



Governing Authorities

STATE & FEDERAL PROCUREMENT CHECKLIST

Governing Authorities as defined by Section 31-7-1(b) of the Miss. Code Ann. must comply with state procurement law and certain federal procurement requirements.

This checklist does not include state law emergency procurement procedures. Emergencies require heightened review and additional documentation. Please contact your program manager **before conducting an emergency procurement, or any noncompetitive procurement under state or federal law.*

STATE REQUIREMENTS					
Section 1 - Type of Purchase		Yes	No	N/A	Notes
1(a)	Is this purchase for services? If yes, please follow "Section 2 – Services Procurement" below.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
1(b)	Is this purchase for commodities, equipment, or construction? If yes, please follow "Section 3 - Commodities, Equipment, and Construction Procurement" below.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Section 2 - Services Procurement (No State Requirements, Federal Requirements Listed Below)		Yes	No	N/A	Notes
2(i)	Micro-Purchases - Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold. Micro-purchases may be awarded without soliciting quotations if the non-Federal entity considers the price to be reasonable.				
2(i)(a)	For transactions that followed the micro-purchase procurement method, is the micro-purchase within the applicable threshold established at 48 CFR Subpart 2.1? [2 CFR 200.1 and 2 CFR 200.320(a)(1)]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Small Purchases - Small purchase procedures are those relatively simple and informal procurement methods for securing services, supplies, or other property that do not cost more than the Simplified Acquisition Threshold. If small purchase procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources. All necessary affirmative steps must be followed. Please refer to Federal Requirements, Section 2 below.				
	For transactions that followed the small purchase procurement method, can the non-Federal entity document that it obtained price or rate quotations from an adequate number of qualified sources and the purchase did not exceed the Simplified Acquisition Threshold? (Describe types of purchases and price or rate quotes received.)(Note: a minimum of two quotes is required; however, three quotes are recommended.) [2 CFR 200.320(a)(2)]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Sealed Bids - Bids are publicly solicited and a firm fixed price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming to all of the material terms and conditions of the invitation for bids, is the lowest in price.				
	Were bids solicited from an adequate number of known suppliers, providing them sufficient response time before the date set for opening the bids and, was the Invitation for Bids (IFB) publicly advertised? [2 CFR 200.320(b)(1)(ii)(A)]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

	<p>Does the IFB, including specifications and pertinent attachments, clearly define the items or services needed in order for the bidders to properly respond to the IFB? [2 CFR 200.320(b)(1)(ii)(B)]</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<p>Were all bids opened at the time and place stated in the IFB and, for local and tribal governments, were the bids opened publicly? [2 CFR 200.320(b)(1)(ii)(C)]</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<p>Was a firm, fixed-price contract awarded to the lowest responsive and responsible bidder, considering factors such as discounts, transportation cost, and life cycle costs? [2 CFR 200.320(b)(1)(ii)(D)]</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<p>If any bids were rejected, was there a sound documented reason? [2 CFR 200.320(b)(1)(ii)(E)]</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<p>Competitive Proposals - This procurement method is generally used when conditions are not appropriate for the use of sealed bids.</p>				
	<p>Did the non-Federal entity identify all evaluation factors and their relevant importance in the Request for Proposals (RFP), publicize the RFP and, to the maximum extent practicable, consider all responses to the RFP? [2 CFR 200.320(b)(2)(i)]</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<p>Were proposals solicited from an adequate number of qualified sources? [2 CFR 200.320(b)(2)(i)]</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<p>Did the non-Federal entity have a written method for conducting technical evaluations of the proposals received and for selecting recipients? [2 CFR 200.320(b)(2)(ii)]</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<p>Was the contract awarded to the responsible firm whose proposal was most advantageous to the program, with price and other factors considered? [CFR 200.320(b)(2)(iii)]</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<p>If price was not used as a selection factor, did the procurement: (1) consist of a qualification-based procurement of architectural/engineering professional services, (2) focus on evaluation of competitors' qualifications and selection of the most qualified competitor, and (3) include negotiation of fair and reasonable compensation? [2 CFR 200.320(b)(2)(iv)]</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<p>Noncompetitive Procurement - Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source. <u>PLEASE CONTACT YOUR PROGRAM MANAGER BEFORE CONDUCTING ANY NONCOMPETITIVE PROCUREMENT.</u> NOTE: 2 CFR 200.320(c)(4) is specifically excluded for ARPA and is not listed here for that purpose.</p>				
	<p>For each sample transaction that consisted of solicitation of a proposal from only one source, can the non-Federal entity show that one or more of the following circumstances apply:</p> <ul style="list-style-type: none"> • the acquisition of property or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold (see section 2(i), • the item was only available from a single source, • a public exigency or emergency for the requirement did not permit a delay resulting from competitive solicitation, or • after solicitation of a number of sources, competition was determined inadequate. <p>[2 CFR 200.320(c)]</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Section 3 - Commodities, Equipment, and Construction Procurement		Yes	No	N/A	Notes
Type of Purchase					
Purchases between \$0 and \$5,000					
3(i)(a)	Were entity operation procedures utilized, obtaining adequate and reasonable competition?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Purchases between \$5,000.01 and \$75,000					
3(ii)(a)	Were at least two (2) competitive written bids obtained? The term ""competitive written bid"" means a bid submitted on a bid form furnished by the buying agency or governing authority and signed by authorized personnel representing the vendor, or a bid submitted on a vendor's letterhead or identifiable bid form and signed by authorized personnel representing the vendor. ""Competitive"" shall mean that the bids are developed based upon comparable identification of the needs and are developed independently and without knowledge of other bids or prospective bids.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3(ii)(b)	Was the award given to the lowest and best bidder?				
3(ii)(c)	"Were bids for construction in excess of \$5,000 broken down by components to provide detail of component description and pricing? These details shall be submitted with the written bids and become part of the bid evaluation criteria."	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Note:	<i>Bids may be submitted by facsimile, electronic mail or other generally accepted method of information distribution. Bids submitted by electronic transmission shall not require the signature of the vendor's representative unless required by agencies or governing authorities.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Purchases Greater Than \$75,000 up to \$250,000¹					
	Publication				
3(iii)(a)	Were competitive bids advertised once each week for two (2) consecutive weeks in a regular newspaper published in the county or municipality in which such agency or governing authority is located?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3(iii)(b)	Was reverse auctioning used, as it is the primary method for receiving bids during the bidding process?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3(iii)(c)	If reverse auction was not used, was the procurement statutorily exempt or was the determination and alternative procurement method used approved by the PPRB?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

¹ Purchases in this Section 3 over \$250,000 must follow federal procurement requirements.

3(iii)(d)	<p>If the purchasing entity determined that a reverse auction is not in the best interest of the state, was the determination approved by the PPRB?</p> <p>Other types of bids may include, but are not limited to:</p> <ul style="list-style-type: none"> (i) bids sealed in envelope (ii) bids received electronically in a secure system, or (iii) bids received by any other method that promotes open competition and has been approved by the Office of Purchasing and Travel. <p>Note: Entities must provide a secure interactive system for receiving electronic bids. This option must be offered but cannot be required.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3(iii)(e)	Was the bid opening held at least seven (7) or more days after the last published notice?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3(iii)(f)	If the purchase involved a construction project in which the estimated cost is in excess of \$75,000, were the bids opened at least fifteen (15) days after the last notice was published? The notice for the purchase should be published once each week for two (2) consecutive weeks.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3(iii)(g)	Does the notice of intention to let contracts or purchase equipment state the time and place at which bids shall be received, list the contracts to be made or types of equipment or supplies to be purchased, and, if all plans and or specifications are not published, refer to the plans and or specifications on file?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Note:	<p><i>If there is no newspaper published in the county or municipality, then such notice shall be given by posting same at the courthouse, or for municipalities at the city hall, and at two (2) other public places in the county or municipality, and also by publication once each week for two (2) consecutive weeks in some newspaper having a general circulation in the county or municipality in the above-provided manner. On the same date that the notice is submitted to the newspaper for publication, the agency or governing authority involved shall mail written notice to, or provide electronic notification to the main office of the Mississippi Procurement Technical Assistance Program ("MPTAP") under the Mississippi Development Authority that contains the same information as that in the published notice.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Bidding Process Amendment Procedure					
Note:	If all plans and/or specifications are published in the notification, the plans and/or specifications may not be amended.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3(iv)(a)	<p>If all plans and/or specifications were not published in the notification and changes are planned to be made/were made, has the agency or governing authority maintained a list of all prospective bidders who are known to have received a copy of the bid documents and were all such prospective bidders sent copies of all amendments?</p> <p>Any amendments made shall be made via mail, facsimile, electronic mail, or other generally accepted method of information distribution.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Note:	No addendum to bid specifications may be issued within two (2) working days of the time established for the receipt of bids unless such addendum also amends the bid opening to a date not less than five (5) working days after the date of the addendum.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Specification Restrictions

3(v)(a)	Was the bid written as not to exclude comparable equipment of domestic manufacture?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3(v)(b)	If a brand specific procurement was necessary, were brand specific specifications authorized by the board of the governing authority and the justification placed on its minutes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3(v)(c)	If a construction contract, did the specifications include an allowance for commodities, equipment, furniture, construction materials or systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3(v)(d)	If yes, were the allowance items acquired by the vendor approved by the agency/governing authority?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Electronic Bids

3(vi)(a)	Did the purchasing entity allow for electronic bids in a secure interactive system?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
-----------------	---	--------------------------	--------------------------	--------------------------	--

Lowest and Best Bid Decision Procedure

3(vii)(a)	Did the entity determine the lowest and best bid by including freight and shipping charges? Were life-cycle costing, total cost bids, warranties, guaranteed buy-back provisions and other relevant provisions included in the best bid calculation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3(vii)(b)	Was any bid accepted other than the lowest bid submitted? If so, was the selection documented on the entity's minutes with a detailed calculation and narrative summary showing that the accepted bid was determined to be the lowest and best bid, including the dollar amount of the accepted bid and the dollar amount of the lowest bid? No governing authority shall accept a bid based on items not included in the specifications.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Alternate Bid Authorization

3(viii)(a)	Were all alternate bids accepted, if any, appropriately authorized in accordance with Section 31-7-13(f)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
-------------------	---	--------------------------	--------------------------	--------------------------	--

Construction Contract Change Authorization

3(ix)(a)	Were all construction contract change orders, if any, appropriately authorized in accordance with Section 31-7-13(g)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
-----------------	---	--------------------------	--------------------------	--------------------------	--

Exceptions from Bidding Requirements

3(x)(a)	<p>If the purchasing entity is claiming exemption from bidding requirements, did the purchasing entity confirm the purchase type is one of the exceptions to bid requirements under Section 31-7-13(m)?</p> <p><i>*Exceptions from bidding requirements are rarely authorized by federal law. An exemption in state law does not automatically mean it will be exempt from federal requirements. Please consult your program manager before conducting an exempt procurement.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
----------------	--	--------------------------	--------------------------	--------------------------	--

Term Contract Authorization

3(xi)(a)	Is the awarded contract for a term that expires before December 31, 2026?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3(xi)(b)	Does the awarded contract contain a price adjustment clause?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3(xi)(c)	If the awarded contract contains a price adjustment clause, was the cost index used in the price adjustment clause determined by the DFA?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3(xi)(d)	Do the bid proposal and contract documents utilizing a price adjustment clause contain the basis and method of adjusting unit prices for the change in cost of such commodities, equipment, and public construction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Purchase Law Violation Prohibition and Vendor Penalty

3(xii)(a)	Did the purchasing entity ensure the contract or purchase was not made for the purpose of circumventing the provisions of competitive bid requirements or submittals of invoices for amounts within those authorized for a contract or purchase where the actual value of the contract of commodity purchased exceeds the authorized amount?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
------------------	--	--------------------------	--------------------------	--------------------------	--

Construction Punch List Restriction

Note:	<i>The architect, engineer or other representative designated by the agency or governing authority that is contracting for public construction or renovation may prepare and submit to the contractor only one (1) preliminary punch list of items that do not meet the contract requirements at the time of substantial completion and one (1) final list immediately before final completion and final payment.</i>				
--------------	---	--	--	--	--

Procurement of Construction Services by State Institutions of Higher Learning

Note:	<i>Contracts for privately financed construction of auxiliary facilities on the campus of a state institution of higher learning may be awarded by the Board of Trustees of State Institutions of Higher Learning to the lowest and best bidder, where sealed bids are solicited, or to the offeror whose proposal is determined to represent the best value to the citizens of Mississippi, where requests for proposals are solicited.</i>				
--------------	--	--	--	--	--

Insurability of Bidders for Public Construction or Other Public Contracts

Note:	<i>In any solicitation for bids to perform public construction or other public contracts to which this section applies including, but not limited to, contracts for repair and maintenance, for which the contract will require insurance coverage in an amount of not less than One Million Dollars (\$1,000,000.00), bidders shall be permitted to either submit proof of current insurance coverage in the specified amount or demonstrate ability to obtain the required coverage amount of insurance if the contract is awarded to the bidder. Proof of insurance coverage shall be submitted within five (5) business days from bid acceptance.</i>				
--------------	---	--	--	--	--

Purchase Authorization Clarification

Note:	<i>Nothing in this section shall be construed as authorizing any purchase not authorized by law.</i>				
--------------	--	--	--	--	--

FEDERAL REQUIREMENTS

Section 1 – General Provisions/Procedures		Yes	No	N/A	Notes
1(i)	Does the non-Federal entity have its own documented procurement procedures, which reflect State, local, and tribal laws and regulations (as applicable), and conform to the requirements of 2 CFR part 200?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

	[2 CFR 200.318(a)]				
1(ii)	Can the non-Federal entity demonstrate that it maintains oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders? Generally there would be a violation of this requirement as a result of noncompliance with other requirements. The non-Federal entity should have procedures in place to review invoices, track progress with contract deliverables in relation to contract timelines, etc. in order to show oversight of the work performed. [2 CFR 200.318(b)]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
1(iii)	Does the non-Federal entity have written standards of conduct covering conflicts of interest and governing the actions of its employees, officers, or agents engaged in the selection, award and administration of contracts supported by grant funds? [2 CFR 200.318(c)(1)]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
1(iv)	If the non-Federal entity has a parent, affiliate, or subsidiary organization that is not a state, local government, or Indian tribe, does the non-Federal entity maintain written standards of conduct covering organizational conflicts of interest? [2 CFR 200.318(c)(2)]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
1(v)	Do the records for each sample transaction show that the non-Federal entity took adequate steps to ensure the award was made to a contractor that was responsible and able to perform successfully under the terms and conditions of the procurement, including considering such matters as the contractor's integrity, compliance with public policy, record of past performance, and financial and technical resources? [2 CFR 200.318(h)]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
1(vi)	If the non-Federal entity uses prequalified lists, are such lists current, do they include an adequate number of qualified sources to ensure maximum open and free competition, AND are the lists used in a way that allows non-listed bidders to compete during the solicitation period? [2 CFR 200.319(e)]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
1(vii)	For the procurement transactions selected for review, is there documentation sufficient to detail the procurement history, including, but not limited to: [2 CFR 200.318(i)]				
1(vii)(a)	a. The rationale for the method of procurement?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
1(vii)(b)	b. The selection of contract type?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
1(vii)(c)	c. Contractor selection or rejection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
1(vii)(d)	d. The basis for the cost or price of the contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
1(viii)	Were there any protests, disputes, claims, etc. related to the procurement that have not been settled? [2 CFR 200.318(k)]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	"Does the non-Federal entity conduct procurement transactions in a manner providing full and open competition? NOTE: In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements. Some of the situations considered to be restrictive of competition include, but are not limited to:				

<p>1(ix)</p>	<p>(1) Placing unreasonable requirements on firms in order for them to qualify to do business; (2) Requiring unnecessary experience and excessive bonding; (3) Noncompetitive pricing practices between firms or between affiliated companies; (4) Noncompetitive contracts to consultants that are on retainer contracts; (5) Organizational conflicts of interest; (6) Specifying only a "brand name" product instead of allowing "an equal" product to be offered and describing the performance or other relevant requirements of the procurement; and (7) Any arbitrary action in the procurement process.</p> <p>[2 CFR 200.319(a) & (b)]</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>1(x)</p>	<p>If a statutorily or administratively imposed state, local or tribal geographical preference was used in the selection process, did one of the following apply</p> <ul style="list-style-type: none"> • State licensing law made the preference necessary; • An applicable Federal statute expressly required or encouraged the geographic preference; or • The procurement was for architectural and engineering professional services and the application of geographic location as a selection factor left an appropriate number of qualified firms (given the nature and size of the project) to compete for the contract. <p>[2 CFR 200.319(c)]</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>1(xi)</p>	<p>Does the non-Federal entity have written procedures for procurement transactions which include requiring the following in all solicitations:</p>				
<p>1(xi)(a)</p>	<p>a. Clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description must not, in competitive procurements, contain features which unduly restrict competition. When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a "brand name or equivalent" description may be used as a means to define the performance or other salient requirements of procurement.</p> <p>[2 CFR 200.319(d)(1)]</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>1(xi)(b)</p>	<p>b. Identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.</p> <p>[2 CFR 200.319(d)(2)]</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>1(xi)(c)</p>	<p>c. Were the requirements in a. and b. above included in the solicitations?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>Section 2 - Contracting with Small & Minority Firms, Women's Business Enterprises & Labor Surplus Area Firms - Required for Commodity/Equipment/Construction Purchases Above \$5,000 and Services Procurements Above \$10,000</p>		<p>Yes</p>	<p>No</p>	<p>N/A</p>	<p>Notes</p>
<p>2</p>	<p>Does the non-Federal entity take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible, including:</p>				

2(a)	<p>a. Placing qualified small and minority businesses and women's business enterprises on solicitation lists?</p> <p>[2 CFR 200.321(a); 2 CFR 200.321(b)(1)]</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2(b)	<p>b. Assuring that such businesses are solicited whenever they are potential sources?</p> <p>[2 CFR 200.321(a); 2 CFR 200.321(b)(2)]</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2(c)	<p>c. Dividing procurement requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by such businesses?</p> <p>[2 CFR 200.321(a); 2 CFR 200.321(b)(3)]</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2(d)	<p>d. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises?</p> <p>[2 CFR 200.321(a); 2 CFR 200.321(b)(4)]</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2(e)	<p>e. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce?</p> <p>[2 CFR 200.321(a); 2 CFR 200.321(b)(5)]</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2(f)	<p>f. Requiring prime contractors, when subcontracts are let, to take the affirmative steps listed in 2 CFR 200.321(b) (1) through (5) to select small, minority-owned and women-owned businesses in grant-funded contracts?</p> <p>[2 CFR 200.321(a); 2 CFR 200.321(b)(6)]</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Section 3 - Domestic Preference		Yes	No	N/A	Notes
3	<p>Did the Non-Federal Entity provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products).</p> <p>[2 CFR 200.322]</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Section 4 - Recovered Materials		Yes	No	N/A	Notes

4	As provided at 2 CFR 200.323, a non-Federal entity that is a state agency or agency of a political subdivision of a state and its contractors must comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired during the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	If the non-Federal entity is a state agency or an agency of a political subdivision of a state, do the non-Federal entity's procurement procedures include a process for ensuring compliance with the requirements of this provision on recovered materials? [2 CFR 200.323]				
Section 4 – Contract Cost and Price		Yes	No	N/A	Notes
4(i)	"Do the non-Federal entity's policies and procedures require an independent cost estimate prior to receiving bids or proposals for every procurement action in excess of the Simplified Acquisition Threshold? [2 CFR 200.324(a)]"	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4(ii)	"For each sample transaction, is there evidence within the solicitations sampled that the non-Federal entity performed an independent cost estimate prior to receiving bids or proposals? [2 CFR 200.324(a)]"	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4(iii)	"For all sealed bids, competitive proposals, or contract modifications above the Simplified Acquisition Threshold, was a cost or price analysis completed to ensure price and/or cost were considered reasonable? Note: In most instances, this requires a separate analysis done outside of establishing an Independent Cost Estimate (ICE) as outlined in 6(ii) above but in conjunction with reviewing a proposer's price or cost in relation to the ICE (e.g., Bid Tabulations, Cost Certification Sheets on hourly rates, etc). [2 CFR 200.324(a-c)] "	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4(iv)	"Was a ""cost plus a percentage of cost"" or ""percentage of construction cost"" pricing used for the contract? This type of contract is generally not allowed. [2 CFR 200.324(d)]"	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Section 5 – Bonding Requirement		Yes	No	N/A	Notes
5	"If contracts have been awarded for construction or facility improvements that exceed the Simplified Acquisition Threshold, does the non-Federal entity meet the minimum Federal requirements for bid guarantees, performance bonds and payment bonds in 2 CFR 200.326 (or, alternatively, the bonding requirements of the recipient or subrecipient) if HUD or the pass-through entity has determined the Federal interest is adequately protected? [2 CFR 200.326]"	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	7(i)
Section 6 - Contract Provisions		Yes	No	N/A	Notes

6

For each of its procurement contracts, can the non-Federal entity document that it reviewed the applicability of the provisions described in Appendix II to Part 200—Contract Provisions for non-Federal Entity Contracts Under Federal Awards (and noted briefly below) and included the applicable provisions in the contract?

- a. Remedies for violation or breach of contract terms?
- b. Termination for cause and termination for convenience provisions?
- c. Equal Employment Opportunity?
- d. Davis-Bacon Act and Copeland “Anti-Kickback” Act?
- e. Contract Work Hours and Safety Standards Act?
- f. Rights to Inventions Made Under a Contract or Agreement?
- g. Clean Air Act and Federal Water Pollution Control Act?
- h. Debarment and Suspension?
- i. Byrd Anti-Lobbying Amendment?
- j. Procurement of Recovered Materials?

[2 CFR 200.327]