

# Federally Funded Purchase Checklist

For federally funded purchases of goods and services above \$25,000

Based on Uniform Guidance ("UG") requirements in 2 CFR Part 200.318-200.326

When the item is complete, check the box indicating its completion and your certification of compliance with the statement. Include any additional documentation as an attachment. **\*If item is not applicable, do not check the box.**

Contact Person:	
Phone:	
Department:	

Date:	
Supplier:	
Amount:	

## Requirements for Competition above \$25,000:

- ☐ I have reviewed the additional guidance from the Uniform Guidance for purchases at any dollar level on page 2 of this checklist.
- ☐ 200.213 Supplier is not debarred, suspended or otherwise excluded from federal assistance programs or activities. Search can be conducted on [www.sam.gov](http://www.sam.gov). Attach a copy of the search results.
- ☐ UG 200.318 (j) (1) & (2) If a time and materials contract is used, it was determined that no other contract type was suitable and the contract specifies a "not-to-exceed" ceiling price that the contractor exceeds at its own risk.
- ☐ 200.319 (a) Suppliers that developed or drafted requirements for the purchase were excluded from competition. Does not apply for single source.
- ☐ 200.319 (a) (5) An organizational conflict of interest does not exist.
- ☐ 200.319 (a) (6) Brand name ONLY was not used to describe the requirements. Does not apply for single source.
- ☐ UG 200.319 (b) Geographical preferences were not used.
- ☐ UG 200.320 (f) If a noncompetitive proposal, which circumstance applied:  
☐ **Single Source** ☐ **Emergency** ☐ **Express authorization from awarding agency** ☐ **Inadequate competition**
- ☐ UG 200.324 If applicable, the federal awarding agency or pass-through has reviewed the specifications before solicitation.

## Procurement Services Internal Use Only:

- ☐ 200.319 (a) Procurement transaction was conducted in a manner providing full and open competition or a non-competitive proposal.
- ☐ 200.319 (a) (1) Unreasonable requirements were not placed on the firm in order for them to qualify.
- ☐ 200.319 (a) (2) Unnecessary experience and excessive bonding was not required.
- ☐ 200.319 (a) (3) Noncompetitive pricing practices between firms or affiliated companies are not apparent.
- ☐ 200.319 (a) (4) This is not a noncompetitive contract issued to a consultant on a retainer contracts.
- ☐ 200.319 (a) (7) There was no arbitrary action in the procurement process.

## Additional Requirements for Competition above \$250,000 (\$150,000 for federal contract awards):

The following are required in addition to the previously identified requirements for competition above \$25,000.

- ☐ UG 200.323 (a) A cost or price analysis was performed.
- ☐ UG 200.323 (a) An independent estimate was made before receiving bids or proposals. (Must be independent of any competing suppliers. Can be historical pricing, consultant provided pricing, or a price estimated by OSU staff.)
- ☐ UG 200.323 (b) For non-competitive procurement, profit was negotiated as a separate element of the price.
- ☐ UG 200.323 (c) Costs or prices are not based on estimated costs for contracts.

## Procurement Services Internal Use Only:

- ☐ Procurement conducted a formal solicitation or a noncompetitive proposal applied.
- ☐ 200.320 (c) In the case of a sealed Invitation to Bid, a Firm Fixed Price contract was awarded to the lowest responsive responsible bidder.



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*Based on Uniform Guidance ("UG") requirements in 2 CFR Part 200.318-200.326*

*The following is general guidance provided in the UG for purchases using federal funds at any dollar level. Please make sure to review and apply this guidance as you move forward with federally funded purchases.*

- UG 200.318 (b) Maintain oversight to ensure contractors perform in accordance with contract terms, conditions and specifications.
- UG 200.318 (c) (1) No employee, officer or agent may participate in the selection, award or administration of a contract if they have a real or apparent conflict of interest.
- UG 200.318 (c) (1) Officers, employees, and agents may neither solicit nor accept gratuities, favors or anything of monetary value from contractors or parties to subcontracts. However, non-federal entity may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. A nominal value has been set in Oregon Revised Statute 244 Ethics for Public Officials. All OSU employees must follow OSU's ethics standards, PaCS policies on ethics and Oregon Revised Statute 244 Ethics for Public Officials.
- UG 200.318 (d) Avoid purchasing unnecessary or duplicative items.
- UG 200.318 (d) Conduct an analysis of lease versus purchase alternatives, if appropriate, and any other analysis to determine the most economical approach.
- UG 200.318 (e) When appropriate, use cooperative agreements for procurement of common or shared goods and services.
- UG 200.318 (f) Use excess or surplus property in lieu of purchasing new equipment or property when feasible.
- UG 200.318 (h) Purchase from responsible contractors that have the ability to perform all requirements of the procurement successfully.
- UG 200.318 (i) Maintain sufficient records to detail the purchase history. Include but not limited to: rationale for method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.
- UG 200.318 (j) (1) & (2) If a time and materials contract is used, it was determined that no other contract type was suitable and the contract specifies a "not-to-exceed" ceiling price that the contractor exceeds at its own risk. The department will provide a high degree of oversight for assurance that the contractor is using efficient methods and effective cost controls.
- UG 200.318 (k) OSU is responsible for settlement of contractual and administrative issues arising from procurements.
- UG 200.321 Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms.
  - (a) The non-Federal entity must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.
  - (b) Affirmative steps must include: (1) Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
  - (2) Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
  - (3) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
  - (4) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
  - (5) 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; and
  - (6) Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (1) through (5) of this section.