

U.S. Army Corps of Engineers (USACE)
TASK ORDER SOLICITATION COMPLIANCE CHECKLIST

The proponent agency is CECT-P.

Contract Number	Solicitation Number	MATOC Pool	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.

Market Research

1. If commercial hardware, software products, upgrades or maintenance are to be procured as all or part of the requirement, is there evidence that the Department of Defense (DoD) Enterprise Software Initiative (ESI) and Computer Hardware, Enterprise Software and Solutions (CHES) contracts were considered, or if purchased outside of CHES, a CHES Statement of Non-Availability (SONA) and Information Technology Approval System (ITAS) approval memo were obtained? (AFARS 5139.101-90 and UAI 5139.101-90-100)				
2. For Task Orders over the simplified acquisition threshold (SAT), has the Project Delivery Team (PDT) conducted, analyzed, and documented market research commensurate with the size and complexity of the acquisition? (FAR 10.001(a)(2)(v) and 10.002(e))				
3. CONSTRUCTION: For projects ≥ \$35M, did the PDT properly document consideration of Project Labor Agreements (PLAs) through the PLA Decision Memorandum, and does the file include the associated market research report and other supporting documentation? (FAR 22.5 and UAI 5122.503-100)				

Competitive Practices

4. Multiple Award Task Order Contract (MATOC) Fair Opportunity: Was fair opportunity given to each contractor under the MATOC (FAR 16.505(b)(1)?)				
5. MATOC Fair Opportunity Exception: If the Procuring Contracting Officer (PCO) does not intend to provide fair opportunity, is the Exception to Fair Opportunity Justification properly prepared, executed, and approved by the designated authority? (FAR 16.505(b)(2), DFARS 216.505(b)(2), AFARS 5116.505 and 5116.505-91, and UAI 5101.602-2-90(c))				

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6. If the action is a sole source or contains a requirement for Brand Name or Equal, was the Exception to Fair Opportunity justification posted to "Contract Opportunities" on the System for Award Management (SAM) at SAM.gov within the required timeframes? (FAR 16.505(b)(2)(ii)(D))				
7. For Brand Name justifications, including those for items under the SAT, was the justification posted with the solicitation? (FAR 5.102(a)(6), 6.305(c), 8.405-6(b)(3), 11.105(a)(3) and 16.505(b)(2)(ii)(D))				
8. For sole source Foreign Military Sales, is the International Agreement Competitive Restrictions (IACR) document in the file and approved by the Chief of the Contracting Office (CoCO)? (DFARS 206.302-4, AFARS 5106.302-4, and UAI 5106.302-4)				
Contract/Task Order Type				
9. If a Cost-Plus-Award-Fee (CPAF) contract/task order is contemplated, including contracts with both Fixed Price and CPAF elements ("hybrid"), was the determination and finding (D&F) required at FAR 16.401(d) prepared, reviewed for legal sufficiency, and approved at the appropriate level? (UAI 5101.602-2-90, 5106.302-4 and 5116.4) Note: For contracts in connection with a military construction or a military family housing project, contracting officers shall not use cost-plus-fixed-fee, cost-plus-award-fee, or cost-plus-incentive-fee contract types per DFARS 216.301-3.				
10. If a Time-and-Materials (T&M) or Labor Hour contract is contemplated, was the D&F required at FAR 16.601(d)(1)(i) prepared, reviewed for legal sufficiency, and approved at the appropriate level? (DFARS 216.601(d)(i)(A)(1) and 216.601(d)(i)(A)(2), and UAI 5101.602-2-90)				
11. For Design/Build (D/B) contracts/task orders, is the PCO Determination to use Two Phase D/B in the file, or have approvals been obtained to use the single-phase or one-step approach? (FAR 36.301 and UAI 5136.303-100)				

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Small Business Coordination				
12. For actions at the threshold and as required in AFARS 5119.201(d)(10)(B)(i), is a DD Form 2579 "Small Business Coordination Record" in the file and does it contain all required signatures? (DFARS 219.201(c)(10)(A), 219.201(c)(10)(B), 219.5, and AFARS 5119.201(d)(10)(B)(i))				
Acquisition Coordination and Documentation				
13. For all Army (including USACE) requirements except supply contracts <SAT, field ordering officer actions and Government purchase card purchases, does the file contain an appropriate fully coordinated, signed, and completed AT/ OPSEC document, if applicable, IAW Annex Q of OPORD 2022-03, Integrated Protection? (AFARS 5107.91 and UAI 5107.91)				
14. For actions anticipated to exceed the SAT, has the Independent Government Estimate (IGE) been received? (AFARS 5107.9002, UAI 5136.203-100, 5107.9002, and ER 1110-2-1302 Para 14b(1)(b))				
15. Does the file contain a signed, complete Request for Services Contract Approval (RSCA) form, if applicable? (AFARS 5107.503 and UAI 5107.503)				
16. For Construction and/or Design-Build Task Orders, is a Biddability, Constructability, Operability, Environmental and Sustainability (BCOES) Backcheck Review for Certification in the file? (ER 415-1-11)				
17. For Construction and/or Design/Build Task Orders: If the BCOES has not been received prior to solicitation, was a conditional BCOES received and will the final BCOES Certification or written waiver be received prior to bid opening or start of proposal evaluation? (UAI 5136.104 and ER 415-1-11, Para 9.i.)				
18. If already received, does the IGE conform to the requirements of AFARS 5107.90 and UAI 5107.90?				

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19. For contracts/task orders >SAT written against a Non-DoD contract, have the following been executed: written interagency agreement signed by both agencies, D&F for Economy Act Orders, if applicable, and requiring activity approval and responsible contracting office's concurrence? (FAR 17.502-1(a) and 17.502-2; DFARS 217.5 and 217.7; AFARS 5117.5 and 5117.7; and UAI 5117.7)				
20. Was SCO approval received for PCO written determination to use Non-Government personnel in contract/task order source selection? (FAR 37.204, DoD Source Selection Procedures (DoD SSP), AFARS 5137.204, and UAI 5115.300-100(b) and 5137.204)				
21. Have any exceptions to the Buy American Act been properly documented and approved in the required D&F and is the D&F in the contract file? (FAR 25.202, DFARS 225.202, AFARS 5125.202 and UAI 5125.202)				
22. If the contract/task order includes options, did the PCO document the determination to Use/ Evaluate Options? (FAR 17.202, 17.205, and 17.206, and UAI 5117.202)				
23. Is a Liquidated Damages Memorandum in the file and does it include supporting documentation sufficient to justify the rate? (FAR 11.501)				
24. If personal services are being acquired, including the personal services of experts or consultants, is the D&F approved by the proper authority and in the file? (DFARS 237.104, AFARS 5137.104, and UAI 5137.104)				

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25. If applicable, was HCA authority to obtain certified cost or pricing data for actions below the Truthful Cost or Pricing Data threshold at FAR 15.403-4 received and included in the file?				
26. Did the file contain an exception (or a waiver by the HCA) for the requirement to obtain certified cost or pricing data? (FAR 15.403-1 and DFARS 215.403-1)				
27. Does the file include documentation confirming the project is within the scope, current period of performance of the base IDC, and is the estimated cost within the task order limit and current maximum capacity of the base IDC? (FAR 16.505(a)(2)) Current Base IDC Expiration Date: Current IDC Capacity: Task Order Limit:				
28. Were any options extending the ordering period of the base IDC exercised in a timely manner and in compliance with FAR Part 17.207 and the appropriate option clause (FAR 52.217-8 or -9)?				
29. Is a copy of the RFP letter and all subsequent changes thereto in PCF? (FAR 4.803)				
30. For MILCON projects, is the Design Directive as the authority to advertise in the file, and is the preliminary Government Estimate within that authority? (AR 420-1, Army Facility Management, Para 4-36)				

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31. Nonperformance-Based Services Contracts: If the acquisition is not performance-based, has the rationale been documented and the required approval been obtained from the proper authority and included in the file? (DFARS 237.170-2(a) (1)&(2), AFARS 5137.170-2, UAI 5137.170-2 and UDG Attachment 1)				
32. For CPAF contract/task order, has an Award Fee Plan, Award Fee Schedule, Base Fee & Award Fee percentages been approved for this requirement and are they in the file? (FAR 16.401(d), 16.401(e), 16.405-2; DFARS 216.401, 216.401-71, 216.405, and AFARS 5116.405-2(2)(A))				
33. For CPAF contract/task order, has the Award Fee Determining Official (AFDO) and the Award Fee Evaluation Board (AFEB) been identified and appointed? (AFARS 5116.405-2(2)(B))				
34. BORROWED CAPACITY: For task orders placed against IDCs awarded by another district or center, is the planned award amount, including options, within the limits authorized by the Base Contract PCO or CoCO (for example, a Transfer of Contract Capacity Agreement (TCCA))?				
SOLICITATION				
35. Is a realistic PCF Acquisition Milestone schedule in the file with dates showing consideration by the PDT of all actions, tasks, reviews, and documentation required? (DFARS 204.7001 and AFARS 5104.802(f)(i)(3))				
36. Is the task order RFP IAW the order placement process set forth in the base contract? (FAR 16.505(b)(1)(ii))				

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37. CONSTRUCTION: Does the RFP Letter include FAR 52.211-10, Commencement, Prosecution and Completion of Work, filled in with the appropriate information? (FAR 11.404(b) and 36.701(a))				
38. Does the solicitation reflect a reasonable response time for receipt of contractor proposal(s)? (FAR 5.203 and DFARS 205.203)				
39. If there are options, are they included in the Contract/Task Order Schedule? (FAR 17.204)				
40. If there are options, does the solicitation discuss how many days the government has to exercise each option? (FAR 52.217-6, 52.217-7, 52.217-8, 52.217-9, for construction and A-E task order follow the guidance at UAI 5117.208(d) in lieu of the clauses at 52.217-8 and -9)				
41. Are base and/or option CLINS properly and effectively structured and do they logically correspond to distinct requirements described in the Statement of Work/Performance Work Statement (SOW/PWS)? (DFARS 204.7103-1(a))				
42. SERVICES: Does the SOW/PWS contain measurable performance standards (e.g., in terms of quality, timeliness, quantity, etc.) and a method of assessing contractor performance against those performance standards? (FAR 16.505(a)(3))				
43. SERVICES: If the work statement is written as a PWS, does it describe the work in terms of required results rather than how the work is to be accomplished or the number of hours to be provided? (FAR 37.602(b)(1))				

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44. SERVICES: Does the contract/task order file include the Quality Assurance Surveillance Plan (QASP) or does the solicitation require the offeror(s) to submit a proposed QASP for the Government's consideration in the development of the Government's plan? (<i>FAR 37.604, 46.4; DFARS 246.4; and UAI 5146.401</i>)				
45. SERVICES: Is the QASP tailored for the SOW/ PWS requirements and contract/task order Performance Requirements Summary (PRS)? (<i>FAR 46.401</i>)				
46. For sole source actions, does the solicitation require the submission of Certified or Other Than Certified Cost or Pricing Data necessary to determine a fair and reasonable price? (<i>FAR 15.4, DFARS 215.4, AFARS 5115.4 and UAI 5115.403</i>)				
47. TASK ORDER: Is the appropriate and current Wage Decision(s) in the solicitation, if not included in the base contract? If more than one Wage Decision applies (to include Davis Bacon and/or Service Contract Wage Decisions), does the solicitation provide instructions to the contractor as to when to use each wage decision? (<i>FAR 22.404-2, 22.404-12, 22.1002-2, and 22.1007</i>)				
48. Does the PWS/SOW contain the requirement to report contractor manpower as prescribed in DFARS 204.17? Does the solicitation include a separate CLIN to allow for payment of this requirement? (<i>DFARS 204.1703 and AFARS 5137.91</i>)				
49. MATOC: Does the task order reflect meaningful and well-defined evaluation criteria and minimize submission requirements? (<i>FAR 16.505(b)(1)(ii), 16.505(b)(1)(v)(A)(5)(ii), and 16.505(b)(1)(v)(B)</i>)				

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50. CONSTRUCTION: Is a member of Construction Division participating on the SST? (<i>SST involvement encouraged, not required</i>)				
51. If Non-Government Advisors are required for assistance with the source selection evaluation, were all documents approved prior to issuing a solicitation? (<i>FAR 37.203, 37.204, and 37.205</i>)				
52. For MATOCs, does the TO RFP specify how price or cost will be considered, in relation to other factors, in the selection decision? (<i>FAR 16.505(b)(1)(ii)(E)</i>)				
53. Is there documentation in the file, signed by the PCO, regarding how the TO selection process will be conducted and proposals evaluated? (<i>FAR 16.505(b)(ii) and 16.505(b)(iii)(B)</i>)				
54. Does the contract/task order solicitation contain all required clauses and provisions? If not, what is missing? (<i>FAR 52.101(b)(2) and 52.101(c)</i>)				
55. Does the solicitation contain all Sustainability clauses that apply at 52.204-4 and 52.223-1 through 52.223-22? (<i>FAR 23</i>)				
56. Does the file contain documentation that sufficient funds are available to cover price or target price of the task order? (<i>FAR 32.7, DFARS 232.7, and AFARS 5132.7</i>)				

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57. If funds are not fully available, does the file include written statement IAW AFARS 5132.702(a)(ii)(A) (or equivalent) and appropriate clause notification of funding under solicitation? (FAR 32.7, DFARS 232.7, AFARS 5132.7, UAI 5132.7, and USACE Alert 21-016 (21 Jun 2021))				
58. Does the file contain evidence of Legal Reviews for contract actions \$500K or greater or specified documents regardless of dollar value IAW UAI 5101.602-2-90?				
59. Were documents revised to comply with legal sufficiency comments? (UAI 5101.602-2-90)				
60. 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				
61. Has coordination with the appropriate Procurement Analyst (CoCO or SCO) been completed for scheduling SRB? (UAI 5101.170)				
THE FILE				
62. Are all documents filed correctly within PCF? If not, what documents are misfiled, missing or unsigned? (AFARS 5104.802(f)(i)(1) and the Army Cabinet Index, see VCE PCF Help for current Index in the PCF Folder Structures)				

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<p>If applicable, did the contracting officer include FAR provision 52.229-11, Tax on Certain Foreign Procurements - Notice and Representation, and FAR clause 52.229-12, Tax on Certain Foreign Procurements, in the solicitation and FAR clause 52.229-12 contract awards subject to the 2% federal excise tax. (FAR 29.204 and 29.403-2, ODASA(P) Alert 22-75, and USACE Alert 22-004)</p>				
<p>If FAR provision 52.229-11 and FAR clause 52.229-12 is appropriately included in the solicitation, does the solicitation include the Special Contract Requirements (SCR) Language? (USACE Alert 22-004)</p>				
<p>Additional File Review Comments:</p>				
<p>65.</p>				

**TASK ORDER SOLICITATION
COMPLIANCE CHECKLIST**

Solicitation Number

Estimated Value of Acquisition

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

Procurement Analyst's Name

Date

Procurement Analyst's Signature

Acronym Glossary

AFARS - Army Federal Acquisition Regulation Supplement

AFDO - Award Fee Determining Official

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 Numbers

COR - Contracting Officer's Representative

CPARS - Contractor Performance Assessment Reporting System

CRB - Contract Review Board

D&Fs - Determination & Findings

DFARS - Defense Federal Acquisition Regulation Supplement

DOC - Director of Contracting

DoD - Department of Defense

DoDI - Department of Defense Instruction

ESI - Enterprise Service Initiative

FAR - Federal Acquisition Regulation

HCA - Head of the Contracting Activity

IDC - Indefinite Delivery Contracts

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

IGE - Independent Government Estimate

ITAS - Information Technology Approval System

JAM - Joint Appointment Module

J&A - Justification and Approval

MATOC - Multiple Award Task Order Contract

MILCON - Military Construction

PA - Procurement Analyst

PCF - Paperless Contract File

PCO - Procuring Contracting Officer

PDT - Project Delivery Team

PIEE - Procurement Integrated Enterprise Environment

PLA - Project Labor Agreement

PWS - Performance Work Statement

QASP - Quality Assurance Surveillance Plan

RFP - Request for Proposals

SAM - System for Award Management

SAT - Simplified Acquisition Threshold

SCO - Senior Contracting Official

SONA - Statement of Non-Availability

SOW - Statement of Work

SRB - Solicitation Review Board

SST - Source Selection Team

TAPS - Time at SCO System

TCCA - Transfer of Contract Capacity Agreement

UAI - USACE Acquisition Instruction

UDG - USACE Desk Guide