

6007-1 Deadline Dates for Procurement Requests

A. Purpose: This manual chapter provides information and establishes the deadline dates for submitting on-line Market Requisitions (RQMs) and other authorized funding documents to the Division of Station Support Acquisition, within the Office of Logistics and Acquisition Operations for awards in the current fiscal year and the first quarter of FY2005.

B. Background: In order to accommodate our procurement workload and reflect emphasis on quality and compliance with established contracting policy and procedures, deadline dates are established to allow for the accomplishment of many key procurement actions including: (1) various clearances and/or specifications for competitive acquisitions; (2) synopsis requirements; (3) development of legally and technically sufficient procurement documents; and (4) completion of required presolicitation and preaward reviews.

C. References

1. Federal Acquisition Regulation (FAR), Part 7
2. Federal Acquisition Regulation (FAR), Part 13.5
3. Health and Human Services Regulation (HHSAR), 307.71
4. HHSAR 307.1, 307.3, and 307.70
5. http://www3.od.nih.gov/ocm/contracts/documents_forms.htm

D. Policy: ON-LINE MARKET REQUISITIONS (RQMs) AND OTHER AUTHORIZED FUNDING DOCUMENTS, INCLUDING ANY REQUIRED CLEARANCES AND/OR JUSTIFICATIONS, MUST BE RECEIVED IN THE DIVISION OF STATION SUPPORT ACQUISITION NO LATER THAN THE SPECIFIED DEADLINE DATES FOR SPECIFIC EQUIPMENT, SUPPLIES OR SERVICES. FOR EACH ACQUISITION IN EXCESS OF \$100,000, A REQUEST FOR CONTRACT (RFC) IS REQUIRED, INCLUDING DOCUMENTATION SUCH AS AN INDEPENDENT GOVERNMENT COST ESTIMATE, STATEMENT OF WORK (SOW), AND EVALUATION CRITERIA.

On-line Market Requisitions (RQMs) and other authorized funding documents received without the necessary supporting documentation can unnecessarily delay award of the requirement. Although submission of requirements by the applicable deadline dates should result in award by the end of the fiscal year, the earliest possible submission of requirements is encouraged and recommended.

E. Procurement Administrative Lead Times (PALTs): [Appendix 1](#) sets forth average procurement administrative lead times (PALTs) for six broad classes of new contract actions. These PALTs reflect the average number of calendar days, from receipt of a **complete** Request for Contract (RFC), required by the Division of Station Support Acquisition to make award of a contract. Requesters are encouraged to make use of these PALTs in planning for new contract requirements as well as contract renewals.

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It is important to contact the Division of Station Support Acquisition, Office of Logistics and Acquisition Operations well in advance of finalization of your acquisition request, so that the Contracting Officer may assist in determining the appropriate contracting method. (See [Appendix 3](#))

Requesters should bear in mind that these PALTs represent average processing times and do not account for extraordinary problems, which may arise on certain contract actions.

Proper and timely requests will enable the Office of Logistics and Acquisition Operations to better serve your needs and also minimize the lapsing of funds at the end of the fiscal year.

F. Procurement Deadline Dates: The deadline dates specified in [Appendix 2](#) set forth the deadline dates for receipt of all RQMs and other funding documents for both contract actions and simplified acquisitions, including all necessary clearances and supporting documentation for awards in the current fiscal year and the first quarter of FY2005. Appendix 2 is updated and distributed annually during the first quarter of each new Fiscal Year.

G. Additional Information: For further information on this manual chapter, contact the Division of Acquisition Programs staff on 301-496-6071. For information concerning a specific deadline date, contact the Director, Division of Station Support Acquisition.

(See Appendix 3 for a listing of the contact points for the Division Station Support Acquisition).

H. Records Retention and Disposal: All records (e-mail and non-e-mail) pertaining to this chapter must be retained and disposed of under the authority of [NIH Manual 1743](#), Keeping and Destroying Records, Appendix 1, NIH Records Control Schedule, Item 2600-A-4, Routine Procurement Files and Item 1100-M-1, Administrative files.

NIH e-mail messages (messages, including attachments, that are created on NIH computer systems or transmitted over NIH networks) that are evidence of the activities of the agency or have informational value are considered Federal records. These records must be maintained in accordance with current NIH Records Management guidelines. If necessary, back-up file capability should be created for this purpose. Contact your IC Records Officer for additional information.

All e-mail messages are considered Government property, and, if requested for a legitimate Government purpose, must be provided to the requester, employees', supervisors', NIH staff conducting official reviews or investigations, and the Office of Inspector General may request access to or copies of the e-mail messages. E-mail messages must also be provided to Congressional oversight committees if requested and are subject to Freedom of Information Act requests.

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Since most e-mail systems have back-up files that are retained for significant periods of time, e-mail messages and attachments are likely to be retrievable from a back-up file after they have been deleted from an individual's computer. The back-up files are subject to the same requests as the original messages.

I. Management Controls: The purpose of this manual issuance is to provide information and deadline dates for submitting on-line Market Requisitions (RQMs) and other authorized funding documents to the Division of Station Support Acquisition for awards in the current fiscal year and the first quarter of FY2005. The Office of Logistics and Acquisition Operations will update this issuance annually with current deadline dates, to ensure that appropriate documentation is provided by the Ordering Offices in sufficient time to allow for the timely award of contracts or the processing of purchase orders.

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APPENDIX 1: Procurement Administrative Lead Times (PALTs)

TYPE OF CONTRACT ACTION BY OLAO

A. Sealed Bid Contracts:

<u>Dollar Value</u>	<u>PALT</u>
Under \$500,000	75 days ¹
\$500,000 & greater	105 days

1. Sealed bidding procedures are appropriate to obtain supplies and services. Contracting officers shall solicit sealed bids when;
 - a. time permits the solicitation, submission, and evaluation of sealed bids;
 - b. the award will be made on the basis of price and other price-related factors;
 - c. it is not necessary to conduct discussions with the responding offerors about their bids; and
 - d. there is a reasonable expectation of receiving more than one sealed bid
2. Examples of typical items acquired through the use of sealed bidding procedures include:
 - a. Medical, laboratory, and scientific equipment such as ultrasound systems, synthesizers, and X-ray systems.
 - b. Laboratory and medical supplies such as chemicals, surgical instruments, drugs, animal food and bedding, and isotopes.
 - c. Administrative, maintenance, medical and laboratory services such as elevator repairs, warehousing, delivery services, and laboratory testing.
3. Sealed bidding procedures are inappropriate for use when:
 - a. discussions with offerors are necessary;
 - b. the requirement is available only from a single source, or the specification contains restrictions which would limit the number of bidders; and
 - c. factors other than price are necessary in selection of the awardee.

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B. Commercial Acquisitions:

1. For each negotiated acquisition over \$100,000 a Request for Contract (RFC) is required, including documentation such as an independent government cost estimate, statement of work (SOW), and evaluation criteria. A “commercial item” means any item or service other than real property, that is of a type customarily used for nongovernmental purposes and that (1) has been sold, leased, or licensed to the general public; or (2) has been offered for sale, lease, or license to the general public. See FAR Part 2.101.

<u>Dollar Value</u>	<u>PALT</u>
Over \$100,000	76 days ¹
\$100,000 to \$5,000,000	90 days
Over \$5,000,000	120 days

C. Negotiated Non-Commercial Competitive Contracts:

<u>Dollar Value</u>	<u>PALT</u>
Under \$500,000	120 days ¹
\$500,000 and greater	150 days

1. When the requirement does not meet the conditions described above for use of sealed bidding procedures, competitive negotiation procedures may be used. This involves the solicitation of price and/or technical proposals from competing firms, with the opportunity to engage in written or oral discussions prior to selection of the awardee. These procedures are typically utilized in the acquisition of complex equipment and services such as:

- a. equipment - NMR spectrometer, X-ray imager, hot cells; and
- b. services - chemical and radioactive waste management, animal care, software design, transcription services, equipment maintenance, blood sample testing.

D. Negotiated Non-Competitive Contracts (Commercial and Non-Commercial):

<u>Dollar Value</u>	<u>PALT</u>
Under \$500,000	120 days ¹
\$500,000 and greater	150 days

- 1. Negotiated non-competitive procedures apply to those requirements which fall under one of seven statutory authorities permitting contracting through other than sealed bidding or negotiated competitive procedures. The two most commonly used exceptions are:

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- a. Only one responsible source and no other supplies or services will satisfy agency requirements (i.e. sole source); and
 - b. Unusual and compelling urgency.
2. A written Justification for Other Than Full and Open Competition (JOFOC) must be submitted with the RFC package to support an exception based upon either of these exceptions.
- a. For sole source requirements, for non commercial items, a notice of intent to negotiate a sole source contract is published in the FedBizOpps for a period of 45 calendar days.

Sole source acquisitions for commercial items may be advertised in the FedBizOpps for a reasonable time period. The use of Note 22 is not required; however a statement similar to Note 22 should be incorporated into the FedBizOpps Notice. (See JOFOC Desk Guide) http://www3.od.nih.gov/ocm/contracts/PDF/JDG2_99.pdf.

Additionally, when citing unusual and compelling urgency, the Contracting Officer is required to solicit offers from as many potential sources as is practicable under the circumstances.

3. Sole source acquisitions under the 8(a) program for disadvantaged small business firms falls under an exemption authorized by statute. No JOFOC or notice of intent is required in processing this type of acquisition.
4. The FedBizOpps notice has been waived for simplified acquisitions (\$25,000 through \$100,000) under certain circumstances. See (<http://sbo.od.nih.gov>) for details or contact Diana Mukitarian at 301-496-9639 to determine if applicable. Go to left frame and click on “Program Notes” button. In main frame, click on “Class Waiver of Synopsis—FAR 5.2”.

^[1] All PALTs are the average number of calendar days prior to the end of the fiscal year for the ICs to submit a complete and adequate Request for Contract (RFC).

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APPENDIX 2: Procurement Deadline Dates for Contracts and Simplified Acquisitions

EQUIPMENT, SUPPLIES AND SERVICES

1. GENERAL EQUIPMENT, SUPPLY, AND/OR SERVICE PROCUREMENT ACTIONS

	<u>Dollar Value</u>	<u>Deadline</u>
a. Equipment, Supplies & Services (Open Market)	\$500,000 & greater	(See PALT) Competitive 06/07/04 Sealed Bid, Commercial Acquisition or Sole Source 06/28/04
b. Equipment, Supplies & Services (Open Market)	>\$100,000 - \$500,000	(See PALT) Competitive 06/07/04
c. Equipment, Supplies & Services (Open Market)	>\$25,000 - \$100,000	09/07/04
d. Equipment, Supplies & Services (Open Market)	>\$10,000 - \$25,000	09/13/04
e. Equipment, Supplies & Services (Open Market)	>\$2,500 - \$10,000	09/13/04
f. Equipment, Supplies & Services (FSS)	>\$2,500 – MOL	09/13/04
g. Equipment, Supplies & Services (Open Market & FSS)	\$2,500 or less	09/27/04
h. Equipment, Supplies & Services (other Govt Agency) (e.g. UNICOR, GPO & etc)	ALL	09/08/04
i. FEDSTRIP Orders	ALL	09/13/04

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2. DECENTRALIZED (DELPRO ACTIONS)

<u>Dollar Value</u>	<u>Deadline</u>
ALL	09/27/04

3. PURCHASE ORDER-VOUCHER-INVOICE (SF-44)

<u>Dollar Value</u>	<u>Deadline</u>
\$0 - \$1,500	09/27/04
\$1,500 - \$2,500	09/27/04**

****NOTE: For requirements over \$1,500, contact one of the following OLAO Warranted Contracting Officers:**

- (1) Laurie Weker, 6011/549E1, 301-496-6071
- (2) William Kelley, 6011/501A, 301-435-3652

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4. NIH STOCK REQUIREMENT

<u>Dollar Value</u>	<u>Deadline</u>
ALL	09/27/04

5. RENTAL/MAINTENANCE RENEWALS & NEXT FISCAL YEAR REQUIREMENTS

	<u>Dollar Value</u>	<u>Deadline</u>
a. Rental/Maintenance Renewals or Other Open Market procurements requiring an early FY05 effective date	Over \$100,000	(See PALT) and See Below*
b. Rental/Maintenance Renewals, Deposit Accounts & Standing Orders for 10/1 effective date (Open Market & FSS)	\$100,000 or Less	See Below*

***As soon as the ADB will accept RQMs with the new FY CAN (usually on or about mid-August).**

See [Section D](#), policy for guidance on submitting requirements for contracts and simplified acquisitions. For assistance in the preparation of required supporting documents (e.g. source identification, purchase descriptions, specifications, JOFOCs, SOWs, Waivers, etc), contact Bill Brown, Acquisition Planning and Specifications Branch on 301-496-4814 or the Director, Division of Station Support Acquisition (see [Appendix 3](#))

