

U.S. Army Corps of Engineers (USACE)  
**ARCHITECT-ENGINEER (A-E) CONTRACT COMPLIANCE CHECKLIST**

For use of this form, see USACE Acquisition Instruction; the proponent agency is CECT-P.

Contract Number	Solicitation Number	Estimated Value of Acquisition
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Project Description

<b>ARCHITECT-ENGINEER (A-E) CONTRACT COMPLIANCE CHECKLIST</b>	<b>PCF Location</b>	<b>Compliance</b>		<b>Comments/ Resolution of Comments</b>
		<b>PCO</b>	<b>BOB PA</b>	
		Blank/ Yes/ No/ NA	Blank/ Yes/ No/ NA	<b>Provide brief description to all "no" responses, explaining how regulatory/policy requirements are achieved within the solicitation/ supporting documentation.</b>

**PRE-PROPOSAL RECEIPT**

1.	Is the final solicitation and all amendments in Paperless Contract File (PCF) and marked final? <i>(FAR 4.803(a)(8))</i>				
2.	Was the Request for Price Proposal (RFPP) signed by a Contracting Officer? <i>(FAR 15.203 and EP 715-1-7 Para 4-6)</i>				
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? <i>(FAR 4.801 and EP 715-1-7 Para 4-7)</i>				
4.	If the Statement of Work (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? <i>(EP 715-1-7 Appendix K Para 3)</i>				
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? <i>(FAR 36.605(a), UAI 5136.203-100, ER 1110-2-1302 Para 14b(1)(b), UAI 5107.9002, and EP 715-1-7 Para 4-10))</i>				
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)? <i>(FAR 15.404-4(c)(4)(i)(B), DFARS 215.404-73, UAI 5115.404-73, 5136.205-100, and 5136.205-101)</i>				
8.	Does the IGE include an analysis of the 6% statutory limitation? <i>(FAR 15.404-4(c)(4)(i)(B), DFARS 236.606-70, and EP 715-1-7 Para 4-13c(3) and Appendix Y, Para 5)</i>				
PROPOSAL EVALUATION AND NEGOTIATION					
Proposal Evaluation					
9.	Does the file contain copies of all bids/proposals received (including SF330s), together with any revisions? <i>(FAR 4.803(a)(10) and 36.603)</i>				
10.	If an audit was requested, is the request along with the audit report in the file? Were the results taken into consideration when developing the Pre-Negotiation Objectives (PNO)? <i>(FAR 15.404-2, DFARS 215.404-2, and EP 715-1-7 Para 4-12b.)</i>				
11.	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>				
12.	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(a) and EP 715-1-7 Para 4-11)</i>				
13.	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, EP 715-1-7 Para 4-12, 4-13, and App AA)</i>				
14.	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 desired objectives? <i>(FAR 15.404-1(e), EP 715-1-7 Para 4-12(a), and App AA)</i>				

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15.	Were PNOs 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)				
16.	Was the Pre-Negotiation Objectives Memorandum (POM) approved by the Procuring Contracting Officer (PCO) prior to entering negotiations? (FAR 15.406-1(b), AFARS 5115.406-1(1), and EP 715-1-7 Para 4-12c.(2))				
<b>Post Negotiation</b>					
17.	Is the Price Negotiation Memorandum (PNM) complete, contains all 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)				
18.	If the contractor proposed Facilities Capital Cost of Money, does the PNM address whether or not the rate is acceptable? (FAR 31.205-10)				
19.	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)				
20.	Does the PNM contain a determination by the PCO that the negotiated price is fair and reasonable? (FAR 15.406-3(a)(11))				
21.	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)				
22.	Does the contractor's final proposal agree with the PNM and the award document?				
23.	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?				
24.	If revisions were made to the IGE, does the file include documentation regarding those changes with updated review and approval signatures? (AFARS 5107.90 and UAI 5107.9002)				

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<b>AWARD DOCUMENTS</b>					
<b>Contract File</b>					
25.	Does the file contain an approved and certified Purchase Request & Commitment (PR&C) sufficient to fund the award amount? (FAR 32.702, 32.703-1(a), DFARS 232.702, and AFARS 5132.702)				
26.	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 (FAPIS), and the PCO determination of responsibility per AFARS 5109.103? (FAR 9.103(b), 9.104-6, and 9.106)				
27.	For Cost Plus Award Fee (CPAF), does the file include an approved Award Fee Plan? 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)				
28.	Does the file contain documentation that the Contractor Representations and Certifications are complete and accurate? (FAR 4.1201)				
29.	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)				
30.	If award is to a Large Business and meets the threshold 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)? Is the Subcontracting Plan evaluation in the file? (FAR 19.704, 19.705-4, DFARS 219.705-4, AFARS 5119.705-4, and AFARS App DD)				
31.	Does the file contain a current Quality Assurance Plan (QAP) (Note: Mandatory when a COR is appointed)? (FAR 37.604, ER 1110-3-12, and EP 715-1-7)				
32.	After final selection has taken place, were debriefings held within the timeframe required by the regulations after receipt of written request, and the debriefings documented in the file? (FAR 36.607)				
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)				

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34.					
35.	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 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> )				
36.	Does the Award Letter include the Contracting Officer Authority Statement? ( <i>UAI 5115.504</i> ) "Only a warranted Contracting Officer (either a Contracting Officer or an Administrative Contracting Officer (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."				
37.	If award is to a Large Business (see current thresholds at FAR 19.702 (a)), is the approved Subcontracting Plan incorporated into the contract award? ( <i>FAR 19.705-5(a)(5)</i> )				
38.	If applicable, were the current Wage Rate Requirements (Construction) (formerly Davis Bacon Act) and/or Service Contract Labor Standards (formerly Service Contract Act) wage determination(s) received within the timeframes specified at FAR 22.1012 and incorporated into the contract award?				
39.	If multiple awards are planned, and all firms share the same total capacity, does the contract include ordering instructions consistent with FAR 16.500(d) and <a href="#">Updated Procedures for the Selection of Task Orders on Architect-Engineer Indefinite Delivery Contracts (IDCs)</a> (Note: supersedes Director's Policy Memorandum 2020-02)? ( <i>FAR 16.500(d) and 36.6</i> )				
40.	Has the Contracting Officer reviewed all and signed the appropriate contract documents (i.e., D&Fs, POMs, PNMs, SSDDs, etc.)? ( <i>FAR 1.601(a)</i> )				
41.	Does the contract include Points of Contact for Contractor Performance Assessment Reporting System (CPARS) and a schedule for the assessment(s)? ( <i>FAR 42.1503(a)(1)(ii), AFARS 5142.1503(h)(2), UAI 5142.1502-100, and EP 715-1-7 Chapter 6</i> )				
42.	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> )				

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43.	Is the North American Industry Classification System (NAICS) Code and Product Service Code (PSC) consistent between the DD Form 2579, synopsis, CAR, and the Standard Procurement System (SPS) CLIN? (FAR 19.102, DFARS 219.201, and 219.303)				
44.	Were the CAR "Recovered Materials/Sustainability" and "Use of EPA Designated Products" data fields marked appropriately? <b>Note:</b> 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 <a href="#">Environmental Compliance &amp; Sustainability SharePoint Site</a> for additional environmental compliance and sustainability information. For assistance, see <a href="#">USACE Sustainability Clauses Tool V8</a> for the USACE Sustainability Clauses Tool)				
45.	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)				
46.	If the contract contains FAR 52.217-8, Option to Extend Services, is the six-month option period priced? Was it evaluated as part of the award decision? (AFARS 5117.206)				
47.	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) and UAI 5117.200)				
48.	Will contract award occur prior to expiration of the selection (one year from synopsis closing), or is a written justification by the PCO in the file? (EP 715-1-7 Para 3-11,c.)				
49.	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)				
50.	For actions consistent with the threshold at DFARS 205.303(a)(i), has Congressional notification been prepositioned for release within the proper timeframe?				
51.	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)				

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<b>PEER REVIEW COORDINATION ACTIVITIES</b>					
52.	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: <a href="#">TASS SharePoint</a>				
53.	Has coordination with the appropriate Procurement Analyst (PA) Chief of the Contracting Office/Senior Contracting Official (CoCO/SCO) been completed for scheduling the CRB? (UAI 5101.170 )				
54.	Does the file contain the results from the Solicitation Review Board (SRB)? (DFARS 201.170(b)(1) and DFARS PGI 201.170-3)				
55.	Were recommendations from the SRB resolved prior to issuance of the solicitation? If not, did the PCO coordinate with the Peer Review Endorser the rationale for not making the recommended revisions? (DFARS PGI 201.170-3 and AFARS 5101.170(b)(iii))				
56.	Has access to PCF been provided to the CoCO/SCO or higher-level peer review members? (UAI 5104.802-100)				
POC		Name			
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

<b>ACO</b> - Administrative Contracting Officer	<b>PA</b> - Procurement Analyst
<b>A-E</b> - Architect-Engineer	<b>PCF</b> - Paperless Contract File
<b>AFARS</b> - Army Federal Acquisition Regulation Supplement	<b>PCO</b> - Procuring Contracting Officer
<b>AFDO</b> - Award Fee Determination Official	<b>PCR</b> - Procurement Center Representative
<b>BOB</b> - Business Oversight Branch	<b>PIEE</b> - Procurement Integrated Enterprise Environment
<b>CAR</b> - Contract Action Report	<b>PNM</b> - Price Negotiation Memorandum
<b>CoCO</b> - Chief of the Contracting Office	<b>PNO</b> - Pre-negotiation Objective
<b>CLINS</b> - Contract Line Item Numbers	<b>POM</b> - Pre-negotiation Objectives Memorandum
<b>COR</b> - Contracting Officer's Representative	<b>PR&amp;C</b> - Purchase Request & Commitment
<b>CPAF</b> - Cost Plus Award Fee	<b>PWS</b> - Performance Work Statement
<b>CPARS</b> - Contractor Performance Assessment Reporting System	<b>QAP</b> - Quality Assurance Plan
<b>CRB</b> - Contract Review Board	<b>QASP</b> - Quality Assurance Surveillance Plan
<b>DFARS</b> - Defense Federal Acquisition Regulation Supplement	<b>RFPP</b> - Request for Price Proposals
<b>EP</b> - Engineering Pamphlet	<b>SAM</b> - System for Award Management
<b>ER</b> - Engineering Regulation	<b>SBA</b> - Small Business Administration
<b>FAPIS</b> - Federal Awardee Performance and Integrity Information System	<b>SCO</b> - Senior Contracting Official
<b>FAR</b> - Federal Acquisition Regulation	<b>SOW</b> - Statement of Work
<b>IDC</b> - Indefinite Delivery Contracts	<b>SPS</b> - Standard Procurement System
<b>IGE</b> - Independent Government Estimate	<b>TAPS</b> - Time at SCO System
<b>JAM</b> - Joint Appointment Module	<b>UAI</b> - USACE Acquisition Instruction
<b>NAICS</b> - North American Industry Classification System	<b>UDG</b> - USACE Desk Guide
<b>OPORD</b> - Operations Order	