

Non-Federal Entity Procurement Standards Review Checklist

This checklist is guidance only and is for use by the Contract Specialist in reviewing an applicant's procurement system to ensure it meets the standards in 2 CFR 200.

Applicant Name: _____

Applicant DUNS #: _____

All of the following must be YES; if not, the Contract Specialist is to document actions taken (see bottom of form) with the applicant to ensure the applicant's procurement procedures are revised in order to become compliant.

1. Non-Federal entity has documented written procurement procedures?
2. Procurement procedures appear to reflect applicable State, local, and tribal laws and regulations, provided that the procurements conform to applicable Federal law and the standards identified in 2 CFR 200?
3. Non-Federal entity has procurement procedures to maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders?
4. The non-Federal entity maintains written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts and the standards of conduct provide for disciplinary actions to be applied for violations of such standards?

Note: If the non-Federal entity has a parent, affiliate, or subsidiary organization that is not a state, local government, or Indian tribe, the non-Federal entity must also maintain written standards of conduct covering organizational conflicts of interest.

5. The non-Federal entity's procedures avoid acquisition of unnecessary or duplicative items?
 - a. Consideration is given to consolidating or breaking out procurements to obtain a more economical purchase
 - b. Where appropriate, an analysis is made of lease versus purchase alternatives, and any other appropriate analysis to determine the most economical approach

6. The non-Federal entity's procedures provide that awards are only made to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement, including considering such matters as
 - a. Contractor integrity
 - b. Compliance with public policy
 - c. Record of past performance
 - d. Financial and technical resources to perform
 - e. The contractor is neither suspended nor debarred from federal procurement
7. Procedures require the non-Federal entity to maintain records sufficient to detail the history of procurement?
8. If procedures permit the use a time and materials type, they only allow its use after a determination that no other contract is suitable and if the contract includes a ceiling price that the contractor exceeds at its own risk?
9. The procedures require all procurement transactions be conducted in a manner providing full and open competition, unless otherwise justified/documentated in writing?
10. The written procedures for procurement transactions provide that all solicitations:
 - a. Incorporate clear and accurate description of technical requirements which do unduly restrict competition
 - b. Identify factors to be used in evaluating bids or proposals
11. The written procurement policy provides for the use of one or more of the following methods of procurement in accordance with §200.320, as applicable:
 - a. Micro-purchases
 - b. Small purchase procedure
 - c. Sealed bids (formal advertising)
 - d. Competitive proposals
 - e. Noncompetitive proposals, including documentation of the circumstances justifying a noncompetitive procurement
12. The procedures provide affirmative steps to assure that small businesses, minority businesses, women-owned businesses, and labor surplus area firms are used when possible?
13. Cost/Price Analysis.
 - a. The procedures require that non-Federal entity perform a cost or price analysis in connection with every procurement action in excess of the Simplified Acquisition Threshold including contract modifications?

- b. The procedures require the non-Federal entity to negotiate profit as a separate element of the price for each contract in which there is no price competition and in all cases where cost analysis is performed?

14. The procedures prohibit cost plus a percentage of cost and percentage of construction cost methods of contracting?

For any item checked NO, the Contract Specialist shall document actions taken with the applicant to ensure the applicant's procurement procedures are revised in order to become compliant below:

Except as otherwise specified above, the applicant has written procurement policies and procedures meeting or exceeding the standards set forth in 2 CFR 200.

Reviewed by: _____ Review Date: _____

Next Review Date*: _____

**Normally reviewed every three years unless circumstances of the applicant or the proposed award increase risk or otherwise necessitate a more frequent review.*