



Professional Services Procurement Monitoring Checklist

Recipient: _____ **Contract #:** _____

Note: Procurement requirements are contained primarily in Title 2 Code of Federal Regulations Part 200 (2 CFR 200); however, certain professional services contracts must also meet the requirements of 287.055, Florida Statutes (F.S.).

Chapter 73C-23.0051(3), Florida Administrative Code (FAC), also contains some additional procurement requirements.

Under 2 CFR 200.320, there are five types of procurement procedures: micro-purchases (under \$3,000); small purchases (under \$25,000); competitive proposals (award based primarily on qualifications); sealed bids (award based primarily on price); and non-competitive proposals (single or sole source under certain specified circumstances). Monitoring will focus on competitive proposals and sealed bidding, as small purchases are infrequent and have few requirements. Non-competitive award is handled within review of competitive proposals and sealed bids.

This checklist considers that many aspects of the local government's procurement policies were previously reviewed during the site visit and any deficiencies noted have been corrected. Therefore, the focus of this checklist is on how specific procurement actions were conducted. However, the grant manager should be alert for a "general" procurement deficiency which may become apparent during the review of specific procurement actions and note any such deficiency in **II. Conclusions** at the end of the checklist.

I. Procurement by Competitive Proposals

Firm Selected	Amount	Service to Be Provided
A.	\$	
B.	\$	
C.	\$	

Check the appropriate box.

	Firm A	Firm B	Firm C
1. Was the Request for Proposals (RFP) publicized in an Office of Management and Budget-designated MSA newspaper?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> If no, did the Recipient receive at least three responsive and responsible bids? [73C-23.0051(3)(b), FAC] 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
<ul style="list-style-type: none"> If no, the procurement cannot be approved. 			
2. Was the RFP published at least 12 days prior to the deadline for receipt of proposals? [73C-23.0051(3)(b)4., FAC]	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> If no, the procurement cannot be approved. 			
3. Did the advertisement or RFP specify the following:			
<ul style="list-style-type: none"> Scope of work? 	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> CDBG grant cycle (FFY or grant number)? [73C-23.0051(3)(h)3., FAC] 	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

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Check the appropriate box.

	Firm A	Firm B	Firm C
5. Does the RFP combine different services? [73C-23.0051(3)(g), FAC]	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> If yes, does the RFP provide for submission, consideration, and evaluation of proposals separately for each service? 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
<ul style="list-style-type: none"> Except for grant preparation and contract administration contracts, are separate contracts executed for each service? 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
<ul style="list-style-type: none"> If application preparation and contract administration are combined in one contract, are there separate scopes of work and fees for each service? 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
6. Did the RFP restrict competition? [2CFR200.319(a)]	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
7. Does the public notice or RFP identify all evaluation factors and associated points? [2CFR200.320(d)(1)]	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
8. Was price an evaluation factor? It must be except for engineers, architects, and surveyors. [2CFR200.320(d)(5) and 287.055, F.S.]	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
<p>Note: <i>Competition could be restricted, for example, by requiring minimum experience or showing a preference for local firms (excluding Section 3 and other federally mandated preferences). Geographic location cannot be a selection factor, except for engineering services, and then only if its use allows adequate competition considering project size.</i></p>			
9. Was a method developed for conducting technical evaluations and award selection? [2CFR200.320(d)(3) and 287.055(3), F.S., for covered contracts]	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
10. Were written evaluations (e.g., score sheet) prepared using only the criteria specified in the RFP/public notice? [73C-23.0051(3)(h)2., FAC]	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
11. Was a contract awarded based on a single proposal? [73C-23.0051(3)(e), FAC]	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> If no, go to #12. 			
<ul style="list-style-type: none"> For contracts under \$25,000, if yes, has the Recipient provided sufficient justification for the award? 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
<ul style="list-style-type: none"> For contracts over \$25,000, if yes, has the bureau chief already signed a letter approving award based on a single or sole source procurement? 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
<ul style="list-style-type: none"> If no, has the Recipient requested single/sole source approval as part of this procurement review? 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA

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Check the appropriate box.

	Firm A	Firm B	Firm C
12. Prior to selecting the firm, was a cost or price analysis conducted to establish the reasonableness of the price? [2CFR200.323]	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> If a cost analysis was performed, was profit reviewed separately and, if necessary, negotiated? 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
<p>Note: <i>Cost analysis is required for engineering and other professional services covered under 287.055, Florida Statutes, the Consultants' Competitive Negotiation Act (CCNA). Price analysis is acceptable for grant administration and other non-CCNA services if pricing information was obtained with the proposals and establishes the reasonableness of the selected firm's price based on comparison with other firms' prices. Otherwise, a cost analysis is necessary.</i></p>			
<p>Comments:</p>			

Check the appropriate box.

13. For engineering and architectural contracts: [287.055, F.S., 287.017, F.S.]			
<ul style="list-style-type: none"> If short-listing was used, were interviews held with at least the three top-ranked firms? 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
<ul style="list-style-type: none"> Was price information requested or accepted prior to negotiations? (The answer should be no.) 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
<ul style="list-style-type: none"> Does the contract contain a prohibition on contingent fees? 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
<ul style="list-style-type: none"> Did the firm execute a Truth-in-Negotiation Certification (for contracts over \$195,000)? 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
<ul style="list-style-type: none"> Does the contract contain a price adjustment clause (for contracts over \$195,000)? 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
14. For all contracts, does the contract contain clauses for: [2 CFR 200.321]			
<ul style="list-style-type: none"> Termination for cause or convenience (for contracts over \$10,000)? 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
<ul style="list-style-type: none"> Access to records by the grantee, State/Federal agencies, and their representatives? 	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> Retention of records for six years? 	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> Remedies for breach of contract? (contracts over \$150,000) 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA

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15. For contracts of \$100,000 or more, is the required Section 3 language included? [24CFR135.38] (If no issue a finding.)	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
16. Is compensation based on a percentage of construction cost or cost plus percentage of cost (including a multiplier, or hourly rates, which includes profit)? (The answer should be no .) [2 CFR 200.323(d)]	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
17. Were any procurement protests received? [2 CFR 200.318(k)]	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> • If yes, were they resolved according to the Recipient’s procurement policy? 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
<ul style="list-style-type: none"> • Was DEO notified of the protest? 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
<ul style="list-style-type: none"> • Do our files contain documentation of the resolution of the protest? If no, request documentation and review. 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
18. Did the Recipient solicit bids from minority- and women-owned businesses for the professional services contracts? [2 CFR 200.321(b)(1)]	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
19. Is the firm a MBE? [2 CFR 200.321]	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
20. Is the firm a WBE? [2 CFR 200.321]	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

II. Conclusions

Explain any finding(s) or concern(s) in the box below and specify corrective actions the Recipient must take to resolve the issue(s). Describe any technical assistance provided.