

U.S. Army Corps of Engineers (USACE)
A-E TASK ORDER PRE-AWARD 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.

PROPOSAL RECEIPT

1. Are the final Request for Price Proposal (RFPP) documents and all revisions to the Statement of Work (SOW) in the Paperless Contract File (PCF) and marked final? (FAR 4.803(a)(8))				
2. Was the RFPP signed by a Contracting Officer? (UAI 5101.604-100 and EP 715-1-7 Paragraph 4-6)				
3. If a pre-proposal conference or site visit was held with the contractor(s) prior to receipt of proposals, are the minutes included in PCF? (FAR 4.801, 15.201(c)(8) and (9), and EP 715-1-7 Para 4-7)				
4. If the Performance Work Statement/Statement of Work (PWS/SOW) required revision as a result of the pre-proposal conference or site visit, was a revised SOW issued to the contractor(s) prior to receipt of proposals? If so, is there evidence in the file?				
5. Was an Independent Government Estimate (IGE) received prior to receipt of proposals? If not, did the proposal remain unopened until the IGE was received? (FAR 36.605(a), UAI 5136.203-100, ER 1110-2-1302 Para 14b(1)(b), and EP 715-1-7 Para 4-10)				
6. Does the IGE conform to the requirements of AFARS 5107.90 and UAI 5107.9002?				

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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(c)(4)(i)(B), DFARS 215.404-73, UAI 5115.404-73, 5136.205-100 and 101)				
8. (A-E Task Orders) Does the IGE include an analysis of the 6% statutory limitation? (FAR 15.404-4(c)(4)(i)(B) and EP 715-1-7 Para 4-13c(3) and Appendix Y, Para 5)				
9. MATOC: Were any late proposals received and does the file include a statement by the PCO, and reviewed for legal sufficiency, as to whether the proposal was considered with the supporting rationale? (FAR 15.208(f), (g), and (h) and UAI 5101.602-2-90)				
10. Does the file contain a copy of all SF330s together with any revisions? (FAR 4.803(a)(10))				
11. 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)				
A-E SELECTION & NEGOTIATION				
A-E Selection (MATOC)				
12. For cost type contracts, was a cost realism analysis completed to determine the probable cost of performance of the offeror and was it addressed in the cost evaluation document(s)? (FAR 15.305(a)(1) and AFARS Appendix AA)				
13. Does the file contain evidence of adequate cost or price analysis, contain clear rationale for reasonableness of all price elements, and include a statement by the PCO that the price is fair and reasonable? (FAR 15.406-3(a)(11) and https://spcs3.kc.army.mil/asaalt/procurement/SitePages/costprice.aspx for samples/ templates)				

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Proposal Evaluation and Negotiation (SATOC)				
14. 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? (FAR 15.404-2, DFARS 215.404-2, and EP 715-1-7 Para 4-12b.)				
15. Was a fact-finding session required prior to negotiations (proposal incomplete and/or significantly over the IGE) and was it properly documented? (FAR 15.406-1 and EP 715-1-7 Para 4-11)				
16. Was cost and price analysis performed and documented in sufficient detail to develop negotiation objectives and strategies to achieve the desired objectives? (FAR 15.404-1, EP 715-1-7 Para 4-12, 4-13, and App AA)				
17. 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? (FAR 15.404-1(e) and EP 715-1-7 Para 4-12(a) and App AA)				
18. Were Prenegotiation Objectives (PNO) in sufficient detail to facilitate negotiation of a fair and reasonable price? (FAR 15.406-1, DFARS 215.406-1, AFARS 5115.406-1, and EP 715-1-7 Para 4-12)				
19. Was the Prenegotiation Objectives Memorandum (POM) approved by the PCO prior to entering negotiations? (FAR 15.406-1(b), AFARS 5115.406-1(1), UAI 5107.9002, and EP 715-1-7 Para 4-12c.(2))				
Post Negotiation				
20. 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? (FAR 15.406-3, DFARS 215.406-3, AFARS 5115.406-3, and EP 715-1-7 Para 4-16) If not, what is missing or inadequately addressed?				

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21. A-E: Does the PNM address how the final price complies with the 6% statutory fee limitation? (FAR 15.404(c)(4)(i)(B) and EP 715-1-7 Para 4-13.c(3) and 4-16)				
22. Does the PNM contain a determination by the PCO that the negotiated price is fair and reasonable? (FAR 15.406-3(a)(11))				
23. 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? (FAR 15.403, 15.406-2, DFARS 215.403, 215.406-2, AFARS 5115.403, and UAI 5115.403)				
24. Does the contractor's final proposal agree with the PNM and the award document?				
25. 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 award?				
26. If revisions were made to the IGE, does the file include documentation regarding those changes with updated review and approval signatures? (AFARS 5107.9002 and UAI 5107.9002(a))				
27. Does the file contain evidence of "Pass Through Contracts" Determination for all actions where the prime contractor subcontracts 70% or more of the total cost of the work? (FAR 15.404-1(h) (2)(ii))				

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AWARD DOCUMENTS				
Task Order File				
28. Does the file contain an approved and certified PR&C sufficient to fund the award amount? (FAR 32.702, 32.703-1(a), and DFARS 232.702)				
29. Does the file include the Design Directive as the authority to award (MILCON projects)? (AR 420-1, Para 4-36)				
30. Is the Base Contract PCO on the distribution list to receive a copy of the order and any modifications issued hereafter?				
31. Does the file contain documentation that the contractor is active in the System for Award Management (SAM) at SAM.gov and is not included in SAM Exclusions? (FAR 4.1103 and 9.405)				
32. 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)				
33. Are documents filed correctly in PCF? If not, what documents are misfiled, missing or unsigned? (AFARS 5104.802(f)(i)(1) and Army Cabinet Index, see VCE PCF Help for current Index in the PCF Folder Structures)				
Additional File Review Comments:				

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Task Order Documents				
34. 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? (<i>Department of Defense Instruction (DoDI) 5000.72 Para. 3, FAR 1.602-2(d), DFARS 201.602-2, AFARS 5101.602-2-91, UAI 5101.604-100, UDG 5101.604(1), and UDG Attachment 2</i>)				
35. Does the Award Letter include the Contracting Officer Authority Statement? (<i>UAI 5115.504</i>) "Only a warranted Contracting Officer (either PCO or ACO) acting within their delegated 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."				
36. Are appropriate terms and conditions incorporated within the award documents (e.g., accepted final technical proposal, accepted betterments/proposal strengths, and accepted CLINS) as applicable? (<i>FAR 15.504</i>)				
37. Are required Service Contract Labor Standards (formerly Service Contract Act (SCA)) wage decision(s) in the base IDC? If not, is the current, applicable wage decision(s) in the task order award document? (<i>FAR 22.1007</i>)				
38. Has the Contract Action Report (CAR) been prepared and is it free of any apparent errors? (<i>FAR 4.604, DFARS 204.602, and 204.606</i>)				
39. Is the NAICS Code consistent between the DD 2579 and the solicitation and is the Product Service Code (PSC) on the CAR and in the SPS CLIN correct and consistent? (<i>FAR 19.102</i>)				

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<p>40. 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 Site for additional environmental compliance and sustainability information. For assistance, see USACE Sustainability Clauses Tool V8 for the USACE Sustainability Clauses Tool)</p>				
<p>41. If the task order contains options not exercised at the time of award, is there a separate CLIN for each? (FAR 17.206(a), DFARS Subpart 204.71, and UAI 5117.2)</p>				
<p>42. MATOC: If the award 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 prior to award? (FAR 17.206(b) and UAI 5117.200)</p>				
<p>43. 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)</p>				
<p>44. For task orders 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 the Peer Review Endorser?</p>				

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PEER REVIEW COORDINATION ACTIVITIES				
45. 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				
46. Has coordination with the appropriate Procurement Analyst (CoCO/SCO) been completed for scheduling the CRB? (UAI 5101.170)				
47. Does the file contain the results from the Solicitation Review Board (SRB)? (DFARS 201.170, AFARS 5101.170, and UAI 5101.170)				
48. 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))				
49. Has access to PCF been provided to the CoCO/SCO or higher-level peer review members? (UAI 5104.802-100)				

**A-E TASK ORDER
PRE-AWARD
COMPLIANCE CHECKLIST**

Solicitation Number	Contract Number	Estimated Value of Acquisition
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Project Description

Compliance Checklist - When complete, file in PCF and mark "final"

District Project Delivery Team:

POC	Name	Title
Contracting Officer		
Contract Specialist		
Project/Program Manager		
Office of Counsel		
Technical Representative		
Small Business		
Customer Representative		

Contracting Officer's Name	Date	Contracting Officer's Signature
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Procurement Analyst's Name	Date	Procurement Analyst's Signature
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Acronym Glossary

ACO - Administrative Contracting Officer

A-E - Architect-Engineer

AFARS - Army Federal Acquisition Regulation Supplement

AT/OPSEC - Anti-Terrorism Operations Security

BCOES - Biddability, Constructability, Operability, Environmental and Sustainability

BOB - Business Oversight Branch

CAR - Contract Action Report

CCC - Center Contracting Chief

CoCO - Chief of the Contracting Office

CHESS - Computer Hardware, Enterprise Software and Solutions

CLINS - Contract Line Item Number

COR - Contracting Officer's Representative

CPAF - Cost Plus Award Fee

CPARS - Contractor Performance Assessment Reporting System

CPIF - Cost Plus Incentive Fee

CRB - Contract Review Board

DFARS - Defense Federal Acquisition Regulation Supplement

DOC - Director of Contracting

DoD SSP - DoD Source Selection Procedures

EVMS - Earned Value Management System

FAR - Federal Acquisition Regulation

FFP - Firm-Fixed-Price

GFP - Government Furnished Property

HCA - Head of the Contracting Activity

IDC - Indefinite Delivery Contracts

IDIQ; ID/IQ - Indefinite Delivery, Indefinite Quantity Contract

IGCE - Independent Government Cost Estimate

J&A - Justification and Approval

LPTA - Lowest Price Technically Acceptable

MATOC - Multiple Award Task Order Contract0

MILCON - Military Construction

NAICS - North American Industry Classification System

OPORD - Operations Order

PA - Procurement Analyst

PCF - Procurement Contract File

PCO - Procuring Contracting Officer

PIEE - Procurement Integrated Enterprise Environment

PNM - Price Negotiation Memorandum

POM - Pre-negotiation Objectives Memorandum

QAP - Quality Assurance Plan

RCC - Regional Contracting Chief

RFP - Request for Proposals

SAM - System for Award Management

SAT - Simplified Acquisition Threshold

SATOC - Single Award Task Order Contract

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

TAPS - Time at SCO System

TCCA - Transfer of Contract Capacity Agreement

UAI - USACE Acquisition Instruction

UDG - USACE Desk Guide