



PROCUREMENT CHECKLIST

Project Title:

Project Number:

Project Description:

DOCUMENT YOUR FILE OR BE PREPARED TO DEMONSTRATE THE FOLLOWING:

SOLICITATION	PRE-12/1/2014	POST-12/1/2014
Is the solicitation (Request for Proposals [RFP] or Request for Qualifications [RFQ]) included in your file?	2 CFR 215.44(e) 44 CFR 13.36(c)(3)(i)	2 CFR 200.319(c)(1)
Were prospective respondents allowed sufficient time to respond?	44 CFR 13.36(d)(2)	2 CFR 200.320(c)(2)
Does solicitation contain a clear and accurate description of the technical requirements for the material, product or services and scope of work (SOW)?	2 CFR 215.44(a)(3)(i) 44 CFR 3.36(c)(3)(i)	2 CFR 200.319(c)(1)
Specifications may not contain features that unduly restrict competition.	2 CFR 215.43 44 CFR 13.36(c)(3)(i)	2 CFR 200.319(c)(1)
Are there unreasonable requirements or unnecessary experience or excessive bonding requirements?	44 CFR 13.36(c)(1)	2 CFR 200.319(a)
Are there any "brand name" products specified without also listing "or equivalent"?	44 CFR 13.36(c)(3)(i)	2 CFR 200.319(c)(1)

DOES THE SOLICITATION FILE EVIDENCE THE FOLLOWING:

Positive efforts in hiring small-business, minority-owned business or women-owned business enterprises to the extent practical?	2 CFR 215.44(b)(1) 44 CFR 13.36(e)	2 CFR 200.321
Positive efforts in the utilization of labor surplus firms?	44 CFR 13.36(e)	2 CFR 200.321
If your prime contractor has decided to use a subcontractor, did they take the above affirmative steps?		2 CFR 200.321(b)(6)
Is the publication (advertisement, invitation to bid, etc.) included in your file?	44 CFR 13.36(d)(2)	2 CFR 200.320(c)
Is a record of respondents that were rejected as not responsible or not responsive and rejection reasoning included in your file?	2 CFR 215.44(d) 44 CFR 13.36(b)(8)	2 CFR 200.318(i)
Are there an adequate number of responses documented in the file (2 or more for large purchases and 3 for small purchases)? Keep records of proposals in your file.	2 CFR 215.43 44 CFR 13.36(d)(2)(i) 44 CFR 13.36(d)(3)	2 CFR 200.320(c)(1) 2 CFR 200.300(d) 2 CFR 200.320(d)
Are copies of all proposals, to include methodology of evaluation and selection process (bid summary, tabulation sheet, scoring sheet) included in your file?	2 CFR 215.44 44 CFR 13.36(d)(3)	2 CFR 200.320(d)



TEXAS DPS Division of Emergency Management

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METHOD OF PROCUREMENT		PRE-12/1/2014	POST-12/1/2014
	Procurement by micro purchase. (less than \$3,000)		2 CFR 200.320(a))
	Procurement by small purchase. (less than or equal to \$100,000/\$150,000)	2 CFR 215.44(2)s 44CFR13.36(d)(2)(ii)	2 CFR 200.320(b)
	Procurement by sealed bids (preferred method for construction contracts). Contract awarded to the lowest responsive, responsible bidder with a firm-fixed price contract (lump sum or unit price).	44 CFR 3.36(d)(2)(ii)	2 CFR 00.320(c)(2)
	Procurement by competitive proposals.	44 CFR 13.36(d)(3)	2 CFR 200.320(d)
	If solicitation was for other than "Architectural and Engineering (A/E) professional services", was price included as a selection criteria?	44 CFR 13.36(d)(3)(v)	2 CFR 200.320(d) req only for A/E
	If solicitation was for A/E services, is a cost analysis included in your file? (see Cost Analysis Required section)	44 CFR 13.36(d)(3)(v)	2 CFR 200.320(d)
	Does the solicitation clearly outline the scoring criteria and associated weights used for selection?	2 CFR 215.44(a)(3)(ii) 44 CFR 13.36(d)(3)(i) 44 CFR 13.36(c)(3)(ii)	2 CFR 200.320(d)
	Procurement by noncompetitive proposals.	44 CFR 13.36(d)(4)	2 CFR 200.320(f)
	Is there a justification for the use of this method of procurement included in your file?	2 CFR 215.46(b) 44 CFR 13.36(d)(4)	2 CFR 200.318(i) 2 CFR 200.320(f)
	Are intergovernmental agreements and Federal surplus property (if applicable) included in your file?	44 CFR 13.36(b)(5)	2 CFR 200.318(e)
BONDING REQUIREMENTS		PRE-12/1/2014	POST-12/1/2014
	Is this a construction or facilities improvement contract that exceeds small purchase threshold? If so:	2 CFR 215.48 44 CF13.36(h)	2 CFR 200.325
	• Did the bid response include a 5% bid bond?	2 CFR 215.48(c)(1) 44 CFR 13.36(h)(1)	2 CFR 200.325(a)
	• Did the winning contractor execute a performance bond for 100% of the contract?	2 CFR 215.48(c)(3) 44 CFR 13.36(h)(3)	2 CFR 00.23513.36
	• Did the winning contractor execute a payment bond for 100% of the contract?	2 CFR 215.48(c)(3) 44 CFR 13.36(h)(3)	2 CFR 200.325(c)
COST ANALYSIS REQUIRED		PRE-12/1/2014	POST-12/1/2014
	Were A/E or other professional services procured?	2 CFR 215.45 44 CFR 13.36(f)	2 CFR 200.323(a)
	Is the contract a noncompetitive proposal?	2 CFR 215.45 44 CFR 13.36(d)(4)	2 CFR 200.323(a)
	Did the contract statement of work change? Are there change orders?	2 CFR 215.45 44 CFR 13.36(f)	2 CFR 200.323(a)



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REQUIRED CONTRACT PROVISIONS	PRE-12/1/2014	POST-12/1/2014
Does the contract (greater than small purchase threshold) contain a provision for administrative and legal remedies for violation or breach of contract?	2 CFR 215.48(a) 44 CFR 13.36(i)(1)	2 CFR 200 A II (a)
Does the contract (greater than \$10,000) contain a provision for termination of contract for cause and for convenience?	2 CFR 215.48(b) 44 CFR 13.36(i)(2)	2 CFR 200 A II (b)
Does the contract contain a provision to comply with Executive Order (EO) 11246, Equal Employment Opportunity (EEO)?	2 CFR 215 44 CFR 13.36(i)(3)	2 CFR 200 A II (c)
Does the contract (applies to all construction or repair contracts greater than \$10,000) contain a provision to comply with the Copeland Anti-Kickback Act?	2 CFR 215 A(2) 44 CFR 13.36(i)(4)	2 CFR 200 A II (d)
Compliance with the Davis-Bacon Act: There is NO REQUIREMENT for such compliance with the FEMA Public Assistance (PA) or Hazard Mitigation (HM) programs.	Public Assistance Guide FEMA 322/June 2007 page 44	2 CFR 200 A II (d)
Is the contract required to comply with Sections 103 and 107 of the Contract Work Hours and Safety Standards Act?	2 CFR 215 A(4) 44 CFR 13.36(i)(6)	2 CFR 200 A II (e)
Does the contract include a provision stating the Subrecipient (Applicant) has a responsibility to include required reports (i.e. program performance, financial and progress reports)?	2 CFR 215.50 44 CFR 13.36(i)(7)	2 CFR 200.327-329
Does the contract (applies to contracts, subcontracts and grants greater than small purchase threshold) contain a provision to comply with Section 306 of the Clean Air Act, Section 508 of the Clean Water Act, Executive Order 11738 and Environmental Protection Act (EPA) regulations, 40 CFR 15?	2 CFR 215 A(6) 44 CFR 13.36(i)(12)	2 CFR 200 A II (g)
Does the contract certify that the contractor has complied with the Byrd Anti Lobbying Amendment?	2 CFR 215 A(7)	2 CFR 200 A II (j)
Does the contract contain a provision stating record retention and access requirements to all records?	2 CFR 215.53 44 CFR 13.36(i) 11)	2 CFR 200.333
Does the contract contain a provision that the contractor agrees to comply with mandatory energy efficiency standards and policies contained within the State Energy Conservation Plan?	44 CFR 13.36(i)(13)	2 CFR 200 A II (h)