

**National Institutes of Health**  
**DOCUMENTATION FOR SIMPLIFIED/COMMERCIAL ITEM ACQUISITIONS**  
**ACTIONS GREATER THAN \$2,500**  
*(Revised 1 Jan 02)*

1. Can the same or similar items be obtained from the Required Sources of Supply in order of priority?

**Consumable Supplies/Equipment/Furniture (Sources are in order of priority, FAR 8.001):**

**YES NO**

- NIH Surplus Property or NIH Stock/Self Service Stores
- Other Agency Surplus Property
- UNICOR (Federal Prison Industries, Inc)
- JWOD, Committee for Purchase from the Blind and Other Severely Handicapped
- GSA Supply Program, Veterans Administration Supply Operations, and Defense Logistics Agency
- Federal Supply Schedule (FSS)
- Commercial Sources

**Services (Sources are in order of priority, FAR 8.001):**

**YES NO**

- JWOD, Committee for Purchase from the Blind and Other Severely Handicapped
- Federal Supply Schedule (FSS) or Multiple Award Schedule (MAS) contract
- UNICOR (Federal Prison Industries, Inc)
- GSA Supply Program, Veterans Administration Supply Operations, and Defense Logistics Agency
- Commercial Sources

If any of the items above is checked "YES", but that mechanism is not used, provide the rationale below:

\_\_\_\_\_.

2. **Business Classification.** FAR 19.102, <http://epic.od.nih.gov/naics/index.asp>

- a. North American Industrial Classification System (NAICS): \_\_\_\_\_.
- b. Small Business Size Standard: \_\_\_\_\_.
- c. Type of Business:
  - Very Small Business
  - Small (see FAR 19.102 for set-aside eligibility)
  - Large
  - Educational/Non-Profit
  - Disadvantaged
  - Women-Owned
  - Foreign
  - Hubzone
  - 8(a)
  - Other

3. **(NLM use only) Personal Services.**  YES  NO (If checked "yes", NLM program's requisition must include the following)

Will the vendor perform services on site under close supervision by NLM whereby an employer-employee relationship will exist? (reference FAR 37.104)

- A statement explaining why the required services meet the definition of "personal services" (FAR 37.104(d)).
- A statement explaining how the required services are in direct support of NLM's information system reinvention activities (P.L. 104-208) (**NLM REINVENTION AUTHORITY**); **and**
- The requisition has been forwarded through the NLM Executive Officer (D. Black's June 24, 1996 memorandum to the NLM Associate Directors).

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**4. Are Clearance(s) Required? [ ] YES [ ] NO (If "yes" obtain and/or verify clearance.)**

NIH Policy Manual 6307-3-  
<http://www3.od.nih.gov/oma/manualchapters/>

Check the Appropriate Clearance Office as applicable to your IC :

- |                                                                                                                                                 |                                                                |
|-------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|
| <input type="checkbox"/> Animal Assurance                                                                                                       | <input type="checkbox"/> IT                                    |
| <input type="checkbox"/> Audiovisual/Photograph/Video/Visual Arts                                                                               | <input type="checkbox"/> Keys, Locks                           |
| <input type="checkbox"/> * Buy American Act – FAR 25.100                                                                                        | <input type="checkbox"/> Micrographic/Microfilming – Man 1741  |
| <input type="checkbox"/> Cellular Phones-wireless communication<br>- Man.6101-26-6                                                              | <input type="checkbox"/> Motor Vehicles                        |
| <input type="checkbox"/> Carpeting & Window Treatments                                                                                          | <input type="checkbox"/> OMB Questionnaire/interviews          |
| <input type="checkbox"/> Cleaning Services                                                                                                      | <input type="checkbox"/> Personal Appeal Items                 |
| <input type="checkbox"/> Compressed Gases                                                                                                       | <input type="checkbox"/> Personal Services                     |
| <input type="checkbox"/> Conference Facilities-Off-Site                                                                                         | <input type="checkbox"/> Printing – Man 6308                   |
| <input type="checkbox"/> Controlled Substances & DEA<br>Regulated Chemicals                                                                     | <input type="checkbox"/> Privacy Act – HHSAR 324.1             |
| <input type="checkbox"/> Davis Bacon Act FAR 22.403-1                                                                                           | <input type="checkbox"/> Reserved                              |
| <input type="checkbox"/> Energy Star (IT and IT related equipment<br>e.g., scientific equip/copiers with<br>computer components) (> \$5001)     | <input type="checkbox"/> Public Affairs/Communications         |
| <input type="checkbox"/> Equipment:<br>Large<br>Biohazard<br>Safety<br>Special<br>Film Processing (N/A for Copiers)<br>Trade In                 | <input type="checkbox"/> Publications by NIH staff – Man. 1183 |
| <input type="checkbox"/> Foreign (VISA)<br>- <a href="http://www.nih.gov/fic/services/visatype.html">www.nih.gov/fic/services/visatype.html</a> | <input type="checkbox"/> Radioactive Material – SF88           |
| <input type="checkbox"/> Furniture – Man. 6101-26-2                                                                                             | <input type="checkbox"/> Security Devices/Equip/Systems        |
| <input type="checkbox"/> Honorarium Exceeding \$200 – Man. 1130                                                                                 | <input type="checkbox"/> Service Contract Act FAR 37.107       |
| <input type="checkbox"/> Human Subjects/Human Materials                                                                                         | <input type="checkbox"/> Space                                 |
|                                                                                                                                                 | <input type="checkbox"/> Telecommunications                    |
|                                                                                                                                                 | <input type="checkbox"/> Temporary Help – SA Acq. Cptr VI      |
|                                                                                                                                                 | <input type="checkbox"/> X-ray Equipment                       |
|                                                                                                                                                 | <input type="checkbox"/> Y-2K                                  |
|                                                                                                                                                 | <input type="checkbox"/> Other: Specify _____                  |

\* Buy American Act Exemption. One or more agencies have determined that the following articles, materials, and supplies are not mined, produced, or manufactured in the United States in sufficient and reasonably available commercial quantity and are thereby exempt from the Act.

Books, trade, text, technical, or scientific; newspapers; pamphlets; magazines; periodicals; printed briefs & films; not printed in the United States and for which domestic editions are not available (FAR 25.104(a))

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5. Does this requirement involve a licensing agreement (software, maintenance, other) (written or electronic format) (reference NIH Manual 6027)

YES     NO    (If checked "yes":)

- (1) The licensing agreement must be reviewed by the Project Officer for scientific/technical issues;
- (2) Following review, the Project Officer must certify by signing the responsibility for compliance certificate.
- (3) The licensing agreement must be reviewed by the Purchasing Agent for contractual/business issues and forwarded to the Office of the General Counsel for advice if deemed necessary;
- (4) If a signature is required, the Contracting Officer must sign the licensing agreement; and
- (5) A copy of the licensing agreement and the Project Officer certification shall be attached and made a part of the official file.

6. (NLM only) Under the Statement of Work, does NLM require full ownership of data/information delivered under this Purchase Order?     YES     NO    (If checked "Yes", coordinate with the Project Officer to determine if the Purchase Order should include the NLM Rights in Data – Special Works clause.)

Does Purchase Order incorporate NLM's Rights in Data – Special Works clause?

YES, required by Project Officer.

NO, not required by Project Officer.

7. **Small Business HHS 653 Considerations** – Reference the NIH Small Business Office for the most current information & threshold designations <http://sbo.od.nih.gov/Select> **Program Notes - Small Business Policy.**

a. The action does not require a HHS 653. Check one.

- The order is being awarded to a small business, Federal Supply Schedule (FSS) source, or using another Government Agency contract.
- The order is being processed and approved in accordance with FAR Subpart 6.3 Other Than Full and Open Competition.
- The order is being processed and approved in accordance with FAR Part 8, Required Sources of Supplies and Services.
- The order is being initiated unilaterally by the Contracting Officer pursuant to the 8(a) Program.

All boxes below must be checked.

- The vendor is a current participant in the SBA's PRO-Net database.
- The order contains the clauses at 52.219-18 w/deviation and **52.219.70XX** clause.
- The Contracting Officer/Purchasing Agent has forwarded a copy of the order to the appropriate SBA District Office, and the NIH Small business Office on \_\_\_\_\_. (Indicate date – This date **MUST** be within 5 days of the issuance of the order.)

**Work may not begin until the THIRD day after SBA has RECEIVED its copy of the Order. It is recommended that submission of the Order be made by either FAX or e-mail to assure an accurate receipt date.**

- The order is being conducted as "Emerging Small Business Set-Asides" under the Competitive Demonstration Program.

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The order is < \$25,000 and is subject to and processed in accordance with the Competitive Demonstration Program.

b. HHS 653 is required by the Contracting Officer. (CO signature if required by IC).

**(1) \$2,501 - \$100,000** Justification for using other than Small Business.

- The small businesses contacted do not make/offer the product  
 The small businesses contacted did not offer a fair market price.  
 The small businesses contacted could not meet the required delivery date.  
 The above is supported by evidence in the purchase order file of contact with at least TWO small business vendors. (*Note: this is mandatory when for use with this and any of the above statements.*)  
 There is no reason to believe there are 2 small business vendors as stated on the HHS 653, based on market research.  
 Sole Source: \_\_\_\_\_  
\_\_\_\_\_

**(2) [ ] \$2,501 - \$100,000** HHS 653 for Contracting Officer signature if required by the IC.

c. **> \$100,000** – HHS 653 with signatures is required by the Contracting Officer and the NIHSBO.

8. Competition and Publicizing:

a. **\$2,501 to \$10,000. (No Posting required)**

- Quotation solicited from 3 or more sources.  
 Competitive quotations were NOT solicited (See paragraph d. below.)

b. **\$10,000 to \$25,000**

- Quotation solicited from 3 or more sources. (See paragraph d. below.)  
 A written solicitation was used.  
 The solicitation notice or notice of solicitation was posted in a public place for at least 10 days  
 Posting was not required pursuant to FAR 13.105(a). In this event, cite the applicable exception under FAR 5.202: \_\_\_\_\_

No posting was required since the procurement is between \$10,000.01 and \$25,000 and:

- It is exempt pursuant to FAR \_\_\_\_\_ [cite which exemption: FAR 5.202(a)(1), (5) through (9), or (11)];  
 Quotations were orally solicited; or  
 The requirement was processed using electronic procedures.

c. **\$25,001 to the Simplified Acquisition Threshold (for Commercial Items and including options)**  
**\*FedBizOpps will be used along with the CBD beginning October 1, 2001 to January 1, 2002. After Jan 1, 2002, posting in CBD will not be required. (See OLAO Acquisition Newsletter July/Aug 2001 pg. 3)**

- Synopsis or combined synopsis/solicitation published in the CBD and \* FedBizOpps. <http://www.fedbizops.gov>  
 Other Than Full and Open Competition. (Also see paragraph d., below.)  
 Notice of Intent published in CBD. Date published \_\_\_\_\_  
 No synopsis published in accordance with the exceptions authorized in FAR 5.202

Full and Open Competition

**Requirements to Publicize in CBD and FedBizOpps.**

- A synopsis in the "Commerce Business Daily" (CBD) was required since the requirement is between \$25,000.01 and \$100,000 (including phases and options).