

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

The synopsis was published in the CBD at least 15 days prior to soliciting quotations or issuance of a solicitation (FAR 5.203(a): for commercial items see FAR 5.203(a) (1)or (2).

d. **Justification for Other Than Full and Open Competition –**
*The acquisition documentation shall be in compliance with the process and approval levels in the JOFOC desk guide. JOFOC desk guide may be found at <http://ocm.od.nih.gov/dape.htm> Go to “About OAMP”, to access desk guide. *Purchasing Agents shall reference the desk guide to confirm satisfaction of the JOFOC Desk Guide requirements.*

(1) \$2,501 - \$10,000 Circumstances permitting other than full and open competition – Single/Sole Source FAR 13.106-1:

(Select one or more the following):

- Only one source available, no substitutions possible (FAR 6.302-1). Also see Brand Name FAR 11.105
- Proprietary data/patent information (FAR 6.302-1).
- Replacement parts must be compatible with existing equipment (FAR 6.302-1).
- Performance characteristics or quality of needed supplies required for integrity of experiment (FAR 6.302-1).
- Needed to continue on-going experiment; change in supplies disruptive to experiments (FAR 6.302-1).
- Other _____.

Unusual or compelling urgency (FAR 6.302-2).

Authorized or required by statute. (FAR 6.302-5). (Applicable only for purchases from the Federal Prison Industries (UNICOR), JWOD, Blind or Other Severely Handicapped Agencies, and the Government Printing Office.)

(2) Acquisitions under the Test Program for Certain Commercial Items (exceeding the Simplified Acquisition Threshold (\$100,000), but not exceeding \$5,000,000) FAR 13.5, Single/Sole Source FAR 13.106-1, Commercial Items and FAR Part 12.

For single source acquisitions, FAR 13.106-1 states that the requirements at 13.501(a) apply. FAR 13.501 and the NIH JOFOC Desk Guide delineate that acquisitions conducted under simplified acquisition procedures are exempt from the requirements in Part 6. The JOFOC Desk Guide states "However, the procedures required by FAR 6.303 and the approvals required by FAR 6.304 are applicable to JOFOC's for commercial acquisitions between \$100,001 and \$5,000,000."

9. Price Reasonableness Determination, FAR 13.106-3:

Not required since the order is being awarded to UNICOR, JWOD, Blind/Handicapped, GSA FEDSTRIP, or a government agency contract.

Lowest price quoted in competition.

If only one price quotation was received cite one of the following FAR 13.160-3(2) (i)-(vii) and provide the rationale in narrative form. FAR 13.106-3(2) (), Reason: _____.

Comparison with prices on previous buys.
Previous purchase order number: _____.
Date of previous purchase order: _____.

Comparison with other vendor catalog price lists. **(Include copy of front page of catalog and pertinent pages in file.)**

Price analysis. **(Include details of the analysis conducted in the file.)**

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FSS Best Value, FAR 8.404(b)(2) (i)-(vii), explain _____

Other _____

10. Professional Service Orders: Determination of Price Reasonableness for Individuals (Complete if applicable.)

a. Does the individual have a Social Security Number? Yes No

b. Is the individual's mailing address within the United States? Yes No

NOTE: If "No" is checked for either a. or b. above, a copy of the individual's Visa card must be attached with the file documentation prior to entering an order into the NIH Administrative Data Base System.

c. What is the Visa Class? _____ (e.g., B-1, J-1) refer to:
<http://www.nih.gov/fic/services/visatype.html>

(Reference guidelines prepared by the International Services Branch, Fogarty International Center.)

d. The individual is being paid the following: **(Check all that apply.)**

Honorarium: Honorarium is considered reasonable based on a comparison of the current hourly rate of a GS-15 employee and the NIH Manual Chapter 1130, Delegations of Authority, Acquisition No. 5, dated 12/13/99 establishing \$200 per day or less as the rate to be paid to consultants under professional service contracts, or

Fee for Service: A Fee for Service is given to those individuals or vendors that are normally paid an hourly rate or daily rate of pay for a specific service or task. The acquisition file for a Fee for Service PSO must contain a Statement of Work and a Cost Breakdown indicating not only the rates, but the number of hours/days estimated for the specific task, and how the government arrived at the Fee Amount to be paid to the individual (including per diem and travel costs).

Per Diem: Per Diem rates are considered reasonable based on the maximum subsistence rates for domestic travel set forth in the Federal Travel Regulations.

Travel & Transportation: Travel costs are considered reasonable based upon standard coach air fares, taxis, or limo rates and the maximum allowable mileage as determined by the current DHHS travel policy.

11. DCIS Reporting Requirements. (Reference "DCIS Manual, <http://dcis.hhs.gov/default.htm>")

Basic Award:

Completion of on line DCIS form (SF279) for awards exceeding \$25,000 (\$25,000.01 and above).

NOTE: This includes ALL awards, Open Market and FSS.

Copy of form **MUST** be placed in file.

Completion of the on line form not necessary.

Modification(s):

Completion of on line DCIS form (SF279) is required because the basic award value was over \$25,000 (even if the modification(s) decrease the cumulative award value to \$25,000 or less).

Copy of form **MUST** be placed in file.

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- Completion of on line form is not required because the basic award value was \$25,000 or less (even if the modification(s) increase the cumulative award value over \$25,000).

12. Purchase Order Statements and/or Attachments to the Purchase Order.

- a. Copies of the attachments must be included with the Purchase Order (**Check Applicable Items**)

Date Sent to Vendor _____.

Date filed in the official file _____.

- Statement of Work
- Purchase Order Terms and Conditions (Standard)
- Purchase Order Terms and Conditions (Commerical Items)
- Addendum to Terms and Conditions of Purchase Order
- Year 2000 Compliance
 - Year 2000 Warranty - Commerical
 - Year 2000 Warranty - Noncommerical
 - Year 2000 Compliance - Services
- License Agreement (Software, Maintenance, Other)
- NLM Rights in Data - Special Works
- Other _____

- b. Is this an Open Market Order?

Yes No (If checked "Yes", add the following statements to the Purchase Order and place copies of all the attachments in folder)

"See attached Purchase Order Terms and Conditions and Addendum" and/or
"See attached (*fill in information from* "Item 12a")"
(ex., See attached Statement of Work, Year 2000 Compliance, etc.)

- c. When a proposed contractor has added/included their own Terms and Conditions, the purchasing agent must add the following statement to the Purchase Order.

Agreement Number _____ and Purchase Order Number _____ are applicable.
This agreement and the purchase order are the complete and exclusive statements of the contract. If there is a conflict between the terms of the purchase order and the agreement, the terms of the purchase order shall prevail.

13. Decommitment of Obligated Funds if applicable.

Is the requirement being processed as one of the following Delegated Procurement actions?

YES (If Yes, check which one:) **NO, Explain** _____

- ROC (Record of Call)
- S-type order (Professional Service Order)
- SF44 (Cash Voucher)
- P-type order (Open Market Emergency Purchase Order)
- D-type order (Federal Supply Schedule Emergency Purchase Order)
- VISA Card
- VISA Check No. _____

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[] X-type order (Unauthorized commitment or covering order)

(If Yes, have you decommitted the obligation for the requirement within the "Market Requisition Review" screen of the NIH Administrative Data Base?)

14. Additional documentation, source selection rationale, other pertinent information, and comments.

15. Certification. To the best of my knowledge and belief, the information and documentation set forth in this file is both complete and accurate.

Signature of Contract Specialist/Purchasing Agent/Procurement Technician

Date

16. Modification Documentation:

CS/PA/PT Initials

MOD ONE (1) - Modification issued per request from _____ dated _____ by _____.

MOD TWO (2) - Modification issued per request from _____ dated _____ by _____.

MOD THREE (3) - Modification issued per request from _____ dated _____ by _____.

MOD FOUR (4) - Modification issued per request from _____ dated _____ by _____.