list of any general observations.

Reviewer (Name, Title and Date)

USDA/DA/OPPM/POD FILE REVIEW CHECKLIST

Action Type: **New Award**

Procedures: **FAR Parts 12 & 13 (Simplified Acquisition Commercial)**

Competition: [Click to choose level of competition](#)

PIID: [Click to enter PIID](#) Contractor: [Click to enter name](#)

Award Date: [Click to enter a date](#) Value: \$[Click to enter total dollar value](#)

Base PoP/Delivery Date: [Click to enter base PoP or delivery date](#)

Option Periods: [Click to enter PoP for each option](#)

Set-Aside: [Click to indicate type of set-aside, if any](#)

Contracting Officer: [Click to enter CO name.](#)

Description: [Click to enter description](#)

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
ACQUISITION PLANNING PHASE			
Funded Purchase Requisition or written assurance from funds certifying official on funds availability	FAR 32.7; AOP #20		
Estimated value appropriate for Simplified Acquisition Procedures (SAP) and requirement is not split to allow SAP	FAR 13.003(c)(1) and 13.003(c)(2)		
Specifications, SOW/ SOO/PWS: promote competition; limit use of "brand name"; include restrictive provisions only to extent necessary to satisfy needs; define requirements that allow offerors to supply commercial items/ services; and do not require performance of inherently governmental functions.	FAR 7.302, 11.002		
HSPD-12/PIV requirements included in Spec/SOW/SOO/PWS if contractors will require routine access to federal facility in performance of any work and appropriate clauses included in solicitation and contract	FAR 4.13; PA 81C		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
Spec/SOW/SOO/PWS supports sustainable acquisition policies (E-Star, FEMP, Biobased, Recovered Material content, non-ozone depleting) if purchasing items that are: energy consuming or USDA or EPA designated items for bio-based or recovered material content	FAR 23.1, 23.2, 23.3, 23.4, and 23.7		
Spec/SOW/SOO/PWS identifies supplies or services as separately identified line items and, as needed, subline items to support requirements of FAR 4.1002 through 4.1008 which must be applied by 1 Oct 2019	FAR 4.1001, 4.1003, and 4.1004		
Use of GFP/GFE is evaluated and considered in performance of contract. If demonstrated to be in Government's interest, list of GFP/GFE is included in Spec/SOW/SOO/PWS	FAR 45.102 and 45.201		
File documentation includes Independent Government Estimate	FAR 4.803 and 7.105		
Level of market research is appropriate given the complexity of the requirement, and documentation includes acquisition history, suggested sources, and research of available contract vehicles. If formal RFI issued for market research purposes, documentation includes RFI, responses, comments and disposition.	FAR 10.001, FAR 10.002; PA 101B		
Market research considers required/mandatory sources of supply (AbilityOne Procurement List or Federal Prison Industries Schedule)	FAR 8.002; AGAR 408.7		
If acquiring supplies of the classes listed in FPI Schedules: <ul style="list-style-type: none"> • Comparable items are purchased through FPI unless waiver is obtained. If FPI items are not comparable in terms of price, quality, or delivery,	FAR 8.602		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
written determination is made and FPI is included in solicitation			
If acquiring supplies/services on the Procurement List and participating agencies cannot: provide supplies/services within timeframe required or produce/ provide the quantity economically, a purchase exception is requested and granted	FAR 8.703, 8.704 and 8.705		
If lease of equipment is anticipated, record of lease or buy determination is documented in file	FAR 7.401		
CO Determination to solicit from single source or Sole Source/Brand Name Justification contains sufficient rationale, is adequately documented and approved at appropriate level	FAR 13.106-1(b)(1) and (2), 13.501(a); AOP #5		
Acquisition Plan or addresses all requirements and elements set forth in the FAR and is approved at appropriate level.	FAR 7.102 and 7.105; PA 130; AOP #3		
Selection of contract type is documented, and D&F is completed and approved for other than firm fixed-price contracts, as applicable	FAR 12.207(b) and 16.601(d)(1)		
If fixed-price with economic price adjustment is used, D&F completed and approved in accordance with...	FAR 16.203-3		
If options are utilized, they are justified, and written determination included in file. If they will not be evaluated with pricing, decision is approved one level above CO. No unpriced options are used.	FAR 17.205 and 17.206; PA 117		
Procurement Approach completed and approved for acquisitions > \$5 million in accordance with...	AOP #24		
PoP > 5 yrs. is approved by HCA	AGAR 417.204		
Acquisitions >\$2M that involve consolidation and/or bundling include written determination by HCA/Designee; are cleared w/OSDBU and SBA PCR; and notification is	FAR 7.107 and 19.202-1; DR 5090-001(6)(d)		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
provided to affected incumbent SBs 30 days prior to solicitation.			
CO documents Determination (of no reasonable expectation of obtaining at least two small business offers) for acquisitions not set-aside under the simplified acquisition threshold (SAT). AD-1205 is submitted to OSDBU for actions <u>over</u> the SAT that are not set-aside or reserved for small businesses, including bundled contracts.	FAR 13.003(b)(1) and 19.502; DR 5090-001		
If no subcontracting possibilities exist and acquisition is not set-aside and estimated to be greater than the subcontracting plan threshold, CO Determination is documented and approved one level above CO	FAR 19.705-2(c)		
Acquisitions set-aside under the 8(a) program have offering letters/notices and SBA acceptance	FAR 19.804-2; PA 71C		
Potential OCIs are evaluated and identified with a plan to avoid, neutralize or mitigate significant potential conflicts before contract award. Written analysis and course of action is approved by chief of contracting office prior to solicitation if CO believes there is a significant potential OCI.	FAR 9.504 and 9.506		
Plan for evaluation of quotes identifies factors to be considered in determining best value if award will be made on a basis other than price; Conflict of Interest/Confidentiality Certifications obtained from evaluation team members, as applicable	FAR 13.106-2		
All deviations approved	FAR 1.403; AGAR 401.4		
Pre-solicitation reviews obtained with comments and disposition included in file	DR 500-4; AOP #8		
SOLICITATION PHASE			

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
Bundling notices sent to small businesses and rationale posted in GPE before issuing solicitation	FAR 10.001 and 5.205(g)		
Posting or synopsis of proposed contract action accomplished if required, and if not, exception documented in file	FAR 5.101(a) and 5.2		
Brand Name Justification, if applicable, is posted with the solicitation, and redacted as necessary	FAR 5.102(a)(6), 13.106-1(b) and 13.501		
SF 1449 (if Commercial, otherwise SF 33 or 1442, etc.) filled out correctly and includes appropriate NAICS and Size Standard	FAR 12.303, 19.012 and 19.303		
Commercial format used, if applicable, otherwise Uniform Contract Format is used	FAR 12.303		
If multi-year contract, complies with . . .	FAR 17.106-2		
Contract type is clearly stated	Best practice		
Use of <i>Simplified Acquisition Procedures</i> is clearly stated	Best practice		
CLIN Structure meets criteria for establishing Contract Line Items and payment instructions are included as required	FAR 4.1005		
Technical data and computer software requirements comply with . . .	FAR 12.211 and 12.212		
Commercial acceptance criteria are clear and unambiguous	FAR 12.402		
Place of performance is specified			
Period of performance or delivery/completion date is specified			
Standard commercial clauses and provisions (if commercial), otherwise, as applicable for non-commercial	FAR 12.3		
Tailoring of commercial clauses is approved	FAR 12.302; AGAR 412.302		
Required additional clauses & provisions	FAR 52 and AGAR 452		
If RFQ includes FAR 52.213-1 Fast Payment Procedures, conditions at	FAR 13.402		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
FAR 13.402 exist and are documented			
Wage Determination included for services subject to the SCA	FAR 22.404 and 22.1006		
GFP/GFI is listed as applicable	FAR 45.201		
Proper Reqs & Certs are required	FAR 4.1202, 52.212-3		
Instructions to Offerors	FAR 52.212-1		
If T&M or LH, pricing proposal format is specified	FAR 16.601(f)(3)		
If sole source and acquisition is expected to exceed TINA threshold, solicitation specifies data other than cost and pricing data if necessary to establish fair and reasonable price (cost and pricing data required for other-than-commercial)	FAR 12.301(b)(4), 15.402(a) and 15.403-5		
"All or none" or "multiple award" clearly stated	FAR 13.101		
Evaluation factors are appropriate and clearly stated, and are consistent with the plan for evaluation of quotes	FAR 12.301(c), 12.602, 13.106		
Price is an Evaluation Factor	FAR 12.602, 13.106		
Past Performance is an Evaluation Factor	FAR 12.206, 13.106		
Options included in evaluation	FAR 17.203		
Amendments are properly completed and issued on SF 30	FAR 13.307		
Synopsis or combined Synopsis and solicitation posted to GPE	FAR 5.101(a)(1) and (2), 5.2, 12.204, 12.603		
Combined Synopsis/ Solicitation complies with . . .	FAR 12.603		
Solicitation Q&As provided to all Interested Parties			
Synopsis includes any Brand Name Justification	FAR 13.501		
EVALUATION AND AWARD PHASE			
Communications with Interested Parties documented	FAR 13.106-3		
Abstract of quotations	FAR 13.106-3		
Disposition of late quotes(s)	FAR 52.212-1		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
OCIs identified and dispositioned	FAR 9.506		
Evaluation of quotes is consistent with 52.212-2 and any documented plan	FAR 12.203, 12.602, 13.106-2		
Lack of adequate competition is explained	FAR 13.104, 13.106-3		
Record of Negotiations if conducted	FAR 13.106-3		
CO Fair and Reasonable Pricing Determination	FAR 13.106-3		
Contractor Representations and Certifications are documented in contract file	FAR 4.803		
Affirmative responses to the Responsibility Matters Certification are reviewed and additional information is obtained necessary to demonstrate offeror responsibility	9.104-5		
File includes documentation supporting a determination of responsibility or non-responsibility, including queries of all required systems (e.g., SAM (if no exception applies), EPLS (all awards) and FAPIIS (if > SAT)?	FAR 4.1102, 9.103, 9.104-1, 9.104-6, 9.105-2, and 9.404(c)(7)		
Notice to SBA of SB non-responsibility	FAR 19.602		
If subcontracting plan is required, it meets requirements of FAR and is properly coordinated, approved, distributed and incorporated into the contract	FAR 19.702, 19.704, 19.705; AOP #14		
SF 1449, or other award form if not commercial (e.g., SF 33 or 1442) filled out correctly	FAR 12.204		
Wage Determination updated	FAR 22.404 or 22.1006		
Any express warranties are included in the contract	FAR 12.404(b)		
Pricing is free of math errors			
Pre-Award Reviews obtained with comments/disposition documented in file	DR 5000-04; PA 91D; AOP #8		
Unsuccessful quoters promptly notified	FAR 13.106-3		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
Public/Congressional notification of award >\$1 million	FAR 5.303; AGAR 405.303		
Award notice through GPE	FAR 5.301		
FPDS Contract Action Report is finalized and reviewed and contains no coding errors	FAR 4.6		
Signed contract	FAR 4.101, 13.004		
Action is within the CO's warrant authority	FAR 1.602-1; PA 100D		
Sole Source Justification (<i>not Brand Name</i>) is Posted to the GPE	FAR 6.305, 13.501		
Contract documents distributed to appropriate personnel (contractor, requestor/customer, SBA, etc.) and file documented appropriately	Best Practice and DR 5090-001		
COR Designated, and duties outlined in Delegation Letter, sent to COR, COR's Supervisor and Contractor.	FAR 1.602-2; AOP #13		
General: File organization, Indexes; Use of IAS	FAR 4.8; AOP #7; PA 105C		
Simplified Acquisition Documentation Record Form			
POST-AWARD			
Record of contractor requests for information on award, if based on factors other than price alone and explanation of the basis for contract award decision provided	FAR 13.106-3(d)		
Record of Protests	FAR 33.102		
Any changes in terms and conditions is made by written agreement of parties	(See applicable mod checklist)		
Options, if applicable, are exercised after timely notification to contractor	(See applicable option checklist)		
Past performance evaluations are prepared at least annually and at the time the work is completed.	FAR 42.1502		

Other Checklists that may apply:

- Indefinite Delivery Contract (FAR 16.5).
- Construction Contract (Negotiated) (FAR 36).

- Services Contract (Part 37).
- Information Technology (Part 39).
- Modification (Administrative, Supplemental Agreement, Option Exercise, Funding, Change Order, or Closeout, as applicable).

SUMMARY OF OBSERVATIONS

After completing the file review – provide a bulleted list of any general observations.

Reviewer (Name, Title and Date)

USDA/DA/OPPM/POD FILE REVIEW CHECKLIST

Action Type: **New Award**

Procedures: **FAR Parts 12 & 14 (Sealed Bidding Commercial)**

2-Step Process (See FAR Subpart 14.5)

Competition: [Click to choose level of competition](#)

PIID: [Click to enter PIID](#) Contractor: [Click to enter name](#)

Award Date: [Click to enter a date](#) Value: \$[Click to enter total dollar value](#)

Base PoP/Delivery Date: [Click to enter base PoP or delivery date](#)

Option Periods: [Click to enter PoP for each option](#)

Set-Aside: [Click to indicate type of set-aside, if any](#)

Contracting Officer: [Click to enter CO name.](#)

Description: [Click to enter description](#)

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
ACQUISITION PLANNING PHASE			
Funded Purchase Requisition or written assurance from funds certifying official on funds availability	FAR 32.7; AOP #20		
Specifications, SOW/ SOO/PWS: promote competition; limit use of "brand name"; include restrictive provisions only to extent necessary to satisfy needs; define requirements that allow offerors to supply commercial items/ services; and do not require performance of inherently governmental functions.	FAR 7.302, 11.002		
HSPD-12/PIV requirements included in Spec/SOW/SOO/PWS if contractors will require routine access to federal facility in performance of any work	FAR 4.13; PA 81C		
Spec/SOW/SOO/PWS supports sustainable acquisition policies (E-Star, FEMP, Biobased, Recovered	FAR 23.1, 23.2, 23.3, 23.4, and 23.7		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
Material content, non-ozone depleting) if purchasing items that are: energy consuming or USDA or EPA designated items for bio-based or recovered material content			
Spec/SOW/SOO/PWS identifies supplies or services as separately identified line items and, as needed, subline items to support requirements of FAR 4.1002 through 4.1008 which must be applied by 1 Oct 2019	FAR 4.1001, 4.1003, and 4.1004		
Use of GFP/GFE is evaluated and considered in performance of contract. If demonstrated to be in Government's interest, list of GFP/GFE is included in Spec/SOW/SOO/PWS	FAR 45.102 and 45.201		
File documentation includes Independent Government Estimate	FAR 4.803 and 7.105		
Level of market research is appropriate given the complexity of the requirement, and documentation includes acquisition history, suggested sources, and research of available contract vehicles. If formal RFI issued for market research purposes, file documentation includes RFI, responses, comments and disposition.	FAR 10.001, FAR 10.002; PA 101B		
Market research considers required/mandatory sources of supply (AbilityOne Procurement List or Federal Prison Industries Schedule)	FAR 8.002; AGAR 408.7		
<p>If acquiring supplies of the classes listed in FPI Schedules:</p> <ul style="list-style-type: none"> • Comparable items are purchased through FPI unless waiver is obtained. <p>If FPI items are not comparable in terms of price, quality, or delivery, written determination is made and FPI is included in solicitation</p>	FAR 8.602		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
If acquiring supplies/services on the Procurement List and participating agencies cannot: provide supplies/services within timeframe required or produce/ provide the quantity economically, a purchase exception is requested and granted	FAR 8.703, 8.704 and 8.705		
If lease of equipment is anticipated, record of lease or buy determination is documented in file	FAR 7.401		
Acquisition Plan addresses all applicable requirements and elements set forth in the FAR and is approved at appropriate level.	FAR 7.102 and 7.105; PA 130; AOP #3		
If fixed-price with economic price adjustment is used, D&F completed and approved in accordance with...	FAR 14.104 and 16.203-3		
Use of bid samples or descriptive literature is justified	FAR 14.202-4(c) and 14.202-5(b)		
If options are utilized, they are justified, and written determination included in file. If they will not be evaluated with pricing, decision is approved one level above CO. No unpriced options are used.	FAR 17.205 and 17.206; PA 117		
Procurement Approach is completed and approved for acquisitions > \$5 million in accordance with...	AOP #24		
PoP > 5 yrs. is approved by HCA	AGAR 417.204		
Acquisitions >\$2M that involve consolidation and/or bundling include written determination by HCA/Designee; are cleared w/OSDBU and SBA PCR; and notification is provided to affected incumbent SBs 30 days prior to solicitation.	FAR 7.107 and 19.202-1; DR 5090-001(6)(d)		
AD-1205 is submitted to OSDBU for actions that are <u>not</u> set-aside or reserved for small businesses, including bundled contracts.	FAR 19.502; DR 5090-001		
If no subcontracting possibilities exist and acquisition is not set-aside and estimated to be greater than the	FAR 19.705-2(c)		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
subcontracting plan threshold, CO Determination is documented and approved one level above CO			
Potential OCIs are evaluated and identified with a plan to avoid, neutralize or mitigate significant potential conflicts before contract award. Written analysis and course of action is approved by chief of contracting office prior to solicitation if CO believes there is a significant potential OCI.	FAR 9.504 and 9.506		
Multi-Year Contract approved	FAR 17.105		
All deviations approved	FAR 1.403; AGAR 401.4		
Pre-solicitation reviews obtained with comments and disposition included in file	FAR 14.202-6; DR 500-4; AOP #8		
SOLICITATION PHASE			
Bundling notices sent to small businesses and rationale posted in GPE before issuing solicitation	FAR 10.001 and 5.205(g)		
Synopsis of proposed contract action accomplished	FAR 5.101(a) and 5.2		
Adequate time is allowed for preparation of bids	FAR 14.101(b) & 14.202-1		
SF 1449 (if Commercial, otherwise, SF 33) filled out correctly and includes appropriate NAICS and Size Standard	FAR 12.303, 19.012 and 19.303		
Commercial format used, if applicable, otherwise Uniform Contract Format is used	FAR 12.303 or 14.201-1		
If multi-year contract, complies with . . .	FAR 17.106-2		
If two-step process is used, IFB complies with . . .	FAR 14.5		
If master solicitation is used, IFB references such	FAR 14.203-3		
Contract type (either FFP or FP-EPA) is clearly stated	Best practice		
CLIN Structure with appropriate pricing structure and meets criteria for establishing Contract Line Items	FAR 14.201-2(b) and FAR 4.1005		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
and payment instructions are included as required			
Required performance is clear and unambiguous	FAR 14.101(a)		
If commercial, technical data and computer software requirements comply with . . .	FAR 12.211 & 12.212		
Inspection & acceptance criteria are clear and unambiguous	FAR 14.201-2(e)		
Place of performance is specified			
Period of performance or delivery/completion date is specified	FAR 14.201-2(f)		
Standard commercial clauses and provisions (if commercial) otherwise as applicable for non-commercial commercial	FAR 12.3		
Tailoring of commercial clauses is approved	FAR 12.302 and AGAR 412.302		
Required additional clauses & provisions	FAR 52 and AGAR 452		
Date, time, and place for bid opening is specified	FAR 14.101(c)		
Wage Determination included for services subject to the SCA or construction subject to DBA	FAR 22.404 or 22.1006		
GFP/GFI is listed as applicable	FAR 45.201		
Proper Reps & Certs are required	FAR 4.1202, 52.212-3		
Instructions to Offerors (if commercial)	FAR 52.212-1		
Instructions clearly state award will be made without discussions	FAR 14.201-5(b)		
If required, instructions for providing bid samples or descriptive literature are clear	FAR 14.202-4(d) and 14.202-5(c)		
Other price-related factors, if any, are identified	FAR 14.201-5(c), 14.201-8		
Options included in evaluation	FAR 17.203		
Amendments are properly completed and issued on SF 30	FAR 14.208		
Solicitation Q&As provided to all Interested Parties	FAR 14.208		
AWARD PHASE			

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
Communications with Interested Parties documented			
Abstract of bids SF 1409	FAR 14.403		
Award is based on price and price-related factors only	FAR 14.101(e)		
Bid from awardee complied with IFB in all material respects	FAR 14.301		
Disposition of late or nonresponsive bids	FAR 14.304 and 14.404-2		
Disposition of awardee's minor informalities or irregularities	FAR 14.405		
Disposition of mistakes in bid	FAR 14.407, AGAR 414.407		
Rejection of Bids and cancellation of invitation after opening	FAR 14.404-1 and AGAR 4.4-404		
OCIs identified and dispositioned	FAR 9.506		
Affirmative responses to the Responsibility Matters Certification are reviewed and additional information is obtained necessary to demonstrate offeror responsibility	FAR 9.104-5		
File includes documentation supporting a determination of responsibility or non-responsibility, including queries of all required systems (e.g., SAM (if no exception applies), EPLS (all awards) and FAPIIS (if > SAT)?	FAR 4.1102, 9.103, 9.104-1, 9.104-6, 9.105-2, and 9.404(c)(7)		
Notice to SBA of SB non-responsibility	FAR 19.602		
EEO Pre-Award Clearance is conducted for any award >\$10M	FAR 22.805		
If subcontracting plan is required, it meets requirements of FAR and is properly coordinated, approved, distributed and incorporated into the contract	FAR 19.702, 19.704, 19.705; AOP #14		
If the IFB or a bid contains an EPA clause, the price evaluation is in accordance with. . .	FAR 14.408-4		
CO's Fair and Reasonable Pricing Determination	FAR 14.408-2		
Award documents acceptance of bid	FAR 14.408-1(c)		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
SF 1449, or other award form if not commercial (e.g., SF 33 or 1442), filled out correctly	FAR 12.204		
Wage Determination updated	FAR 22.404 or 22.1006		
Any express warranties are included in the contract	FAR 12.404(b)		
Pricing is free of math errors			
Pre-Award Reviews obtained with comments/disposition documented in file	DR 5000-04; PA 91D; AOP #8		
Unsuccessful bidders promptly notified	FAR 14.409-1		
Public/Congressional notification of award > \$1 million	FAR 5.303; AGAR 405.303		
Award notice to GPE	FAR 5.301		
FPDS Contract Action Report is finalized and reviewed, and contains no coding errors	FAR 4.6		
Signed contract	FAR 4.101		
Action is within the CO's warrant authority	FAR 1.602-1; PA 100D		
COR Designated, and duties outlined in Delegation Letter, sent to COR, COR's Supervisor and Contractor.	FAR 1.602-2; AOP #13		
Contract documents distributed to appropriate personnel (contractor, requestor/customer, SBA, etc.) and file documented appropriately	Best Practice and DR 5090-001		
General: File organization, Indexes; Use of IAS	FAR 4.8; AOP #7; PA 105C		
POST-AWARD			
Record of Protests	FAR 33.102		
Any changes in terms and conditions is made by written agreement of parties	(See applicable mod checklist)		
Options, if applicable, are exercised after timely notification to contractor	(See applicable option checklist)		
Past performance evaluations are prepared at least annually and at the time the work is completed.	FAR 42.1502		

Other Checklists that may apply and should be used in conjunction:

- Indefinite Delivery Contract (FAR 16.5).
- Construction Contract (Negotiated) (FAR 36).
- Services Contract (Part 37).
- Information Technology (Part 39).
- Modification (Administrative, Supplemental Agreement, Option Exercise, Funding, Change Order, or Closeout, as applicable).

SUMMARY OF OBSERVATIONS

After completing the file review – provide a bulleted list of any general observations.

Reviewer (Name, Title and Date)

USDA/DA/OPPM/POD FILE REVIEW CHECKLIST

Action Type: **New Award**

Procedures: **FAR Parts 12 & 15 (Negotiated Commercial)**

Competition: [Click to choose level of competition](#)

PIID: [Click to enter PIID](#) Contractor: [Click to enter name](#)

Award Date: [Click to enter a date](#) Value: \$[Click to enter total dollar value](#)

Base PoP/Delivery Date: [Click to enter base PoP or delivery date](#)

Option Periods: [Click to enter PoP for each option](#)

Set-Aside: [Click to indicate type of set-aside, if any](#)

Contracting Officer: [Click to enter CO name.](#)

Description: [Click to enter description](#)

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
ACQUISITION PLANNING PHASE			
Funded Purchase Requisition or written assurance from funds certifying official on funds availability	FAR 32.7; AOP #20		
Specifications, SOW/ SOO/PWS: promote competition; limit use of "brand name"; include restrictive provisions only to extent necessary to satisfy needs; define requirements that allow offerors to supply commercial items/ services; and do not require performance of inherently governmental functions.	FAR 7.302, 11.002		
HSPD-12/PIV requirements included in Spec/SOW/SOO/PWS if contractors will require routine access to federal facility in performance of any work	FAR 4.13; PA 81C		
Spec/SOW/SOO/PWS supports sustainable acquisition policies (E-Star, FEMP, Biobased, Recovered Material content, non-ozone depleting) if purchasing items that are: energy consuming or USDA or	FAR 23.1, 23.2, 23.3, 23.4, and 23.7		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
EPA designated items for bio-based or recovered material content			
Spec/SOW/SOO/PWS identifies supplies or services as separately identified line items and, as needed, subline items to support requirements of FAR 4.1002 through 4.1008 which must be applied by 1 Oct 2019	FAR 4.1001, 4.1003, and 4.1004		
Use of GFP/GFE is evaluated and considered in performance of contract. If demonstrated to be in Government's interest, list of GFP/GFE is included in Spec/SOW/SOO/PWS	FAR 45.102 and 45.201		
File documentation includes Independent Government Estimate	FAR 4.803 and 7.105		
Level of market research is appropriate given the complexity of the requirement, and documentation includes acquisition history, suggested sources, and research of available contract vehicles. If formal RFI issued for market research purposes, file documentation includes RFI, responses, comments and disposition.	FAR 10.001, FAR 10.002; PA 101B		
Market research considers required/mandatory sources of supply (AbilityOne Procurement List or Federal Prison Industries Schedule)	FAR 8.002; AGAR 408.7		
If acquiring supplies of the classes listed in FPI Schedules: <ul style="list-style-type: none"> • Comparable items are purchased through FPI unless waiver is obtained. If FPI items are not comparable in terms of price, quality, or delivery, written determination is made and FPI is included in solicitation	FAR 8.602		
If acquiring supplies/services on the Procurement List and participating agencies cannot: provide supplies/services within timeframe	FAR 8.703, 8.704 and 8.705		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
required or produce/ provide the quantity economically, a purchase exception is requested and granted			
If lease of equipment is anticipated, record of lease or buy determination is documented in file	FAR 7.401		
Justification for Other Than Full and Open Competition contains sufficient rationale, is adequately documented and approved at appropriate level	FAR 6.302, 6.303, and 6.304; AOP #5		
Acquisition Plan or addresses all applicable requirements and elements set forth in the FAR and is approved at appropriate level.	FAR 7.102 and 7.105; PA 130; AOP #3		
Selection of contract type is documented, and D&F is completed and approved for other than firm fixed-price contracts, as applicable	FAR 12.207(b) and 16.601(d)(1)		
If fixed-price with economic price adjustment is used, D&F completed and approved in accordance with...	FAR 16.203-3		
If options are utilized, they are justified, and written determination included in file. If they will not be evaluated with pricing, decision is approved one level above CO. No unpriced options are used.	FAR 17.205 and 17.206; PA 117		
Procurement Approach is completed and approved for acquisitions > \$5 million in accordance with...	AOP #24		
PoP > 5 yrs. is approved by HCA	AGAR 417.204		
Acquisitions >\$2M that involve consolidation and/or bundling include written determination by HCA/Designee; are cleared w/OSDBU and SBA PCR; and notification is provided to affected incumbent SBs 30 days prior to solicitation.	FAR 7.107 and 19.202-1; DR 5090-001(6)(d)		
AD-1205 is submitted to OSDBU for actions that are <u>not</u> set-aside or reserved for small businesses, including bundled contracts.	FAR 19.502; DR 5090-001		
If no subcontracting possibilities exist and acquisition is not set-aside and	FAR 19.705-2(c)		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
estimated to be greater than the subcontracting plan threshold, CO Determination is documented and approved one level above CO			
Acquisitions set-aside under the 8(a) program have offering letters and SBA acceptance	FAR 19.804-2; PA 71C		
Potential OCIs are evaluated and identified with a plan to avoid, neutralize or mitigate significant potential conflicts before contract award. Written analysis and course of action is approved by chief of contracting office prior to solicitation if CO believes there is a significant potential OCI.	FAR 9.504 and 9.506		
Source Selection Authority (SSA) designates Evaluation team, obtains Conflict of Interest/ Confidentiality Certifications and prepares/approves Plan for evaluation of proposals. Plan includes all factors and significant subfactors for award and relative importance. Price or cost, quality of product or service and past performance (unless documented as not appropriate by CO) are evaluated in all source selections	FAR 15.303, 15.304 and 15.305; AGAR 415.207		
Multi-Year Contract approved	FAR 17.105		
All deviations approved	FAR 1.403; AGAR 401.4		
Pre-solicitation reviews obtained with comments and disposition included in file	DR 500-4; AOP #8		
SOLICITATION PHASE			
Bundling notices sent to small businesses and rationale posted in GPE before issuing solicitation	FAR 10.001 and 5.205(g)		
Synopsis of proposed contract action accomplished if required, and if not, exception documented in file	FAR 5.101(a) and 5.2		
Brand Name Justification, if applicable, is posted with the	FAR 5.102(a)(6) and 6.305(c)		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
solicitation, and redacted as necessary			
SF 1449 (if Commercial, otherwise SF 33 or 1442, etc.) filled out correctly and includes appropriate NAICS and Size Standard	FAR 12.303, 19.012 and 19.303		
Commercial format used, if applicable, otherwise Uniform Contract Format is used	FAR 12.303		
If multi-year contract, complies with . . .	FAR 17.106-2		
Contract type is clearly stated	Best practice		
CLIN Structure meets criteria for establishing Contract Line Items and payment instructions are included as required	FAR 4.1005		
Technical data and computer software requirements comply with . . .	FAR 12.211 & 12.212		
Commercial acceptance criteria are clear and unambiguous	FAR 12.402		
Place of performance is specified			
Period of performance or delivery/completion date is specified			
Standard commercial clauses and provisions (if commercial), otherwise as applicable for non-commercial	FAR 12.3		
Tailoring of commercial clauses is approved	FAR 12.302 and AGAR 412.302		
Required additional clauses & provisions	FAR 52 and AGAR 452		
Wage Determination included for services subject to the SCA or construction subject to DBA	FAR 22.404 or 22.1006		
GFP/GFI is listed as applicable	FAR 45.201		
Proper Reqs & Certs are required	FAR 4.1202, 52.212-3		
Instructions to Offerors are included and consistent with Evaluation Plan	FAR 52.212-1 and 15.303		
If T&M or LH, pricing proposal format is specified	FAR 16.601(f)(3)		
If sole source and acquisition is expected to exceed TINA threshold, solicitation specifies data other than	FAR 12.301(b)(4), 15.402(a) and 15.403-5		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
cost and pricing data if necessary to establish fair and reasonable price, and applicable format (cost and pricing data required for other-than-commercial)			
Evaluation factors are clearly stated and consistent with the Evaluation Plan	FAR 12.301(c), 12.602, and 15.303		
Options included in evaluation (and included in Plan)	FAR 17.203 and 17.206		
Amendments are properly completed and issued on SF 30	FAR 15.210		
Synopsis or combined Synopsis and solicitation posted to GPE	FAR 5.101(a)(1) and (2), 5.2, 12.204, 12.603		
Combined Synopsis/ Solicitation complies with . . .	FAR 12.603		
Solicitation Q&As provided to all Interested Parties	FAR 15.206		
Synopsis includes any Brand Name Justification	FAR 6.305(c)		
Record of exchanges with Industry before receipt of proposals is documented in file.	15.201		
EVALUATION & AWARD PHASE			
Proposals from all offerors are signed, and proposal modifications, revisions or withdrawals or handled in accordance with...	FAR 15.208		
Disposition of late proposal(s)	FAR 15.208, 52.212-1		
OCIs identified and dispositioned	FAR 9.506		
Proposal evaluations are consistent with Plan and evaluation factors stated in Solicitation	FAR 15.305		
Price analysis follows order of precedence in . . .	FAR 15.402		
Proposal audit(s) obtained if required	FAR 15.404-2		
Price/Cost analysis	FAR 15.404		
Profit objective	FAR 15.404-4 and AGAR 415.4		
Affirmative responses to the Responsibility Matters Certification are reviewed and additional	FAR 9.104-5		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
information is obtained necessary to demonstrate offeror responsibility			
File includes documentation supporting a determination of responsibility or non-responsibility, including queries of all required systems (e.g., SAM (if no exception applies), EPLS (all awards) and FAPIIS (if > SAT)?	FAR 4.1102, 9.103, 9.104-1, 9.104-6, 9.105-2, and 9.404(c)(7)		
Notice to SBA of SB non-responsibility	FAR 19.602		
EEO Pre-Award Clearance is conducted for any award >\$10M	FAR 22.805		
If subcontracting plan is required, it meets requirements of FAR and is properly coordinated, approved, distributed and incorporated into the contract	FAR 19.702, 19.704, 19.705; AOP #14		
Documentation of any Clarifications with offerors	FAR 15.306(a)		
Documentation of communications before establishment of competitive range, if discussions are to be held	FAR 15.306(b)		
CO Determination to hold discussions and Competitive Range Determination	FAR 15.306(a)(3) and 15.306(c)		
Offerors promptly notified of exclusion from competitive range	FAR 15.503		
Record of Discussions or Negotiations (Pre/Post Negotiation Memorandum)	FAR 15.306(d) and (e) and 15.406-3		
Signed Final Proposal Revision(s) from contractors, if discussions are held	FAR 15.307		
CO's Fair and Reasonable Pricing Determination	FAR 15.305(a)(1) and 15.403		
Source Selection/Award Decision is consistent with solicitation's evaluation factors and subfactors and the Evaluation Plan	FAR 15.305(a) and 15.308		
SF 1449, or other award form if not commercial (e.g., SF 33 or 1442) filled out correctly	FAR 12.204		
Wage Determination updated	FAR 22.404 or 22.1006		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
Any express warranties are included in the contract	FAR 12.404(b)		
Pricing is free of math errors			
Pre-Award Reviews obtained with comments/disposition documented in file	DR 5000-04; PA 91D; AOP #8		
Unsuccessful offerors promptly notified	FAR 15.503		
Public/Congressional notification of award > \$1 million	FAR 5.303; AGAR 405.303		
Award notice to GPE	FAR 5.301		
FPDS Contract Action Report is finalized and reviewed and contains no coding errors	FAR 4.6		
Signed contract	FAR 4.101		
Action is within the CO's warrant authority	FAR 1.602-1; PA 100D		
Sole Source Justification (<i>not Brand Name</i>) is Posted to GPE	FAR 6.305		
Contract documents distributed to appropriate personnel (contractor, requestor/customer, SBA, etc.) and file documented appropriately	Best Practice and DR 5090-001		
COR Designated, and Duties outlined in Delegation Letter, sent to COR, COR's Supervisor and Contractor.	FAR 1.602-2; AOP #13		
General: File organization, Indexes; Use of IAS	FAR 4.8; AOP #7; PA 105C		
POST-AWARD			
Record of Debriefings	FAR 15.505 and 15.506		
Record of Protests	FAR 15.507 and 33.102		
Any changes in terms and conditions is made by written agreement of parties	(See applicable mod checklist)		
Options, if applicable, are exercised after timely notification to contractor	(See applicable option checklist)		
Past performance evaluations are prepared at least annually and at the time the work is completed.	FAR 42.1502		

Other Checklists that may apply and should be used in conjunction:

- Indefinite Delivery Contract (FAR 16.5).
- Construction Contract (Negotiated) (FAR 36).
- Services Contract (Part 37).
- Information Technology (Part 39).
- Modification (Administrative, Supplemental Agreement, Option Exercise, Funding, Change Order, or Closeout, as applicable).

SUMMARY OF OBSERVATIONS

After completing the file review – provide a bulleted list of any general observations.

Reviewer (Name, Title and Date)

USDA/DA/OPPM/POD FILE REVIEW CHECKLIST

Action Type: **New Award**

Procedures: **FAR Subpart 16.5 (Indefinite Delivery)**

Definite Quantity Contract (FAR 16.502)

Requirements Contract (FAR 16.503)

Indefinite Quantity (FAR 16.504)

Single Award

Multiple Award

Competition: Choose level of competition from list

PIID: Click to enter PIID

Contractor: Click to enter contractor name

Award Date: Click to select date

Contract/Maximum Value: \$Click to enter total order value

Base Ordering Period: Click to enter base PoP or delivery date

Options: Click to enter PoP for each option

Set-Aside: Click to indicate type of set-aside, if any

Contracting Officer: Click to enter CO name.

Description: Click to enter description

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
ACQUISITION PLANNING PHASE			
Unless Contract type is determined at the order level, Contract Type D&F is completed as applicable	FAR 12.207(b)(1), 16.102(d), and 16.503(b)(2)		
Specified quantities (definite, estimated, or minimum and maximum) are supported by historical data and/or market research	FAR 16.504(a)		
If Requirements or single-award IDIQ contract for Advisory & Assistance Services > \$13.5M and > 3 years, D&F is completed in accordance with...	FAR 16.503(d) or 16.504(c) (2)		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
If IDIQ type, CO determination is included regarding the number of awards to be made	FAR 16.504(c)		
If Requirements or Single Award IDIQ > \$112M, Agency Head has made determination required at...	FAR 16.504 (c)(ii)(D)		
SOLICITATION PHASE			
Solicitation clearly states which kind of contract is being solicited (Definite Quantity, Requirements, or IDIQ)	Best practice		
If IDIQ, minimum and maximum amounts/quantities are specified, and minimum guarantee is more than a nominal amount	FAR 16.504(a) (2) & (4), AGAR 416.506		
If IDIQ, anticipated number of awards is specified	FAR 16.504(a)(iv)		
Contract type(s) for orders is specified	Best practice		
Authorized ordering activities are specified	FAR 16.504(a) (4)(vi)		
Ordering period (i.e. contract term) is specified	FAR 16.502(a), 16.503(a) or 16.504(a) (4)(i)		
If Requirements contract, estimated quantity to be ordered is specified	FAR 16.503(a) (1)		
Ordering procedures are specified, and if multiple award, the procedures and selection criteria that the Government will use to provide awardees a fair opportunity to be considered for each order is stated	FAR 16.504(a) (4)(iv)		
Order limitations are specified	FAR 16.503(a) (2) or 16.504(a) (3)		
If multiple award IDIQ, ombudsman is identified	FAR 16.504(a) (4)(v), AGAR 416.505		
Required clauses and provisions are included	FAR 16.506		
If Requirements or IDIQ contract, Price Evaluation Factor is structured	Best Practice		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
to reflect likely cost to the Government			
If several order types (e.g. FFP, T&M, etc.) are allowed, solicitation contains <i>all</i> applicable clauses for all allowable types			

Other Checklists To be used in conjunction with this checklist as applicable:

- Commercial SAP (FAR 12 & 13).
- Commercial Negotiated (FAR 12 & 15).
- Construction Contract (FAR 36).
- A&E Contract (FAR 36.6).
- Service Contract (FAR 37).
- IT Contract (FAR 39).

SUMMARY OF OBSERVATIONS

After completing the file review – provide a bulleted list of any general observations.

Reviewer (Name, Title and Date)

USDA/DA/OPPM/POD FILE REVIEW CHECKLIST

Action Type: **New Award**

Procedures: **FAR Subsection 8.405-3 Order Under a FSS BPA**

BASE BPA:

- Multiple-Award: Fair Opportunity? Yes No
- Single-Award

Order PIID: [Click to enter PIID](#) Contractor: [Click to enter contractor name](#)

Order Date: [Click to select date](#)

BPA PIID: [Click to enter BPA PIID](#) FSS Contract PIID: [Click to enter FSS PIID](#)

Value: \$[Click to enter total order value](#)

PoP/Delivery Date: [Click to enter PoP or Delivery Date](#)

Set-Aside: [Click indicate type of set-aside, if any](#)

Contracting Officer: [Click to enter CO name](#)

Description: [Click to enter description](#)

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or Reviewer Comments
ACQUISITION PLANNING PHASE			
Funded Purchase Requisition or written assurance from funds certifying official on funds availability	FAR 32.7; AOP #20		
Specifications, SOW/ SOO/PWS: promote competition; limit use of "brand name"; include restrictive provisions only to extent necessary to satisfy needs; define requirements that allow offerors to supply commercial items/ services; and do not require performance of inherently governmental functions.	FAR 7.302 and 11.002		
Spec/SOW/SOO/PWS supports sustainable acquisition policies (E-Star, FEMP, Biobased, Recovered	FAR 23.1, 23.2, 23.3, 23.4 and 23.7		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or Reviewer Comments
Material content, non-ozone depleting) if purchasing items that are: energy consuming or USDA or EPA designated items for bio-based or recovered material content			
Spec/SOW/SOO/PWS identifies supplies or services as separately identified line items and, as needed, subline items to support <i>(Requirements of FAR 4.1002 through 4.1008 must be applied by 1 Oct 2019)</i>	FAR 4.1001, 4.1003 and 4.1004		
Use of GFP/GFE is evaluated and considered in performance of contract. If demonstrated to be in Government's interest, list of GFP/GFE is included in Spec/SOW/SOO/PWS	FAR 45.102 and 45.201		
Independent Government Estimate is documented in file	FAR 4.803 and 7.105		
Level of market research is appropriate given the complexity of the requirement, and documentation includes acquisition history, suggested sources and/or research of available contract vehicles/BPA holders (if multiple award) to assure proper fit with agency need.	FAR 10.001 and 10.002; PA 101B		
If lease of equipment is anticipated, record of lease or buy determination is documented in file	FAR 7.401		
Open Market Items are identified	FAR 8.402(f)		
If ordering from multiple-award BPA and limiting competition/fair opportunity or specifying brand name, file includes documentation of restricting consideration to less than all multiple award BPA holders or Limited Sources Justification and approval, signed at appropriate level of authority	FAR 8.405-3(c)(2) 8.405-6; AOP #5		
Procurement Approach completed and approved for acquisitions > \$5 million in accordance with...	AOP #24		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or Reviewer Comments
Acquisition Plan addresses all requirements and elements set forth in the FAR and is approved at appropriate level.	FAR 7.102 and 7.105; PA 130; AOP #3		
Determination of Best Procurement Approach, if > \$550K	FAR 8.404(b)(2) and FAR 17.502-1		
D&F for Advisory and Assistance Services and D&F for Non-Personal Services are included in the file	FAR 37.204 and 37.103(a)		
Acquisitions >\$2M that involve consolidation and/or bundling include written determination; are cleared w/OSDBU and SBA PCR; and notification is provided to affected incumbent SBs 30 days prior to solicitation.	FAR 7.107 and 19.202-1; DR 5090-001(6)(d)		
Requirement is within the scope, PoP, and maximum value established in the BPA(s)			
If order type is either T&M or LH, Order Type D&F is included in file	FAR 8.404(h)		
SOLICITATION PHASE (if competed under multiple-award BPAs or if quote required)			
RFQ limited to BPA holder(s)	FAR 8.404		
RFQ reference FSS and BPA(s)			
If brand name is specified, RFQ and Limited Sources (Brand Name) Justification posted on e-Buy unless posted at the BPA level	FAR 8.405-6		
If order against multiple award BPAs, fair opportunity provide to all BPA holders	FAR 8.405-3(c)		
RFQ complies with ordering procedures in the BPA			
Order type is clearly stated			
RFQ includes description of supplies or services, place of delivery or performance, delivery date or period of performance, and basis upon which selection will be made	8.405-3(c)		
Wage Determination included	FAR 22.404 or 22.1006		
GFP is listed if being provided	FAR 45.201		
Instructions to Offerors are clear and concise			
Evaluation factors stated IAW...	FAR 8.405-3		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or Reviewer Comments
Price is an Evaluation Factor			
Amendments issued using SF 30 or OF 309, and are properly completed and documented			
Solicitation of Open Market items complies with all requirements for such	FAR 8.402		
EVALUTION/AWARD PHASE			
If order against multiple-award BPAs < SAT, abstract of quotations or prices			
Disposition of late quote(s)	IAW RFQ		
OCIs identified & dispositioned	FAR 9.506		
Evaluations consistent with RFQ	FAR 8.405-3(c)		
Evaluation of quotes does not use formal Part 15 procedures	FAR 8.405-3(c)		
Level of effort and labor mix are evaluated when ordering services requiring a SOW, and determination of price reasonableness is made	FAR 8.405-3(c)		
Fair and Reasonable Price Determination for Open Market Items if applicable	FAR 8.402(f)		
If order against multiple-award BPAs, file contains the decision document IAW . . .	FAR 8.405-3		
EPLS check	FAR 9.405		
Contractor Representations and Certifications are documented in contract file	FAR 4.803		
File includes documentation supporting a determination of responsibility or non-responsibility, including queries of all required systems (e.g., SAM (if no exception applies), EPLS (all awards) and FAPIIS (if > SAT)?	FAR 4.1102, 4.1103, 9.103, 9.104-1, 9.104-6, 9.105-2, and 9.404(c)(7)		
Wage Determination updated if necessary	FAR 22.404 or 22.1006		
OF 347 or other award form properly completed and references FSS Contract	FAR 8.406-1		
Order pricing and terms comply with BPA			

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or Reviewer Comments
Order complies completely with the ordering procedures in the BPA			
Pricing is free of math errors			
If order type is T&M or LH, ceiling price is stated	FAR 8.404		
Pre-Award Reviews obtained with comments/disposition documented in file	DR 5000-04; PA 91D; AOP #8		
If order against multiple-award BPAs, unsuccessful offerors promptly notified IAW . . .	FAR 8.405-3(b)(3)		
Public/Congressional notification of award > \$1 million	FAR 5.303, AGAR 405.303		
If Limited Sources Justification (LSJ) under 8.405-6(a), award notice & LSJ posted to GPE (<i>Note – not required for Brand Name</i>)	FAR 5.301, 8.405-6		
Order signed by warranted CO	FAR 1.602 and 4.101		
Action is within the CO's warrant authority	FAR 1.602-1; PA 100D		
FPDS Contract Action Report is finalized and reviewed and contains no coding errors	FAR 4.602 and 4.606		
Contract documents distributed to appropriate personnel (contractor, requestor/customer, SBA, etc.) and file documented appropriately	Best Practice and DR 5090-001		
COR Designated, and Duties outlined in Delegation Letter, sent to COR, COR's Supervisor and Contractor.	FAR 1.602-2; AOP13		
General: File organization, Indexes; Use of IAS	FAR 4.8; AOP7; PA 105C		
General: File organization	FAR 4.8		
POST-AWARD			
If requested, brief explanation provided to unsuccessful offerors if award decision was based on factors other than price alone.	FAR 8.405-3(b)(3)		
Record of Protests	FAR 33.102		
Any changes in terms and conditions is made by written agreement of parties	(See applicable mod checklist)		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or Reviewer Comments
Past performance evaluations are prepared at least annually and at the time the work is completed.	FAR 42.1502		

SUMMARY OF OBSERVATIONS

After completing the file review – provide a bulleted list of any general observations.

Other Checklists that may apply:

- Information Technology (Part 39).
- Services Contract (Part 37).
- Modification (Administrative, Supplemental Agreement, Option Exercise, Funding, Change Order, or Closeout, as applicable).

Reviewer (Name, Title and Date)

USDA/DA/OPPM/POD FILE REVIEW CHECKLIST

Action Type: **New Award**

Procedures: **FAR Sec. 16.505 Order Under an Indefinite Delivery Contract**

BASE Contract:

IDIQ/IDDQ

Requirements

Multiple-Award: Fair Opportunity? Yes No

Single-Award

Order PIID: [Click to enter PIID](#)

Contractor: [Click to enter contractor name](#)

Contract PIID: [Click to enter BPA PIID](#)

Order Date: [Click to select date](#)

Value: [\\$Click to enter total order value](#)

PoP/Delivery Date: [Click to enter Base Ordering Period](#)

Options/Date: [Click to enter Options/Ordering Period](#)

Contracting Officer: [Click to enter CO name](#)

Set-Aside: [Click indicate type of set-aside, if any](#)

Description: [Click to enter description](#)

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or Reviewer Comments
ACQUISITION PLANNING PHASE			
Funded Purchase Requisition or written assurance from funds certifying official on funds availability	FAR 32.7; AOP #20		
Specifications, SOW/ SOO/PWS: promote competition; limit use of "brand name"; include restrictive provisions only to extent necessary to satisfy needs; define requirements that allow offerors to supply commercial items/ services;	FAR 7.302 and 11.002		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or Reviewer Comments
and do not require performance of inherently governmental functions.			
HSPD-12/PIV requirements included in Spec/SOW/SOO/PWS if contractors will require routine access to federal facility in performance of any work and appropriate clauses included in solicitation and contract			
Spec/SOW/SOO/PWS supports sustainable acquisition policies (E-Star, FEMP, Biobased, Recovered Material content, non-ozone depleting) if purchasing items that are: energy consuming or USDA or EPA designated items for bio-based or recovered material content	FAR 23.1, 23.2, 23.3, 23.4 and 23.7		
Spec/SOW/SOO/PWS identifies supplies or services as separately identified line items and, as needed, subline items to support requirements of FAR 4.1002 through 4.1008 which must be applied by 1 Oct 2019	FAR 4.1001, 4.1003 and 4.1004		
Use of GFP/GFE is evaluated and considered in performance of contract. If demonstrated to be in Government's interest, list of GFP/GFE is included in Spec/SOW/SOO/PWS	FAR 45.102 and 45.201		
Independent Government Estimate is documented in file	FAR 4.803 and 7.105		
Level of market research is appropriate given the complexity of the requirement, and documentation includes acquisition history, suggested sources and research of available contract vehicles to assure proper fit with agency need. If formal RFI issued for market research purposes, documentation includes RFI, responses, comments and disposition.	FAR 10.001 and 10.002; PA 101B		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or Reviewer Comments
Market research considers required/mandatory sources of supply (AbilityOne Procurement List or Federal Prison Industries Schedule)	FAR 8.002; AGAR 408.7		
If acquiring supplies of the classes listed in FPI Schedules: <ul style="list-style-type: none"> • Comparable items are purchased through FPI unless waiver is obtained. If FPI items are not comparable in terms of price, quality, or delivery, written determination is made and FPI is included in solicitation	FAR 8.602		
If acquiring supplies/services on the Procurement List and participating agencies cannot: provide supplies/services within timeframe required or produce/ provide the quantity economically, a purchase exception is requested and granted	FAR 8.703, 8.704 and 8.705		
If lease of equipment is anticipated, record of lease or buy determination is documented in file	FAR 7.401		
If item peculiar to one manufacturer (Brand Name) is specified, Brand Name Justification is documented and approved at proper level when brand name is specified, unless done at the contract level	FAR 16.505(a)(4)		
Exception to Fair Opportunity justified, documented and approved at proper level for orders under multiple award contract where fair opportunity is not provided	FAR 16.505(b)(2); AOP #5		
Acquisition Plan addresses all requirements and elements set forth in the FAR and is approved at appropriate level.	FAR 7.102, 7.105 and 16.505(a)(8); PA 130; AOP #3		
Contract type D&F if not FFP and not done at the contract level	FAR 16.301 and 16.601		
If ordering against another agency's contract (e.g. GWAC, MAC),	FAR 17.502-1		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or Reviewer Comments
Determination of Best Procurement Approach			
If ordering against another agency's contract (e.g. MAC) pursuant to the Economy Act, D&F IAW . . .	FAR 17.502-2(c)		
Requirement is within the scope, PoP, and maximum value established in the indefinite delivery contract(s)	FAR 16.505(a)		
If options are utilized, they are justified, and written determination included in file. If they will not be evaluated with pricing, decision is approved one level above CO. No unpriced options are used.	FAR 17.205 and 17.206; PA 117		
Procurement Approach completed and approved for acquisitions > \$5 million in accordance with...	AOP #24		
PoP > 5 yrs. is approved by HCA	AGAR 417.204		
OSDBU is notified during market research phase (via AD-1205) if acquisition >\$1M will not consider SBs	DR 5090-001		
Acquisitions >\$2M that involve consolidation and/or bundling include written determination; are cleared w/OSDBU and SBA PCR; and notification is provided to affected incumbent SBs 30 days prior to solicitation.	FAR 7.107 and 19.202-1; DR 5090-001(6)(d)		
Potential OCIs are evaluated and identified with a plan to avoid, neutralize or mitigate significant potential conflicts before contract award. Written analysis and course of action is approved by chief of contracting office prior to solicitation if CO believes there is a significant potential OCI.	FAR 9.504 and 9.506		
For orders under MACs/GWACs, procedures are developed (e.g., evaluation plan) for evaluation of responses, which provide for fair opportunity and consider price or cost as one of the factors in the	FAR 16.505(b)		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or Reviewer Comments
selection decision. If order is estimated to exceed \$5.5 million, a reasonable response time is provided, significant factors and sub-factors, including cost or price and their relative importance are documented. Placement procedures consider factors identified in FAR 16.505(b)(1)(v).			
Conflict of Interest/ Confidentiality Certifications obtained from evaluation team members, as applicable			
Applicable pre-solicitation reviews obtained with comments and disposition included in file	DR 5000-4; AOP #8		
SOLICITATION PHASE (if competed under multiple-award BPAs or if quote/proposal required)			
Request for quote/proposal includes additional regulatory/statutory requirements/clauses as applicable (Brand Name or Equal, Options, Availability of Funds, HSPD-12 requirements, etc.)	FAR 52 and AGAR 452		
If item peculiar to one manufacturer (Brand Name) JOFOC posted or provided to all contract holders	FAR 16.505(a)		
If order against multiple award IDIQ, fair opportunity provide to all contract holders	FAR 16.505(b)		
Solicitation complies with ordering procedures in the contract(s)	FAR 16.505(b)		
Contract type is clearly stated			
Requirement is clearly stated or referenced			
Place of performance or delivery is specified	FAR 16.505(a)		
Period of performance or delivery/completion date is specified	FAR 16.505(a)		
Wage Determination included for services subject to the SCA or construction subject to DBA	FAR 22.404 or 22.1006		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or Reviewer Comments
GFP/GFI is listed if being provided	FAR 45.201		
Instructions to Offerors are clear and concise			
Evaluation factors are appropriate, clearly stated and	FAR 16.505(b)		
Price is an Evaluation Factor	FAR 16.505(b)		
Options included in evaluation	FAR 17.203		
Amendments issued using SF 30 or OF 309, and are properly completed and documented			
Solicitation Q&As provided to all Interested Parties			
EVALUTION/AWARD PHASE			
If order against multiple award IDIQ < SAT, abstract of quotations or prices			
Disposition of late quote(s)/proposal(s)	IAW RFQ/RFP		
OCIs identified & dispositioned	FAR 9.506		
If contract did not establish pricing, price for each is established IAW policies and methods in FAR 15.4	FAR 16.505(b)(3)		
Evaluations consistent with Plan and RFQ			
Evaluation of quotes/ proposals does not use formal Part 15 procedures	FAR 16.505(b)		
Price analysis follows order of precedence in . . .	FAR 15.402		
If order against multiple-award IDIQ, file contains the decision document IAW . . .	FAR 16.505 (c)(7)		
CO's Fair & Reasonable Pricing Determination	FAR 15.402		
Contractor Representations and Certifications are documented in contract file	FAR 4.803		
File includes documentation supporting a determination of responsibility or non-responsibility, including queries of all required systems (e.g., SAM (if no exception	FAR 4.1102, 4.1103, 9.103, 9.104-1, 9.104-6, 9.105-2, and 9.404(c)(7)		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or Reviewer Comments
applies), EPLS (all awards) and FAPIIS (if > SAT)?			
Wage Determination updated	FAR 22.404 or 22.1006		
Order references the contract			
If ordering against another agency's contract (e.g. GWAC, MAC), a copy of the contract is in the file	Best practice		
Order pricing and terms comply with contract			
Order complies completely with the ordering procedures in the contract	FAR 16.505(a)		
Pricing is free of math errors			
If order against multiple-award IDIQ > \$5.5M, unsuccessful offerors promptly notified IAW FAR 15.503(b)(1)	FAR 16.505(c)		
CLIN structure meets criteria for establishing contract line items	FAR 4.10		
Pre-Award Reviews obtained with comments/disposition documented in file	DR 5000-04; PA 91D; AOP #8		
Public/Congressional notification of award > \$1 million	FAR 5.303; AGAR 405.303		
If Justified for Exception to Fair Opportunity, award notice & Justification posted to FBO	FAR 5.301, 16.505(c),		
FPDS Contract Action Report is finalized and reviewed and contains no coding errors	FAR 4.6		
Order signed by warranted CO	FAR 1.602 and 4.101		
Action is within the CO's warrant authority	FAR 1.602-1; PA 100D		
Contract documents distributed to appropriate personnel (contractor, requestor/customer, SBA, etc.) and file documented appropriately	Best Practice and DR 5090-001		
COR Designated, and Duties outlined in Delegation Letter, sent to COR, COR's Supervisor and Contractor.	FAR 1.602-2; AOP #13		
General: File organization	FAR 4.8		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or Reviewer Comments
Record of Debriefings	FAR 15.505 & 15.506		
Record of Protests	FAR 33.102		
Any changes in terms and conditions is made by written agreement of parties	(See applicable mod checklist)		
Options, if applicable, are exercised after timely notification to contractor	(See applicable option checklist)		
Past performance evaluations are prepared at least annually and at the time the work is completed.	FAR 42.1502		

Other Checklists that may apply:

- Construction Contract (Part 36)
- Services Contract (Part 37)
- Information Technology (Part 39)
- Modification (Administrative, Supplemental Agreement, Option Exercise, Funding, Change Order, or Closeout, as applicable)

SUMMARY OF OBSERVATIONS

After completing the file review – provide a bulleted list of any general observations.

Reviewer (Name, Title and Date)

Reviewer (Name, Title and Date)

Reviewer (Name, Title and Date)

Reviewer (Name, Title and Date)

USDA/DA/OPPM/POD FILE REVIEW CHECKLIST

Action Type: **New Award - FAR Part 39 (Information Technology)**

Services

Supplies

PIID/Order PIID: [Click to enter PIID](#) Contractor: [Click to enter contractor name](#)

FSS Contract PIID: [If Applicable, click to enter FSS PIID](#) Order Date: [Click to select date](#)

Value: [\\$Click to enter total order value](#)

Base PoP/Delivery Date: [Click to enter base PoP or delivery date](#)

Option Periods: [Click to enter PoP for each option](#)

Set-Aside: [Click indicate type of set-aside, if any](#)

Contracting Officer: [Click to enter CO name.](#)

Description: [Click to enter description](#)

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
ACQUISITION PLANNING PHASE			
Acquisition Approval Review (AAR) refers to specific investment; is signed by CIO or Associate CIO for IRM (if non-major investment); AAR # is input into IAS Requisition; and copy of approved AAR in file	PA 53A		
Acquisition plan contains discussion of considerations at FAR Part 39; risks, benefits and costs are analyzed and included	FAR 7.105; FAR 39.101, 39.102 and 39.203		
If acquiring a major system, use of modular contracting is maximized	FAR 39.103		
Requirements documents include appropriate IPv6 compliance requirements unless waived by CIO	FAR 11.002(g), 39.101, and PA 127		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
Requirements documents comply with applicable accessibility standards (Section 508)	FAR 11.002(f), FAR 39.2; and PA 49		
Exemption from Buy American Act is noted if applicable for IT that is a commercial item	FAR 25.103(e)		
SOLICITATION PHASE			
Solicitation includes clause 52.239-1 for IT which requires security of IT, and/or are for the design, development, or operation of a system of records using commercial IT services or support services	FAR 39.106		
If IT services are being procured, solicitation does not specify minimum experience or educational requirements for contractor personnel	FAR 39.104		
Solicitation contains applicable security standards from NIST website	FAR 39.101		
If acquiring personal computer products, solicitation includes 52.223-16	FAR 23.705(d)		
If contractor work will include publicly-facing websites or communication, Section 508 compliance is required, unless an exception determination is provided by the requiring official and included in the contract file	FAR 39.203 and 39.204		

OTHER CHECKLISTS THAT MAY APPLY:

- Federal Supply Schedule Order (FAR 8.4).
- Federal Supply Schedule Blanket Purchase Agreement (FAR 8.4).
- Federal Supply Schedule Order under a Blanket Purchase Agreement (FAR 8.4).
- Commercial Simplified Acquisition Procedures (FAR 12 & 13)
- Commercial Sealed Bidding (FAR 12 & 14).
- Commercial Negotiated (FAR 12 & 15).
- Indefinite Delivery Contract (FAR 16.5).
- Order under and Indefinite Delivery Contract (FAR 16.5).
- Services (FAR 37).

SUMMARY OF OBSERVATIONS

After completing the file review – provide a bulleted list of any general observations.

Reviewer (Name, Title and Date)

USDA/DA/OPPM/POD FILE REVIEW CHECKLIST

Action Type: **New Award - FAR Part 37 (Services)**

Severable

Non-Severable

PIID: [Click to enter PIID](#)

Contractor: [Click to enter contractor name](#)

Award Date: [Click to select date](#)

Value: \$[Click to enter total order value](#)

Base PoP/Delivery Date: [Click to enter base PoP or delivery date](#)

Option Periods: [Click to enter PoP for each option](#)

Set-Aside: [Click to indicate type of set-aside, if any](#)

Contracting Officer: [Click to enter CO name.](#)

Description: [Click to enter description](#)

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
ACQUISITION PLANNING PHASE			
Acquisition Plan contains rationale for <u>not</u> using Performance-Based Acquisition (PBA) techniques or contemplated on other than firm-fixed-price basis, if applicable; otherwise, work is described in terms of results rather than “how” to the maximum extent practicable	FAR 7.105, 37.602(b), 37.102(a), 16.505(a)(3), and 16.103(d)		
D&F for Advisory & Assistance Services and D&F for Personal/ Non-Personal Services are included in the file and 91D Review is documented in file	FAR 37.204 and FAR 37.103(a); PA 91D		
Determination that requirement does not include inherently governmental functions is included in file or as a part of Acquisition Plan	FAR 7.503(e)		
If severable services with performance crossing fiscal years,	FAR 37.106		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
period of performance is one year or less			
If Advisory & Assistance services for proposal evaluation, HCA determination included in file	FAR 37.204; AGAR 437.204		
Services determined not subject to or exempt from the SCA are documented in the file as applicable	FAR 22.1003-4		
SOLICITATION PHASE			
If PBA, solicitation contains PWS, measurable performance standards, & performance incentives (where appropriate)	FAR 37.601		
HSPD-12/PIV requirements included in Spec/SOW/SOO/PWS if contractors will require routine access to federal facility in performance of any work and appropriate clauses included in solicitation	FAR 4.13; PA 81C; and FAR 52.204-9		
If PBA, solicitation contains either a PWS & QASP, or a SOO; or QASP is requested in conjunction with the response to the solicitation	FAR 37.6, 46.2 and 46.4; AOP #23		
SOO complies with minimum requirements at . . .	FAR 37.602(c)		
If a SOO is used, offerors are required to prepare a PWS and QASP	FAR 37.604 and 46.4		
If work is to be done at a Government facility, solicitation includes 52.237-1, 52.237-2, and AGAR 452.237-71 if applicable	FAR 37.110; AGAR 437.110(b)		
HSPD-12/PIV requirements included in Spec/SOW/SOO/PWS if contractors will require routine access to federal facility in performance of any work and appropriate clauses included in solicitation	FAR 4.13; PA 81C; FAR 52.204-9		
If contractor Key Personnel are required, solicitation includes appropriate clause	AGAR 452.237-74		
Advisory & Assistance services include appropriate Progress Reporting clause	AGAR 452.237-76		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
If restrictions are necessary regarding release of information developed or obtained in connection with performance of contract, solicitation includes appropriate Restrictions Against Disclosure clause	AGAR 452.237-75		
If services subject to the Service Contract Act are required, applicable wage determination is obtained and included with solicitation	FAR 22.1007		
Contractor employees are required to identify themselves and their work products	FAR 37.114(c),		
If T&M/LH > SAT, solicitation includes 52.237-10	FAR 37.115-3		
If dismantling, demolition, or removal of improvements (DDR), CO has documented whether a performance bond is desired IAW . . .	FAR 37.302		
If DDR, CO has complied with . . .	FAR 37.303 & 37.304		
If non-personal health care services, CO has complied with . . .	FAR 37.4		
AWARD PHASE			
For non-commercial services of a commercial type, CO's determination that the offeror has submitted sufficient information for price analysis IAW . . .	FAR 15.403-1(c)(3)(ii)		
If PBA, contract includes a PWS, measurable performance standards, performance assessment methods, and any appropriate incentives.	FAR 37.601		
If T&M or LH, action includes a ceiling price	FAR 8.404, 12.207(b), and 16.601(d)		
If T&M or LH order under a FSS, BPA, or indefinite delivery contract, labor rates (incl. subcontractors) are at or below the rates stated in the contract or agreement			

Other Checklists that may apply:

- Information Technology (Part 39)
- Federal Supply Schedule Order (FAR 8.4)
- Federal Supply Schedule Blanket Purchase Agreement (FAR 8.4)
- Federal Supply Schedule Order under a Blanket Purchase Agreement (FAR 8.4)
- Commercial Simplified Acquisition Procedures (FAR 12 & 13)
- Commercial Sealed Bidding (FAR 12 & 14)
- Commercial Negotiated (FAR 12 & 15)
- Indefinite Delivery Contract (FAR 16.5)
- Order under an Indefinite Delivery Contract (FAR 16.5)

SUMMARY OF OBSERVATIONS

After completing the file review – provide a bulleted list of any general observations.

Reviewer (Name, Title and Date)

USDA/DA/OPPM/POD FILE REVIEW CHECKLIST

Action Type: **New Award - FAR Part 36 (Construction)**

Design-Bid-Build (see definitions at FAR 36.102)

Two-Phase Design-Build

PIID: [Click to enter PIID](#) Contractor: [Click to enter name](#)

Award Date: [Click to enter a date](#) Value: \$[Click to enter total dollar value](#)

Base PoP/Delivery Date: [Click to enter base PoP or delivery date](#)

Option Periods: [Click to enter PoP for each option](#)

Set-Aside: [Click to indicate type of set-aside, if any](#)

Contracting Officer: [Click to enter CO name.](#)

Description: [Click to enter description](#)

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
ACQUISITION PLANNING PHASE			
Independent Government Estimate of proposed contract and modification anticipated to cost over \$150,000 is included in the file	FAR 36.203		
Use of other than Sealed Bidding justified in accordance with FAR 6.401(a)	FAR 36.103		
Acquisition Plan contains a consideration of liquidated damages	FAR 36.206		
CO determines use of liquidated damages in accordance with FAR 11.501 and file contains documentation for how liquidated damages were determined	FAR 11.501(a) and 11.502		
Use of firm fixed-price with other contract types with the same contractor at the same site is approved by the HCA	FAR 36.208		
If using the two-phase design-build procedures, the Acquisition Plan contains the evaluation required at . . .	FAR 36.301		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
SOLICITATION PHASE			
Synopsis and solicitation contain one of the estimated price ranges required by . . .	FAR 36.204		
Pre-solicitation notice (synopsis) complies with . . .	FAR 36.213-2		
Solicitation contains any statutory cost limitations	FAR 36.205		
If soliciting sealed bids, Invitation for Bid (IFB) contains all of the elements required by . . .	FAR 36.213-3(c)		
Performance and payment bonds are required for contracts >\$150K and adequate payment protections obtained from contracts >\$35K but not more than \$150K.	FAR 28.102		
Bid guarantees are required whenever performance and payment bonds are necessary for fixed price or unit price contracts obtained by sealed bidding	FAR 28.101-1		
If using the two-phase design-build procedures, solicitation(s) comply with . . .	FAR 36.303		
Required clauses and provisions from FAR Part 36.000 are included as applicable	FAR 36.5		
Goals for minorities and women in covered construction trades are included in solicitations >\$10K in covered geographical areas subject to affirmative action requirements	FAR 22.804-2		
SF 1442 or OF 347 filled out correctly	FAR 36.701		
AWARD PHASE			
Offerors' inspection of site and examination of data is documented	FAR 36.210		
Award to the same firm that designed the project is approved by the HCA	FAR 36.209		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
Notice of award requires payment and performance bonds to be executed and returned to the CO	FAR 36.213-4		
If Bid bond is required, it is reviewed for acceptability	FAR 28.101		
Notice of award states either the date work will commence or that a Notice to Proceed will be issued	FAR 36.213-4		
If contracting by negotiations (Part 15 procedures), significant differences between the proposal and the IGCE are reconciled in accordance with ...	FAR 36.214		
If other than domestic source construction materials are used, a D&F is completed and approved at the applicable level	FAR 25.202		
Contract awards or mods to large businesses (>\$1.5M) that have subcontracting possibilities require an approved subcontracting plan incorporated into the contract	FAR 19.702		
SF 1442 or OF 347 filled out correctly	FAR 36.701		
If used, SF 1419 filled out correctly	FAR 36.701(c)		
FPDS Contract Action Report: -Description in FPDS explains reason for mod -Is reviewed/finalized and data fields are correctly coded	FAR 4.6		
POST-AWARD			
Written notice provided to Office of Federal Contract Compliance Program (OFCCP) Regional Office within 10 working days of award for awards > \$10K subject to affirmative action requirements	FAR 22.804-2		
Performance and Payment bonds, or alternate payment protections, if required are received and reviewed for compliance and	FAR 28.102(c) and 28.2		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
acceptable/approved sureties or other type of security			
Statement and Acknowledgement (SF-1413) for each subcontract is submitted by contractor within 14 days after award and 14 days after any subsequently awarded subcontract.	FAR 22.406-5		
Copies of weekly payrolls and statements of compliance are required from contractor and documented in file and include evidence of CO examination	FAR 22.406-6		
DOL Davis Bacon Labor compliance checks are conducted and documented in the file	FAR 22.406-7		
A contract modification due to an error or deficiency in design provided under an A-E contract may require the recovery of excess costs from the A&E firm. A written statement for reasons to recover or not to recover the costs from the firm is included in file	FAR 36.308		
Any changes in terms and conditions is made by written agreement of parties	(See applicable mod checklist)		
Consent of Surety is obtained when contract is modified in accordance with ...	FAR 28.105-5		
Options, if applicable, are exercised after timely notification to contractor	(See applicable option checklist)		
Past performance evaluations are prepared at least annually and at the time the work is completed.	FAR 36.201(e) and 42.1502		
Final inspection and acceptance of construction was made by Government	FAR 46.312		
Release of claims and all other final documentation obtained from contractor prior to final payment	FAR 52.232-5		

Other Checklists that may apply and should be used in conjunction:

- Commercial Simplified Acquisition Procedures (FAR 12 & 13).
- Commercial Sealed Bidding (FAR 12 & 14).
- Commercial Negotiated (FAR 12 & 15).
- Indefinite Delivery Contract (FAR 16.5).
- Order under an Indefinite Delivery Contract (FAR 16.5).
- Modification (Administrative, Supplemental Agreement, Option Exercise, Funding, Change Order, or Closeout, as applicable).

SUMMARY OF OBSERVATIONS

After completing the file review – provide a bulleted list of any general observations.

Reviewer (Name, Title and Date)

USDA/DA/OCP/POD FILE REVIEW CHECKLIST

Action Type: **New Award - FAR Subpart 36.6 (Architect-Engineer Services)**

Short Selection Process (see FAR 36.602-5)

PIID: Click to enter PIID Contractor: Click to enter name

Award Date: Click to enter a date Value: \$Click to enter total dollar value

Base PoP/Delivery Date: Click to enter base PoP or delivery date

Option Periods: Click to enter PoP for each option

Set-Aside: Click to indicate type of set-aside, if any

Contracting Officer: Click to enter CO name.

Description: Click to enter description

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
ACQUISITION PLANNING PHASE			
Funded Purchase Requisition or written assurance from funds certifying official on funds availability	FAR 32.7; 36.609-1; and AOP #20		
Acquisition Plan or addresses all requirements and elements set forth in the FAR and is approved at appropriate level.	FAR 7.102 and 7.105; PA 130; AOP #3		
File documentation includes Independent Government Estimate	FAR 4.803, 7.105, and 36.605		
Services to be provided meet the definition of A&E	FAR 36.601-3 and 4		
Procurement Approach completed and approved for acquisitions > \$5 million in accordance with...	AOP #24		
Use of design competition and selection criteria is approved by HCA	FAR 36.602-1(b) and AGAR 436.602-1		
Evaluation board is established in accordance with...	FAR 36.602-2, 36.603(a) and AGAR 436.602-2		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
Selection of contract type is documented, and D&F is completed and approved for other than firm fixed-price contracts, as applicable	FAR 16.601		
Justification for Other than Full and Open Competition (JOFOC)	FAR 6.302/3; AOP #5		
CO documents Determination (of no reasonable expectation of obtaining at least two small business offers) for acquisitions not set-aside under the simplified acquisition threshold (SAT). AD-1205 is submitted to OSDDBU for actions <u>over</u> the SAT that are not set-aside or reserved for small businesses, including bundled contracts.	FAR 19.502; DR 5090-001		
If no subcontracting possibilities exist and acquisition is not set-aside and estimated to be greater than the subcontracting plan threshold, CO Determination is documented and approved one level above CO	FAR 19.705-2(c)		
If options are utilized, they are justified, and written determination included in file. If they will not be evaluated with pricing, decision is approved one level above CO. No unpriced options are used.	FAR 17.205 and 17.206; PA 117		
COR identified	FAR 1.602-2		
SOLICITATION (PUBLIC ANNOUNCEMENT) PHASE			
Public announcement of requirement	FAR 36.601-1		
Public announcement includes NAICS code and size standard	FAR 19.102		
CO reviewed requirement for access to classified info	FAR 4.403		
Evaluation criteria are in accordance with...	FAR 36.602-1(a)		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
Offeror(s) advised that awardee may not be awarded the construction contract	FAR 36.606(c)		
Proper Reqs and Certs are required	FAR 4.1202		
Interested contractors are invited to submit qualifications on SF 330	FAR 36.702(b)		
AWARD PHASE			
Source Selection Authority (SSA) designates Evaluation team, obtains Conflict of Interest/Confidentiality Certifications	FAR 15.303, 15.304 and 15.305; AGAR 415.207		
Up-to-date contractor data files are maintained and used in accordance with...	FAR 36.603; AGAR 436.603		
Contractor qualifications are documented on SF 330	FAR 36.702(b)		
Evaluation of potential contractors is in accordance with...	FAR 36.602-1		
The Evaluation Board held discussions with 3 or more of the most highly qualified firms in accordance with...	FAR 36.602-3(c)		
Evaluation board report is in accordance with...	FAR 36.602-3(d)		
If fewer than 3 firms are recommended by the Evaluation Board, recommendation was cleared through the Competition Advocate	FAR 7.104		
All Deviations approved	FAR 1.403		
If > SAT, the final selection is in accordance with...	FAR 36.602-4 and AGAR 436.602-4		
If < SAT, the final selection is in accordance with...	FAR 36.602-5 and AGAR 436.602-5		
Contractor price proposal	FAR 36.606(b)		
Proposal audit(s)	FAR 15.404-2		
Cost/Price analysis	FAR 15.404		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
Profit objective	FAR 15.404-4, AGAR 415.404-4		
Price Analysis	FAR 15.404-1(b)		
Affirmative responses to the Responsibility Matters Certification are reviewed and additional information is obtained necessary to demonstrate offeror responsibility	FAR 9.104-5		
File includes documentation supporting a determination of responsibility or non-responsibility, including queries of all required systems (e.g., SAM (if no exception applies), EPLS (all awards) and FAPIIS (if > SAT)?	FAR 4.1102, 9.103, 9.104-1, 9.104-6, 9.105-2, and 9.404(c)(7)		
Notice to SBA of SB non-responsibility	FAR 19.602		
EEO Pre-Award Clearance is conducted for any award >\$10M	FAR 22.805		
Negotiations were conducted in accordance with...	FAR 36.606		
Negotiations discussed CAD charges	FAR 36.606(d)		
Negotiations discussed subcontracting	FAR 36.606(e)		
Negotiations discussed any funding limitation	FAR 36.609-1(b)		
The negotiated price (or estimated cost-plus fee) does not exceed 6% of the estimated cost of construction	FAR 15.404-4(c)(4)(i)		
CO's Fair and Reasonable Pricing Determination	FAR 15.402		
Certificate of Current Cost or Pricing Data	FAR 15.406-2		
SF 252 is properly completed	FAR 36.702(a)		
Contract type is clearly stated			
Period of performance or delivery/completion date is specified			

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
If FFP, any construction funding limitation is identified in clause 52.236-22	FAR 36.609-1		
Required clauses and provisions	FAR 36.609, Clause matrix, AGAR 436.670		
Pre-Award Reviews obtained with comments/disposition documented in file	DR 5000-04; PA 91D; AOP #8		
Release of information regarding the selection complies with...	FAR 36.607(a)		
Public/Congressional notification of award	FAR 5.303 and AGAR 405.303		
Award notice to GPE	FAR 5.301		
FPDS Contract Action Report is finalized and reviewed and contains no coding errors	FAR 4.6		
Signed contract	FAR 4.101		
Action is within the CO's warrant authority	FAR 1.602-1; PA 100D		
General: Internal/Peer reviews	Local procedures		
General: File organization, Indexes; Use of IAS	FAR 4.8		
POST-AWARD			
Record of Debriefings are in accordance with...	FAR 36.607(b)		
Record of Protests	FAR 15.507		
Any changes in terms and conditions is made by written agreement of parties	(See applicable mod checklist)		
Options, if applicable, are exercised after timely notification to contractor	(See applicable option checklist)		
Past performance evaluations are prepared at least annually and at the time the work is completed.	FAR 42.1502; AGAR 436.604		

Other Checklists that may apply and should be used in conjunction:

- Indefinite Delivery Contract (FAR 16.5).
- Order under an Indefinite Delivery Contract (FAR 16.5).

SUMMARY OF OBSERVATIONS

After completing the file review – provide a bulleted list of any general observations.

Reviewer (Name, Title and Date)

USDA/DA/OPPM/POD FILE REVIEW CHECKLIST

Action Type: **Modification – Supplemental Agreement**

PIID: AG-xxxx-xx-x-xxxx Contractor: Contractor Name.

Mod #: 00000 Mod Date: Click or tap to enter a date.

Contracting Officer: Contracting Officer Name

Description of Change: Click or tap here to enter text.

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
Government (or Contractor) request for change within the scope of the contract.	FAR 52.243 -1, 2, 3, 4, or 5; or 52.212-4(c)		
IGCE for change			
Contractor's proposal for change	FAR 52.243 -1, 2, 3, 4, or 5; or 52.212-4(c)		
Field/Technical review or audit of contractor proposal	FAR 43.204		
Price Negotiation Memo (Pre & Post) including: <ul style="list-style-type: none"> • Price/cost/ technical analysis; • Negotiation objectives and final negotiated agreement • CO's fair and reasonable pricing determination of changed work 	FAR 43.204; FAR 15.402, 15.404-1, 15.404-4, and 15.406-3		
Certificate of Current Cost or Pricing Data, as required	FAR 52.215-21		
Adequate consideration to Government for reduced work, if applicable			

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
SF 30 properly completed with appropriate authority cited (see Mod Authority Quick Reference below)	FAR 43.1		
Certified funds available to cover price increase before new or changed work is authorized	FAR 1.602-2 and 43.105		
Price/estimated cost, delivery date, and/or PoP changes defined using "From – To" format are clear and concise on SF30	Best Practice		
Revised PWS/SOW/Specification included in mod			
Signed mod	FAR 4.101		
Mod is within the CO's warrant authority	FAR 1.602-1; PA 100D		
FPDS Contract Action Report: -Description block in FPDS explains reason for mod -Is reviewed/finalized and data fields are correctly coded	FAR 4.602 and 4.606		
General: Internal/local reviews	Local procedures; PA 91D		
General: File organization	FAR 4.8		

MODIFICATION AUTHORITY QUICK REFERENCE:

For administrative changes, such as changes in the paying office, appropriations errors and typographical errors, block 13B of the SF 30 need only be marked as applicable – no further authority must be cited. Administrative changes do not affect the substantive rights of the parties.

For changes within the general scope of the contract, the particular clause of the contract must be cited. Review the contract to determine what clause authorizes the CO to make the in-scope change.

Typical citations, along with examples of actions, include:

- *Changes clause* (either unilateral or bilateral) for changes in specs/SOW, delivery, location, etc. as authorized by the clause.
- *Default clause* for delivery extension.
- *Disputes clause* for funding payment as result of claim.
- *Option clause* for extending term of contract.
- *Availability of Funds Clause* when increasing funding under a Continuing Resolution.
- *Excusable Delays clause* for delivery extension.
- *Differing Site Conditions clause* for equitable adjustment in price/time of performance.
- *Suspension of Work clause* for adjustment in price as result of unreasonable delays by actions of CO.
- *Gov't Delay of Work clause* for adjustment in price/delivery as result of unreasonable delays by actions of CO.
- *Termination for Convenience clause* for funding negotiated settlement.
- *Fair Labor Standards Act and Service Contract Act – Price Adjustment clause* for funding price adjustment as a result of change in wage determination.

For changes outside the scope of the contract, cite the particular authority used in your Justification and Approval permitting other than full and open competition (example: 10 USC 2304(c)(1) for only one responsible source)

Unilateral Change orders will cite the appropriate Changes clause in block 13A of the SF30.

Bilateral modifications, including those issued under the Changes clause or any other appropriate clause will cite the appropriate clause in Block 13C of the SF30.

Other unilateral modifications, such as an exercise of option, will cite the appropriate clause or authority in Block 13D of the SF30.

When no specific clause can be cited as the negotiation authority, as a last resort use Mutual Agreement of the Parties, FAR 43.103(a)(3). This is a LAST RESORT.

SUMMARY OF OBSERVATIONS

After completing the file review – provide a bulleted list of any general observations.

Reviewer (Name, Title and Date)

USDA/DA/OPPM/POD FILE REVIEW CHECKLIST

Action Type: **Modification – Option Exercise**

- 52.217-9 Option to Extend the Term of the Contract
- 52.217-8 Option to Extend Services
- 52.217-7 Option for Increased Quantity – Separately Priced Line Item
- 52.217-6 Option for Increased Quantity

PIID: AG-xxxx-xx-x-xxxx Contractor: Contractor Name.

Mod #: 00000 Mod Date: Click or tap to enter a date.

Contracting Officer: Contracting Officer Name

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
Advance notice given in accordance with option clause	FAR 17.207(a) and 52.217-9		
Advance notice contains a disclaimer of Government obligation	FAR 52.217-9		
Performance Evaluation completed and performance considered prior to exercise of option	FAR 17.207(c)(6) & (7), FAR 42.1500; and PA 96B		
D&F covering requirements of FAR is included in file (funding; existing need; most advantageous method; option previously synopsised or exempt; contractor not on SAM Exclusions List;	FAR 17.207(c)-(f)		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
CPARs completed, informal analysis of market prices indicates option price is better, etc.)			
Option exercise complies with the option clause in contract			
Option pricing complies with Section B of the contract (e.g. Schedule) and the option clause			
Option funding is called out in modification			
SF 30 is properly completed			
SF 30 cites the option clause as authority (see Mod Authority Quick Reference below)	FAR 17.207(g)		
Wage Determination(s) updated, if applicable	FAR 22.404 or 22.1007		
FPDS Contract Action Report: -Description block in FPDS explains reason for mod -Is reviewed/finalized and data fields are correctly coded	FAR 4.6		
Signed mod	FAR 4.101		
Mod is within the CO's warrant authority	FAR 1.602-1; PA 100D		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
General: Internal/local reviews & approval	Local procedures; PA 91D (A&A and Prof Services >\$500k)		
General: File organization	FAR 4.8		

MODIFICATION AUTHORITY QUICK REFERENCE:

For administrative changes, such as changes in the paying office, appropriations errors and typographical errors, block 13B of the SF 30 need only be marked as applicable – no further authority must be cited. Administrative changes do not affect the substantive rights of the parties.

For changes within the general scope of the contract, the particular clause of the contract must be cited. Review the contract to determine what clause authorizes the CO to make the in-scope change.

Typical citations, along with examples of actions, include:

- *Changes clause* (either unilateral or bilateral) for changes in specs/SOW, delivery, location, etc. as authorized by the clause.
- *Default clause* for delivery extension.
- *Disputes clause* for funding payment as result of claim.
- *Option clause* for extending term of contract.
- *Availability of Funds Clause* when increasing funding under a Continuing Resolution.
- *Excusable Delays clause* for delivery extension.
- *Differing Site Conditions clause* for equitable adjustment in price/time of performance.
- *Suspension of Work clause* for adjustment in price as result of unreasonable delays by actions of CO.
- *Gov’t Delay of Work clause* for adjustment in price/delivery as result of unreasonable delays by actions of CO.
- *Termination for Convenience clause* for funding negotiated settlement.
- *Fair Labor Standards Act and Service Contract Act – Price Adjustment clause* for funding price adjustment as a result of change in wage determination.

For changes outside the scope of the contract, cite the particular authority used in your Justification and Approval permitting other than full and open competition (example: 10 USC 2304(c)(1) for only one responsible source)

Unilateral Change orders will cite the appropriate Changes clause in block 13A of the SF30.

Bilateral modifications, including those issued under the Changes clause or any other appropriate clause will cite the appropriate clause in Block 13C of the SF30.

Other unilateral modifications, such as an exercise of option, will cite the appropriate clause or authority in Block 13D of the SF30.

When no specific clause can be cited as the negotiation authority, as a last resort use Mutual Agreement of the Parties, FAR 43.103(a)(3). This is a LAST RESORT.

SUMMARY OF OBSERVATIONS

After completing the file review – provide a bulleted list of any general observations.

Reviewer (Name, Title and Date)

USDA/DA/OPPM/POD FILE REVIEW CHECKLIST

Action Type: **Modification – Funding under Continuing Resolution**

PIID: AG-xxxx-xx-x-xxxx

Contractor: Contractor Name.

Contracting Officer: Contracting Officer Name

Mod #: 00000

Mod Date: Click to select date.

Funding Added: \$Enter dollar amount.

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
Certified Funds provided in an amount equal to the available continuing resolution authority			
Accounting and appropriation data called out in modification			
SF 30 is properly completed			
SF 30 cites the appropriate contract clause as authority (see Mod Authority Quick Reference below)			
Funding change defined using “From – To” format.	Best Practice		
Total funding and total price are separately shown, if they are different			
FPDS Contract Action Report: -Description block in FPDS explains reason for mod -Is reviewed/finalized and data fields are correctly coded	FAR 4.6		
Signed mod	FAR 4.101		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
Mod is within the CO's warrant authority	FAR 1.602-1; PA 100D		
General: Internal/local review	Local procedures		
General: File organization	FAR 4.8		

MODIFICATION AUTHORITY QUICK REFERENCE:

For administrative changes, such as changes in the paying office, appropriations errors and typographical errors, block 13B of the SF 30 need only be marked as applicable – no further authority must be cited. Administrative changes do not affect the substantive rights of the parties.

For changes within the general scope of the contract, the particular clause of the contract must be cited. Review the contract to determine what clause authorizes the CO to make the in-scope change.

Typical citations, along with examples of actions, include:

- *Changes clause* (either unilateral or bilateral) for changes in specs/SOW, delivery, location, etc. as authorized by the clause.
- *Default clause* for delivery extension.
- *Disputes clause* for funding payment as result of claim.
- *Option clause* for extending term of contract.
- *Availability of Funds Clause* when increasing funding under a Continuing Resolution.
- *Excusable Delays clause* for delivery extension.
- *Differing Site Conditions clause* for equitable adjustment in price/time of performance.
- *Suspension of Work clause* for adjustment in price as result of unreasonable delays by actions of CO.
- *Gov't Delay of Work clause* for adjustment in price/delivery as result of unreasonable delays by actions of CO.
- *Termination for Convenience clause* for funding negotiated settlement.
- *Fair Labor Standards Act and Service Contract Act – Price Adjustment clause* for funding price adjustment as a result of change in wage determination.

For changes outside the scope of the contract, cite the particular authority used in your Justification and Approval permitting other than full and open competition (example: 10 USC 2304(c)(1) for only one responsible source)

Unilateral Change orders will cite the appropriate Changes clause in block 13A of the SF30.

Bilateral modifications, including those issued under the Changes clause or any other appropriate clause will cite the appropriate clause in Block 13C of the SF30.

Other unilateral modifications, such as an exercise of option, will cite the appropriate clause or authority in Block 13D of the SF30.

When no specific clause can be cited as the negotiation authority, as a last resort use Mutual Agreement of the Parties, FAR 43.103(a)(3). This is a LAST RESORT.

SUMMARY OF OBSERVATIONS

After completing the file review – provide a bulleted list of any general observations.

Reviewer (Name, Title and Date)

USDA/DA/OPPM/POD FILE REVIEW CHECKLIST

Action Type: **Modification – Closeout**

PIID: AG-xxxx-xx-x-xxxx Contractor: Contractor Name.

Mod #: 00000 Mod Date: Click or tap to enter a date.

Contracting Officer: Contracting Officer Name

Final Price Adjustment: \$ Enter amount.

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
Contract closed within required time standards	FAR 4.804-1; PA 93C		
COR certification of contract completion	FAR 4.804-; PA 93C		
Documentation that final CPARS Report is complete	FAR 42.15; PA 96B		
Certification of disposition of all classified material held by the contractor or subcontractors	FAR 4.804-5		
If appropriate, quick-closeout procedures are used	FAR 42.708		
If not FFP, audit of contractor's final costs/hours	FAR 52.216-7, 52.232-7, 26, or 27		
If expressly unallowable costs, penalties are assessed IAW . . .	FAR 42.709		
If not FFP, Pre-Negotiation Plan for final cost settlement	FAR 42.705		
Post-Negotiation Memorandum			

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
Certificate of Indirect Costs	FAR 42.703-2		
Agency Head waiver of certification is in accordance with...	FAR 42.703-2		
SF 30 is properly completed (if modification is necessary to de-obligate funding and/or close out the contract)			
SF 30 cites the appropriate authority (see Mod Authority Quick Reference below)			
Excess funds are de-obligated	PA 93C; Departmental Regulation 2230-001		
Final price or cost defined using "From – To" format are clear and concise	Best Practice		
Mod (or separate document) contains contractor's assignment & release	FAR 52.212-4 Alt. I, 52.216-7, 52.232-5, 7, or 10; PA 93C		
Copy of final invoice/voucher	Best practice		
Signed mod	FAR 4.101		
Mod is within the CO's warrant authority	FAR 1.602-1; PA 100D		
FPDS Contract Action Report is finalized and reviewed and contains no coding errors	FAR 4.6		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
Contract Closeout Checklist	PA 93C		
CO's Contract Completion Statement	FAR 4.804-5(b), PA 93C		
General: Internal/local reviews	Local procedures		
General: File organization	FAR 4.8		

MODIFICATION AUTHORITY QUICK REFERENCE:

For administrative changes, such as changes in the paying office, appropriations errors and typographical errors, block 13B of the SF 30 need only be marked as applicable – no further authority must be cited. Administrative changes do not affect the substantive rights of the parties.

For changes within the general scope of the contract, the particular clause of the contract must be cited. Review the contract to determine what clause authorizes the CO to make the in-scope change.

Typical citations, along with examples of actions, include:

- *Changes clause* (either unilateral or bilateral) for changes in specs/SOW, delivery, location, etc. as authorized by the clause.
- *Default clause* for delivery extension.
- *Disputes clause* for funding payment as result of claim.
- *Option clause* for extending term of contract.
- *Availability of Funds Clause* when increasing funding under a Continuing Resolution.
- *Excusable Delays clause* for delivery extension.
- *Differing Site Conditions clause* for equitable adjustment in price/time of performance.
- *Suspension of Work clause* for adjustment in price as result of unreasonable delays by actions of CO.
- *Gov't Delay of Work clause* for adjustment in price/delivery as result of unreasonable delays by actions of CO.
- *Termination for Convenience clause* for funding negotiated settlement.
- *Fair Labor Standards Act and Service Contract Act – Price Adjustment clause* for funding price adjustment as a result of change in wage determination.

For changes outside the scope of the contract, cite the particular authority used in your Justification and Approval permitting other than full and open competition (example: 10 USC 2304(c)(1) for only one responsible source).

Unilateral Change orders will cite the appropriate Changes clause in block 13A of the SF30.

Bilateral modifications, including those issued under the Changes clause or any other appropriate clause will cite the appropriate clause in Block 13C of the SF30.

Other unilateral modifications, such as an exercise of option, will cite the appropriate clause or authority in Block 13D of the SF30.

When no specific clause can be cited as the negotiation authority, as a last resort use Mutual Agreement of the Parties, FAR 43.103(a)(3). This is a LAST RESORT.

SUMMARY OF OBSERVATIONS

After completing the file review – provide a bulleted list of any general observations.

Reviewer (Name, Title and Date)

Content	Policy Cite	In File? (Y/N/NA)	Explain if in file but inadequate
Effect of the change on the delivery date or PoP is clearly stated	Best Practice		
Signed mod	FAR 4.101		
Mod is within the CO's warrant authority	FAR 1.602-1; Procurement Advisory 100D		
FPDS Contract Action Report: -Description block in FPDS explains reason for mod -Is reviewed/finalized and data fields are correctly coded	FAR 4.6		
DEFINITIZATION			
Contractor's proposal or REA	FAR 52.243 -1, 2, 3, 4, or 5; or 52.212-4(c)		
If a REA for a constructive change, CO's determination of entitlement			
Field/Technical review or audit of contractor's proposal/REA	FAR 43.204		
Price Negotiation Memo (Pre & Post) including: <ul style="list-style-type: none"> • Price/cost/ technical analysis; • Negotiation objectives and final agreement • Profit objective that considers reduced risk for completed work • CO's fair and reasonable pricing determination 	FAR 43.204; FAR 15.402, 15.404-1, 15.404-4, and 15.406-3		
Certificate of Current Cost or Pricing Data as applicable	FAR 52.215-21		
SF 30 properly completed with	FAR 43.1		

Content	Policy Cite	In File? (Y/N/NA)	Explain if in file but inadequate
appropriate authority cited (see mod quick reference below)			
Price, estimated cost, delivery date, and/or PoP changes defined using “From – To” format are clear and concise on SF30	Best Practice		
Revised PWS/SOW/Specification included in mod			
Mod contains contractor’s release	FAR 43.204		
Signed mod	FAR 4.101		
Mod is within the CO’s warrant authority	FAR 1.602-1; Procurement Advisory 100D		
FPDS Contract Action Report: -Description block in FPDS explains reason for mod -Is reviewed/finalized and data fields are correctly coded	FAR 4.602 and 4.606		
General: Internal/local reviews & approval	Local procedures; Procurement Advisory 53A (IT AAR)		
General: File organization	FAR 4.8		

MODIFICATION AUTHORITY QUICK REFERENCE:

For administrative changes, such as changes in the paying office, appropriations errors and typographical errors, block 13B of the SF 30 need only be marked as applicable – no further authority must be cited. Administrative changes do not affect the substantive rights of the parties.

For changes within the general scope of the contract, the particular provision of the solicitation or clause of the contract must be cited. Review the contract to determine what clause authorizes the CO to make the in-scope change.

Typical citations, along with examples of actions, include:

- *Changes clause* (either unilateral or bilateral) for changes in specs/SOW, delivery, location, etc. as authorized by the clause.

- *Default clause* for delivery extension.
- *Disputes clause* for funding payment as result of claim.
- *Option clause* for extending term of contract.
- *Availability of Funds Clause* when increasing funding under a Continuing Resolution.
- *Excusable Delays clause* for delivery extension.
- *Differing Site Conditions clause* for equitable adjustment in price/time of performance.
- *Suspension of Work clause* for adjustment in price as result of unreasonable delays by actions of CO.
- *Gov't Delay of Work clause* for adjustment in price/delivery as result of unreasonable delays by actions of CO.
- *Termination for Convenience clause* for funding negotiated settlement.
- *Fair Labor Standards Act and Service Contract Act – Price Adjustment clause* for funding price adjustment as a result of change in wage determination.

For changes outside the scope of the contract, cite the particular authority used in your Justification and Approval permitting other than full and open competition (example: 10 USC 2304(c)(1) for only one responsible source).

Unilateral Change orders will cite the appropriate Changes clause in block 13A of the SF30.

Bilateral modifications, including those issued under the Changes clause or any other appropriate clause will cite the appropriate clause in Block 13C of the SF30.

Other unilateral modifications, such as an exercise of option, will cite the appropriate clause or authority in Block 13D of the SF30.

When no specific clause can be cited as the negotiation authority, as a last resort use Mutual Agreement of the Parties, FAR 43.103(a)(3). This is a LAST RESORT.

SUMMARY OF OBSERVATIONS

After completing the file review – provide a bulleted list of any general observations.

Reviewer (Name, Title and Date)

USDA DA/OPPM/POD File Review Checklist

Action Type: **Modification – Administrative**

- Revise Accounting and Appropriations Data
- Correct a Typographical Error
- Revise Name of CO, COR or Other Administrative Information
- Other Description of change.

PIID: AG-xxxx-xx-x-xxxx

Contractor: Contractor Name.

Contracting Officer: Contracting Officer Name

Mod #: 00000

Mod Date: Click to select date.

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
SF 30 form is properly completed			
SF 30 Block 13.B is checked (See Mod Authority Quick Reference below)			
Purpose of the mod is clearly described in Description block			
“From – To” format is used to document change	Best Practice		
Change does not affect the substantive rights of the parties (price, terms, performance requirement, delivery, etc.)	FAR 43.101		
Mod is unilateral	FAR 43.103(b)		
FPDS Contract Action Report: -Description in FPDS explains reason for mod -Is reviewed/finalized and data fields are correctly coded	FAR 4.6		
Signed mod	FAR 4.101		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
Mod distributed as appropriate	Recommended		
General: File organization	FAR 4.8		

MODIFICATION AUTHORITY QUICK REFERENCE:

For administrative changes, such as changes in the paying office, appropriations errors and typographical errors, block 13B of the SF 30 need only be marked as applicable – no further authority must be cited. Administrative changes do not affect the substantive rights of the parties.

For changes within the general scope of the contract, the particular provision of the solicitation or clause of the contract must be cited. Review the contract to determine what clause authorizes the CO to make the in-scope change.

Typical citations, along with examples of actions, include:

- *Changes clause* (either unilateral or bilateral) for changes in specs/SOW, delivery, location, etc. as authorized by the clause.
- *Default clause* for delivery extension.
- *Disputes clause* for funding payment as result of claim.
- *Option clause* for extending term of contract.
- *Availability of Funds Clause* when increasing funding under a Continuing Resolution.
- *Excusable Delays clause* for delivery extension.
- *Differing Site Conditions clause* for equitable adjustment in price/time of performance.
- *Suspension of Work clause* for adjustment in price as result of unreasonable delays by actions of CO.
- *Gov't Delay of Work clause* for adjustment in price/delivery as result of unreasonable delays by actions of CO.
- *Termination for Convenience clause* for funding negotiated settlement.
- *Fair Labor Standards Act and Service Contract Act – Price Adjustment clause* for funding price adjustment as a result of change in wage determination.

For changes outside the scope of the contract, cite the particular authority used in your Justification and Approval permitting other than full and open competition (example: 10 USC 2304(c)(1) for only one responsible source).

Unilateral Change orders will cite the appropriate Changes clause in block 13A of the SF30.

Bilateral modifications, including those issued under the Changes clause or any other appropriate clause will cite the appropriate clause in Block 13C of the SF30.

Other unilateral modifications, such as an exercise of option, will cite the appropriate clause or authority in Block 13D of the SF30.

When no specific clause can be cited as the negotiation authority, as a last resort use Mutual Agreement of the Parties, FAR 43.103(a)(3). This is a LAST RESORT.

SUMMARY OF OBSERVATIONS

After completing the file review – provide a bulleted list of any general observations.

Reviewer (Name, Title and Date)

USDA/DA/OCP/POD FILE REVIEW CHECKLIST

Action Type: **Modification – Termination for** **Default** or **Cause**

Bilateral Termination Settlement Unilateral CO Determination

Partial Termination Partial Settlement (see FAR 49.109-5)

Converted from Termination for Default/Cause Mod # Click or tap to enter #

PIID: AG-xxxx-xx-x-xxxx Contractor: Contractor Name.

Mod #: 00000 Mod Date: Click or tap to enter a date.

Contracting Officer: Contracting Officer Name

Change to Price: \$ enter new contract total

NOTE: FAR Part 49 does not apply to commercial contracts; however, Contracting Officers may use Part 49 as guidance to the extent that Part 49 does not conflict with FAR Subpart 12.403 and the termination paragraphs in FAR 52.212-4.

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
Value of undelivered goods or services > \$5,000	FAR 49.101(c)		
Contractor's default or breach is well documented			
If fraud or other criminal conduct is suspected, written report submitted by HCA to OIG and SPE.	AGAR 449.106		
If default is other than failure to deliver on time, contractor was given 10 days to cure	FAR 52.249-6, 8, or 9		
Default decision is documented in accordance with . . .	FAR 49.402-5		
Cure Notice is in accordance with . . .	FAR 12.403(c), 49.402-3, or 49.403; and 49.607		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
Show Cause Notice is in accordance with . . .	FAR 49.402-3 and 49.607		
If small business, documentation of consultation with small business specialist before proceeding with termination	FAR 49.402-3		
Notice of Termination is in accordance with . . .	FAR 12.403, 49.102, 49.402-3, and AGAR 449-402-3		
Notice is sent to Surety	FAR 49.402-3		
Termination is in accordance with applicable contract clause(s)			
Evidence of contractor's receipt of Notice	FAR 49.102		
Record of Termination conference(s) as applicable	FAR 49.105 and 49.109-7		
CO has assessed any liens against the contractor	FAR 49.402-1		
Repurchase costs and other damages are documented	FAR 49.402-6 and 7		
Release of excess funds within 30 days of Termination Notice	FAR 49.105-2 and 49.604		
Contractor's settlement proposal	FAR 49.104 and 49.109		
CO approval of subcontract settlements	FAR 49.104 and 49.108		
Termination inventory	FAR 49.105		
Legal review and assistance	FAR 12.403, or 49.105 and 49.402-3		
Audit of contractor's proposal	FAR 49.107		
Price/cost analysis	FAR 49.106		
Profit/Fee objective established in accordance with . . .	FAR 15.404-4		
Pre-Negotiation Plan			

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
Settlement Negotiation Memorandum	FAR 49.110		
Certificate of Current Cost or Pricing Data (CCCPD)	FAR 52.215-21		
HCA's waiver of CCCPD in accordance with . . .	FAR 15. 403-1(c)(4)		
Fair & Reasonable Pricing Determination	FAR 15.402		
If unilateral settlement determination, notice was given in accordance with . . .	FAR 49.109-7		
SF 30 properly completed and appropriate termination clause/authority is cited	FAR 49.603 or 12.403		
The settlement is in accordance with . . .	FAR 49.109 and 49.115		
Price changes defined using "From – To" format are clear and concise	Best Practice		
If mod is bilateral, it contains contractor's release	FAR 49.603		
Signed mod	FAR 4.101		
Mod is within the CO's warrant authority	FAR 1.602-1; PA 100D		
FPDS Contract Action Report: -Description block in FPDS explains reason for mod -Is reviewed/finalized and data fields are correctly coded	FAR 4.602 and 4.606		
Termination for Cause or Default reported to FAPIIS module of CPARS 3 calendar days after final notice	FAR 42.1503(h)		
General: Internal/Peer reviews	Local procedures		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
General: File organization	FAR 4.8		

SUMMARY OF OBSERVATIONS

After completing the file review – provide a bulleted list of any general observations.

Reviewer (Name, Title and Date)

USDA/DA/OCP/POD FILE REVIEW CHECKLIST

Action Type: **Modification – Termination for Convenience**

- Bilateral Termination Settlement Unilateral CO Determination
- Partial Termination Partial Settlement (see FAR 49.109-5)
- Converted from Termination for Default/Cause Mod # Click or tap to enter #

PIID: AG-xxxx-xx-x-xxxx Contractor: Contractor Name.

Mod #: 00000 Mod Date: Click or tap to enter a date.

Contracting Officer: Contracting Officer Name

Change to Price: \$ enter new contract total

NOTE: FAR Part 49 does not apply to commercial contracts; however, Contracting Officers may use Part 49 as guidance to the extent that Part 49 does not conflict with FAR Subpart 12.403 and the termination paragraphs in FAR 52.212-4.

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
Value of undelivered goods or services > \$5,000	FAR 49.101(c)		
Notice of Termination is IAW . . .	FAR 49.102 and 49.601		
Termination is in accordance with applicable contract clause(s)			
Evidence of Contractor’s receipt of Notice of Termination	FAR 49.102		
Record of Termination conference(s) as applicable	FAR 49.105 and 49.109-7		
Release of excess funds within 30 days of Termination Notice	FAR 49.105-2 and 49.604		
Contractor’s settlement proposal	FAR 49.104, 49.109, 49.206, 49.303, and 49.304		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
Legal review and assistance	FAR 12.403 or 49.105		
Audit of contractor's proposal	FAR 49.107 and 49.303-3 Ref. 12.403(d)(1) for audit rights under commercial contracts		
Price/cost analysis	FAR 49.106 and 49.201		
Profit/Fee objective established in accordance with . . .	FAR 15.404-4, 49.2, and 49.305		
Pre-Negotiation Plan			
Settlement Negotiation Memorandum	FAR 49.110		
Certificate of Current Cost or Pricing Data (CCCPD) (non-commercial only)	FAR 52.215-21		
HCA's waiver of CCCPD is in accordance with . . .	FAR 15. 403-1(c)(4)		
Fair and Reasonable Pricing Determination	FAR 15.402, 49.2, and 49.3		
SF 30 properly completed and appropriate termination clause/authority is cited	FAR 49.603 or 12.403		
The settlement is in accordance with . . .	FAR 49.109		
Mod includes all information required by . . .	FAR 49.603		
Price changes defined using "From – To" format and other information is clear and concise on SF 30	Best Practice		
Mod contains contractor's release	FAR 49.603		
Signed mod	FAR 4.101		
Mod is within the CO's warrant authority	FAR 1.602-1; PA 100D		

Content	Reference	Included (Y/N/NA)	Reason not Included (if N/A) or File Reviewer Comments
FPDS Contract Action Report: -Description block in FPDS explains reason for mod -Is reviewed/finalized and data fields are correctly coded	FAR 4.602 and 4.606		
General: Internal/Peer reviews	Local procedures		
General: File organization	FAR 4.8		

SUMMARY OF OBSERVATIONS

After completing the file review – provide a bulleted list of any general observations.

Reviewer (Name, Title and Date)

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