

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

DATE:					ORDERING OFFICIAL'S NAME:			REQ. NO:			PO NO:	
RFO# _____					VENDOR A			VENDOR B			VENDOR C	
EIN# _____												
VENDOR REP:												
VENDOR TEL/FAX NO:												
BUSINESS SIZE:												
F.O.B. POINT:												
PAYMENT DISCOUNT TERMS												
DELIVERY DATE:												
GSA/FSS CITE CONTRACT NUMBER, OTHER GOVERNMENT AGENCY CONTRACT NUMBER, OR BLANKET PURCHASE ORDER AGREEMENT NUMBER:												
ITEM DESCRIPTION		QTY	LIST PRICE	UNIT PRICE	TOTAL PRICE	LIST PRICE	UNIT PRICE	TOTAL PRICE	LIST PRICE	UNIT PRICE	TOTAL PRICE	
ORDER TOTAL:												

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

[illegible]

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). |

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

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 :

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

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

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.

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

☐ 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 NIH SBO.

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).

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.)**

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

- ☐ 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.

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

- ☐ 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. _____

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

[] 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 _____.