

U.S. Army Corps of Engineers (USACE)
SERVICE/SUPPLY CONTRACT COMPLIANCE CHECKLIST

The proponent agency is CECT-P.

Contract Number	Solicitation Number	Estimated Value of Acquisition
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Acquisition Planning	PCF Location	PCO Compliance	BOB PA Compliance	Comments / Resolution of Comments
		Blank/ Yes/No/NA	Blank/ Yes/No/NA	

Provide brief description to all "no" responses, explaining how regulatory/policy requirements are achieved within the solicitation/supporting documentation.

BID/PROPOSAL RECEIPT

1. Are the final solicitation and all amendments in the Paperless Contract File (PCF) and marked final? (FAR 4.803(a)(8))				
2. Was the Request for Proposal (RFP) signed/ issued by a Contracting Officer? (UAI 5101.603-3-100(b) and 5101.604-100(b))				
3. If a pre-proposal conference, site visit or other exchange with industry was held prior to receipt of bids/proposals, are the minutes/ Sign-in from that exchange included in the PCF? (FAR 4.801 and 15.201(c)(8) and (9))				
4. If the Statement of Work (SOW)/Performance Work Statement (PWS) required revision as a result of the pre-proposal conference or site visit, was a revised SOW/PWS issued to the contractor(s) prior to receipt of bids/proposals?				
5. Was an Independent Government Estimate (IGE) received prior to receipt of bids/ proposals? If not, did the proposal remain unopened until the IGE was received? (AFARS 5107.90 and UAI 5107.9002)				

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6. Does the IGE conform to the requirements of AFARS 5107.90 and UAI 5107.9002?				
7. Does the IGE include profit based on an alternate structured approach to the weighted guidelines method (except projects funded with a Civil Works appropriation)? (FAR 15.404-4(b) and DFARS 215.404-73)				
8. If competition was expected but only 1 bid/ proposal was received, did the PCO cancel or if the solicitation allowed for fewer than 30 days for receipt of proposals, re-solicit for an additional period of at least 30 days? (DFARS 214.404-1(2), 214.408-1(b), and 215.371)				
9. Were any late bids/proposals received and does the file include a statement by the PCO, and reviewed for legal sufficiency, as to whether the bid/proposal was considered with the supporting rationale? (FAR 14.304(f), (g), and (h), 15.208(f), (g), and (h), and UAI 5101.602-2-90(c)(1))				
10. Does the file contain a copy of all bids/ proposals received, together with any revisions? (FAR 4.803(a)(10))				
11. If the total price, or the price of any CLIN is much lower than the IGE or other bids/ proposals (generally more than 15% below), or if the PCO has other reasons to suspect a mistake in bid/offer may have occurred, did the PCO request the bidder/offeror to verify its bid/ proposal? (FAR 14.407-3(g)(1), 15.4, 15.508, and UAI 5114.407-3)				

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12. IFB: If bids were rejected for any reason, or the solicitation cancelled after bid opening, is the required determination in the file along with evidence of legal review? Is the determination signed? (FAR 14.404, 14.407, DFARS 214.404, 214.407, and UAI 5114.407))				
Source Selection (Competitive Negotiation)				
13. Does the file contain signed Source Selection Non-Disclosure Agreements for members of the Source Selection Team (SST)? (DoD Source Selection Procedures (DoD SSP) and UAI 5115.300-100(a))				
14. If an Organizational Conflict of Interest was identified, does the contract file explain the measures taken to reduce/eliminate the potential conflict and is there evidence that the situation was resolved? (FAR 9.504 and 9.505)				
15. Was the evaluation handled fairly/consistently across all proposals and conducted IAW the approved Source Selection Plan (SSP) and criteria specified in the solicitation? (FAR 15.303)				
16. Was the Source Selection Evaluation Board (SSEB) Report(s) fully documented and consistent with the SSP/Solicitation? (FAR 15.305(a), DoD SSP, and AFARS Appendix AA)				
17. For cost type contracts, was a cost realism analysis completed to determine the probable cost of performance of each offeror and was it addressed in the cost evaluation document(s)? (FAR 15.305(a)(1) and AFARS Appendix AA)				
18. If discussions were held, was the Competitive Range Determination documented and does it provide supporting rationale and basis for the determination? (FAR 15.306(c)(1), DoD SSP, and AFARS Appendix AA)				

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19. If the Source Selection Authority (SSA) is other than the PCO, did the SSA approve the PCO's competitive range determination? (AFARS 5115.306(c), DoD SSP, and AFARS Appendix AA)				
20. Was the competitive range determination reviewed for legal sufficiency? (UAI 5101.602-2-90)				
21. Was the appropriate notice of exclusion from the competitive range provided promptly to the eliminated offerors? (FAR 15.306(c)(3), 15.307(a), and 15.503(a)(1))				
22. Does the file include a Pre-negotiation Objective Memorandum (POM) approved by the PCO prior to opening discussions? (FAR 15.406-1, DFARS 215.406-1, and AFARS 5115.406-1)				
23. Does the exchange record support that meaningful discussions were conducted with all offerors in the competitive range? (FAR 15.306(d) and (e), DoD SSP, and AFARS Appendix AA)				
24. Were final proposal revisions requested at the conclusion of discussions and was a common due date given to all offerors in the competitive range? (FAR 15.307(b), DoD SSP, and AFARS Appendix AA)				
25. Was the Source Selection Decision made by the appointed SSA, derived from a comparative assessment of proposals with the source selection criteria, demonstrate independent and prudent business judgment, and demonstrate fully supported and logical rationale that the decision is the best value to the Government? (FAR 15.308, AFARS 5115.308, DoD SSP, and AFARS Appendix AA)				

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26. If the best value proposal is other than the lowest-priced proposal, does the Source Selection Decision Document (SSDD) explicitly justify paying a price premium regardless of the superiority of the proposal's non-cost rating? (DoD SSP and AFARS Appendix AA)				
27. If the best value proposal is other than the lowest-priced, highest technically rated proposal, did the SSA justify why the technically superior proposal is not worth the price premium? (DoD SSP and AFARS Appendix AA)				
28. Does the file include evidence of legal review of the SSDD for actions \geq \$500K, or otherwise IAW local policy? (UAI 5101.602-2-90)				
29. Were any comments for revision to the SSDD made as a result of legal review and, if so, were the revisions made for all matters relating to legal sufficiency? (UAI 5101.602-2-90)				
30. Does the file contain clear rationale for reasonableness of all price elements, and include a statement by the PCO that the price is fair and reasonable? (FAR 15.305(a)(1), 15.404, 15.406-3(a)(11), and AFARS Appendix AA)				
31. If competition was expected, but only one bid/ offer was received, was the PCO able to make a fair and reasonable determination using the price analysis techniques in FAR and was the determination approved at least one level above the PCO? (FAR 15.404-1, DFARS 214.404-1, and 215.371) NOTE: If the answer is no, follow-on questions are contained in the Non-Competitive section of the checklist.				
32. Does the file include requests for pre-award debriefings, and if so, is there documentation that those debriefs have been conducted or scheduled to be conducted as post-award debriefs? (FAR 15.505, 15.506, DFARS 215.506, 215.506-70, DoD SSP, and AFARS Appendix AA)				

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33. Were there any pre-award protests, and if so, were they resolved and the documentation in the file? (<i>FAR 33.1, DFARS 233.1, AFARS 5133.1, and UAI 5133</i>)				
Bid/Proposal Evaluation and Negotiation (Non-Competitive)				
34. If competition was expected but only 1 bid/ proposal was received and the price could not be determined to be fair and reasonable (e.g., was not in line with the IGE), did the PCO request cost or pricing data, and if the proposal exceeded the Truthful Cost or Pricing Data threshold at FAR 15.403-4(a)(1), were the data Certified (unless an exception at DFARS 215.371-4 applies)? (<i>FAR 15.403, DFARS 214.404 and 215.371-3</i>)				
35. If the action was an 8(a) sole source, was an agency offer, SBA acceptance, and SBA award notification placed in the file? (<i>DFARS 219.8 and number 6 under Section B. Responsibilities of the U.S. Department of Defense, Partnership Agreement Between the U.S. Small Business Administration and the U.S. Department of Defense</i>)				
36. If an audit was requested, is the request along with the audit report in the file, and were the results taken into consideration when developing the prenegotiation objectives? (<i>FAR 15.404-2(a) and DFARS 215.404-2</i>)				
37. If cost reimbursement, was a determination that the contractor's Accounting System is adequate addressed in the audit? (<i>FAR 16.301-3(a)(3)</i>)				
38. Was a fact-finding session required prior to negotiations (proposal incomplete and/or significantly over the IGE) and was it properly documented? (<i>FAR 15.406-1</i>)				

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39. Was cost and price analysis performed and documented in sufficient detail to develop negotiation objectives and strategies to achieve the desired objectives? (<i>FAR 15.404-1 and DFARS 215.404-1</i>)				
40. Was a technical analysis of the judgmental items in the proposal conducted, and documented in sufficient detail to develop negotiation objectives and strategies to achieve the desired objectives? (<i>FAR 15.404-1(e)</i>)				
41. Were Prenegotiation Objectives (PNO) in sufficient detail to facilitate negotiation of a fair and reasonable price? (<i>FAR 15.406-1, DFARS 215.406-1, and AFARS 5115.406-1</i>)				
42. Was the POM approved by the PCO prior to entering negotiations? (<i>FAR 15.406-1(b) and AFARS 5115.406-1(1)(i)</i>)				
Post Negotiation				
43. Is the Price Negotiation Memorandum (PNM) complete, contain all the required items, and in sufficient detail to determine how each of the issues in the POM were addressed and resolved? (<i>FAR 15.406-3, DFARS 215.406-3, and AFARS 5115.406-3</i>) If not, what is missing or inadequately addressed?				
44. If the contractor proposed Facilities Capital Cost of Money, does the PNM address whether or not the rate is acceptable? (<i>FAR 31.205-10</i>)				
45. If competition was expected but only one bid/proposal was received, is the final negotiated price less than or equal to the contractor's initial bid/proposal? (<i>DFARS 215.371-3(c)</i>)				

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46. Does the PNM contain a determination by the PCO that the negotiated price is fair and reasonable? (<i>FAR 15.406-3(a)(11)</i>)				
47. Was a Certificate of Current Cost or Pricing Data obtained, if required, and dated after the date of final price agreement or was an appropriate exception utilized? (<i>FAR 15.403, 15.406-2, DFARS 215.403, 215.406-2, AFARS 5115.403, and UAI 5115.403</i>)				
48. Does the contractor's final proposal agree with the PNM and the award document?				
49. If necessary, were the specifications/drawings, SOW/PWS revised as a result of negotiations and is the final specifications/drawings, SOW/PWS incorporated into the contract?				
50. If revisions were made to the IGE, does the file include documentation regarding those changes with updated review and approval signatures? (<i>AFARS 5101.90 and UAI 5101.9002</i>)				
AWARD DOCUMENTS				
Contract File				
51. Does the file contain an approved and certified PR&C sufficient to fund the award amount? (<i>FAR 32.702, 32.703-1(a), DFARS 232.702, and AFARS 5132.702</i>)				

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52. If the contract is to be incrementally funded, or subject to a Continuing Contracts clause, is the approved and certified PR&C sufficient to cover the amount reserved in the applicable clause? (FAR 32.703-1(b) and DFARS 232.703-1)				
53. If the contract is incrementally funded, to include Continuing Contracts, has the PCO ensured that sufficient funds are allotted to the contract to cover the total amount payable to the contractor in the event further funds are not available and the contract has to be terminated for the convenience of the Government? (DFARS 232.704-70(c), AFARS 5132.702, and UAI 5132.702)				
54. Does the file include the required pre-award survey results, including verification of authorized representatives of the offeror, evidence that the PCO considered information in the Federal Awardee Performance and Integrity Information System (FAPIIS) and the PCO determination of responsibility? (FAR 9.103(b), 9.104-6, and 9.106-4)				
55. For Cost Plus Award Fee (CPAF), does the contract file include an approved Award Fee Plan and has an Award Fee Determining Official (AFDO) been delegated and appointed? (FAR 16.401(e)(3), DFARS 216.401(e), and AFARS 5116.405-2)				
56. Does the file contain documentation that the Representations and Certifications are complete and accurate? (FAR 4.1201)				
57. Does the file contain documentation that the contractor is active in the System for Award Management (sam.gov) and has no SAM Exclusions? (FAR 4.1103 and 9.405)				

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58. If award is to a Large Business (see current thresholds at FAR 19.702(a)), has the approved Subcontracting Plan been concurred/non-concurred by the Deputy for Small Business Programs and reviewed by the Small Business Administration (SBA) Procurement Center Representative (PCR) and is the Subcontracting Plan evaluation in the file? (FAR 19.704, 19.705, DFARS 219.705-4, AFARS 5119.705-4, and AFARS App DD)				
59. Is the approved Subcontracting Plan consistent with the Small Business Participation Plan accepted under the technical proposal? (DoD SSP, AFARS Appendix AA, and AFARS Appendix DD)				
60. Does the file contain a current Quality Assurance Surveillance Plan (QASP) (Note: Mandatory when a Contracting Officer's Representative (COR) is appointed)? (FAR 37.604, 46.401, 46.404, AR 70-13, and ER 1110-3-12)				
61. If the contract is exempt from surveillance plan preparation and execution, is the PCOs justification/determination in the file? (FAR 46.401, 46.404, and DFARS 246.4)				
62. If the solicitation was competitive and set-aside for any type of small business (except 8(a)), was the Pre-Award Notice for Small Business program issued, or is a written determination by the PCO based on urgency in the file? (FAR 15.503(a)(2))				
63. Has notification of Unsuccessful Offerors been prepared and ready to be sent upon award of the contract? (FAR 15.503 and DFARS 215.503)				

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64. Were post award debriefings held within five days after receipt of the written request, and the debriefings documented in the file? (FAR 15.506, DFARS 215.506, and 215.506-70)				
65. Are documents filed correctly in PCF? If not, what documents are misfiled, missing or unsigned? (AFARS 5104.802(f)(i)(1), Army Cabinet Index, see VCE PCF Help for current Index in the PCF Folder Structures)				
66. Additional File Review Comments:				
Contract Documents				
67. Was a properly qualified and trained COR nominated by the COR Supervisor via Procurement Integrated Enterprise Environment (PIEE) Joint Appointment Module (JAM), or does the file include documentation that the Contracting Officer will retain responsibility for contract oversight/ surveillance? (Department of Defense Instruction (DoDI) 5000.72 Para. 3, DFARS 201.602-2, AFARS 5101.602-2-91, UAI 5101.604-100, UDG 5101.604(1), and UDG Attachment 2)				
68. Does the Award Letter include the Contracting Officer Authority Statement? (UAI 5115.504) "Only a warranted Contracting Officer (either a Contracting Officer or an Administrative Contracting Officer (ACO)), acting within their appointed limits, has the authority to issue modifications or otherwise change the terms and conditions of this contract. If an individual other than the Contracting Officer attempts to make changes to the terms and conditions of this contract, you shall not proceed with the change and shall immediately notify the Contracting Officer. Proceeding with any work not authorized by the Contracting Officer will be at the Contractor's own risk."				

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69. Are appropriate terms and conditions incorporated within the award documents (e.g., accepted final technical proposal, accepted proposal strengths, accepted CLINS, and the approved Subcontracting Plan (as applicable)? (FAR 15.504 and 19.705-5(a)(5))				
70. Was the current Construction Wage Rate Requirements statute (formerly Davis-Bacon Act (DBA)) and/or Service Contract Labor Standards statute (formerly Service Contract Act (SCA)) wage determination(s) received within the timeframes specified at FAR 22.1012 and incorporated into the contract award?				
71. Have all amendments been incorporated into the award?				
72. If multiple awards are planned, and all firms share the same total capacity, does the contract include ordering instructions and describe how fair opportunity will be afforded? (FAR 16.505(b)(1))				
73. If the contract includes information that is different than the latest signed proposal, as amended by the offeror's written correspondence, has the offeror signed the contract prior to signature by the PCO? (FAR 15.504(a))				
74. Does the contract include Points of Contact for Contractor Performance Assessment Reporting System (CPARS) and a schedule for the assessment(s)? (FAR 42.1503(a)(1)(ii) and AFARS 5142.1503(h)(2))				
75. Has the Procurement Data Standard Punch-Out Tool for Standard Procurement System (SPS) Validation Report been run, and all errors and warnings resolved or annotated as to why the warning(s) cannot be resolved?				

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76. Has the Contract Action Report (CAR) been prepared and is it free of any apparent errors? (FAR 4.604, DFARS 204.602 and 204.606)				
77. Is the North American Industry Classification System (NAICS) Code consistent between the DD Form 2579, synopsis, and solicitation? Is the Product Service Code (PSC) on the CAR and in the SPS CLIN correct and consistent? (FAR 19.102, DFARS 219.201 and 219.303)				
78. Were the CAR "Recovered Materials/ Sustainability" and "Use of EPA Designated Products" data fields marked appropriately? Note: Ensure careful review of contract scope to determine if these data fields require a selection other than default "No Clauses Included and No Sustainability Included" (Not part of CAR Validation - Must be Manually Completed). Selection may be non-clause choices (i.e., "energy efficient," "environmentally preferable," etc.). (See Environmental Compliance & Sustainability SharePoint for additional environmental compliance and sustainability information. For assistance, see USACE Sustainability Clauses Tool V8)				
79. If the contract contains options not exercised at the time of award, is there a separate CLIN for each? (FAR 17.206(a) and DFARS 204.71)				
80. If the contract contains options, were they evaluated prior to award, or is a PCO determination, approved one level above the PCO, that it is not in the Government's best interest to evaluate options? (FAR 17.206(b))				
81. If the contract contains FAR 52.217-8, Option to Extend Services, is the 6-month option period priced and was it evaluated as part of the award decision? (AFARS 5117.206)				
82. If the contract contains options, was a notice provided to the contractor within the time period specified in the contract prior to exercising the option? (FAR 17.207(a))				

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83. If applicable, did the contracting officer include FAR clause 52.229-12, Tax on Certain Foreign Procurements, in the contract award subject to the 2% federal excise tax. (FAR 29.204 and 29.403-2, ODASA(P) Alert 22-75, and USACE Alert 22-004)				
84. If applicable, has preaward clearance been requested and received from the appropriate Department of Labor, Office of Federal Contract Compliance Programs (OFCCP) Regional Office and included in the file? (FAR 22.805)				
85. If the bid/proposal acceptance period is likely to expire prior to award, has the PCO requested all bidders/offerors in the competitive range to extend the time for acceptance of their bid or proposal?				
86. Does the file contain evidence of Legal Review for contract actions ≥ \$500K and evidence that all comments have been adequately addressed? (UAI 5101.602-2-90)				
87. For actions consistent with the threshold at DFARS 205.303(a)(i), has Congressional Notification been prepositioned for release within the proper timeframe, to include coordination with Peer Review Endorser (DFARS 205.303(a))				
PEER REVIEW COORDINATION ACTIVITIES				
88. Has the Contract Review Board (CRB) Peer Review been included in Time at SCO System (TASS), including the projected date documents will be available in PCF? SharePoint site: TASS SharePoint				
89. Has coordination with the appropriate Procurement Analyst (CoCO/SCO) been completed for scheduling the CRB? (UAI 5101.170)				

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90. Does the file contain the results from the Solicitation Review Board (SRB)? (DFARS 201.170-4)				
91. Were recommendations from the SRB made prior to issuance of the solicitation? If not, has the PCO coordinated with the Peer Review Endorser the rationale for not making the recommended revisions? (AFARS 5101.170(b)(iii))				
92. Has access to PCF been provided to the CoCO/SCO or higher level peer review members? (UAI 5104.802-100)				
93. Is there a scheduled date for uploading CRB lessons learned, best practices, systemic issues, etc. to the Central Peer Review SharePoint Site? (DFARS PGI 201.170-3, AFARS 5101.170(b)(iv), and UAI 5101.170(c)(1)(iii))				

Acronym Glossary

ACO - Administrative Contracting Officer	IDC - Indefinite Delivery Contracts
AFARS - Army Federal Acquisition Regulation Supplement	IDIQ; ID/IQ - Indefinite Delivery, Indefinite Quantity Contract
AFDO - Award Fee Determining Official	IGE - Independent Government Estimate
AT/OPSEC - Anti-Terrorism Operations Security	J&A - Justification and Approval
BCOES - Biddability, Constructability, Operability, Environmental and Sustainability	JAM - Joint Appointment Module
BOB - Business Oversight Branch	LPTA - Lowest Price Technically Acceptable
CAR - Contract Action Report	MATOC - Multiple Award Task Order Contract
CCC - Center Contracting Chief	NAICS - North American Industry Classification System
CoCO - Chief of the Contracting Office	PA - Procurement Analyst
CHESS - Computer Hardware, Enterprise Software and Solutions	PCF - Paperless Contract File
CLINS - Contract Line Item Numbers	PCO - Procuring Contracting Officer
COR - Contracting Officer's Representative	PIEE - Procurement Integrated Enterprise Environment
CPAF - Cost Plus Award Fee	PNM - Price Negotiation Memorandum
CPARS - Contractor Performance Assessment Reporting System	POM - Pre-negotiation Objectives Memorandum
CRB - Contract Review Board	PWS - Performance Work Statement
CSE - Command Service Executive	QASP - Quality Assurance Surveillance Plan
DFARS - Defense Federal Acquisition Regulation Supplement	RCC - Regional Contracting Chief
DOC - Director of Contracting	RFP - Request for Proposals
DoD SSP - DoD Source Selection Procedures	SAM - System for Award Management
FAR - Federal Acquisition Regulation	SAT - Simplified Acquisition Threshold
FFP - Firm Fixed Price	SATOC - Single Award Task Order Contract
HCA - Head of the Contracting Activity	SCO - Senior Contracting Official
	SOW - Statement of Work
	SPS - DoD Standard Procurement System
	SRB - Solicitation Review Board
	SSA - Source Selection Authority
	SSDD - Source Selection Decision Document
	SSP - Source Selection Plan
	TAPS - Time at SCO System
	UAI - USACE Acquisition Instruction
	UDG - USACE Desk Guide