

FEDERAL GOVERNMENT PROJECT CHECKLIST
DEVELOPED BY: SMITH, CURRIE & HANCOCK LLP
1-800-832-6946

Project: _____
 Federal Agency: _____
 Project Owner: _____

Date Completed: _____
 Agency office: _____
 Completed by: _____

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DISCLAIMER: THIS IS A GENERIC CHECKLIST – SEEK COUNSEL FOR SPECIFIC PROJECTS

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NOTES REGARDING PURPOSE AND USE

1. Competing for and successfully performing a federal government construction contract involves consideration of requirements that may not be routinely encountered on non-federal projects. This checklist seeks to identify key topics which often affect a contractor's success in competing for a federal government construction contract and then successfully performing the project.
2. While each project is unique and requires careful review, a checklist may facilitate the identification and management of those relatively special requirements that may present unusual risks or pitfalls.
3. This checklist is a suggested template and should be modified to reflect a company's particular operations and organization as well as the provisions of the solicitation issued by the federal agency.
4. The term "solicitation" in this checklist includes both Request for Proposals ("RFPs") and Invitations for Bid ("IFBs"). The term "offeror" includes a "bidder" submitting a bid in response to an IFB.
5. All responses (whether **Yes** or **No**) should be reviewed, and signed off on, by _____ (Senior [Risk] Management) prior to proposal submission in order to identify and address any potential risk. If the **question (?)** column is checked, that uncertainty must be resolved by Senior Management prior to proposal submission.

6. This checklist is intended to be a general teaching tool and not as a substitute for the advice of an attorney experienced in federal government contract law. Specific concerns and questions require the timely attention of legal counsel familiar with federal government construction contracts.
7. A copy of the completed checklist and any related supporting documentation should be maintained in the project or contract file for ready access.

A. EVALUATING THE SOLICITATION'S SUBMISSION REQUIREMENTS

	Yes	No	?
1. Does your firm's experience and performance history clearly match the requirements for "relevant prior projects" set forth in the solicitation?	_____	_____	_____
2. If the answer to # 1 is other than an unqualified Yes , is it possible to satisfy those requirements by:			
a. proposing on the project as a JV?	_____	_____	_____
b. identifying key specialty contractors or consultants as "Team Members"?	_____	_____	_____
3. Does the solicitation limit the possible "relevant prior projects" by requiring that the contractor have self-performed a stated percentage of the work on those projects with its own personnel?	_____	_____	_____
4. Does the solicitation require that the key personnel proposed by the contractor have specific experience on the "relevant prior projects" identified by the contractor?	_____	_____	_____
5. Will the agency's review of your firm's past performance evaluations reveal projects with performance issues which might adversely affect the firm's overall evaluation?	_____	_____	_____
6. If the firm plans to submit a proposal as a member of a JV or to identify other companies as "Team Members," has your firm reviewed any federal agency past performance evaluations on these companies?	_____	_____	_____
7. Will the agency's review of the past performance evaluations of the other JV participants or "Team Members" reveal projects with performance issues which might adversely affect the firm's overall evaluation?	_____	_____	_____

- | | _____ | _____ | _____ |
|--|------------|-----------|----------|
| | Yes | No | ? |
| 8. If the answer to either #5 or #7 is other than an unqualified No , have you determined how to proactively address those performance issues in the proposal submission to the agency? | _____ | _____ | _____ |
| 9. Do the solicitation's provisions on the offeror's safety record set a specific EMR or other data point as a benchmark? | _____ | _____ | _____ |
| 10. If the answer to #9 is other than No , would this benchmark negatively affect an evaluation of your firm's safety record? | _____ | _____ | _____ |
| 11. Has the firm's senior management reviewed with its project team the significance of the various certifications and representations that a contractor provides to the government in conjunction with its proposal or bid? | _____ | _____ | _____ |
| 12. Has your firm evaluated how the government could interpret the phrase "to the best of [the contractor's] knowledge and belief" that is contained in many certifications and representations? | _____ | _____ | _____ |
| 13. In addition to the numerous standard FAR certifications or representations, does the solicitation require the offeror to develop data or make representations related to the project's post-completion long-term operating cost, total ownership costs ("TOC"), LEED certification, or sustainability? | _____ | _____ | _____ |
| 14. Does the solicitation require a project management program, scheduling, or design coordination e.g., BIM programs, which require a significant new investment of resources by your firm or its key subcontractors? (Even if the subcontractors' scopes cover these requirements, there can be a steep learning curve and resultant delay.) | _____ | _____ | _____ |
| 15. Does the solicitation contain small business subcontracting goals that appear to be unrealistic? | _____ | _____ | _____ |
| 16. Does the solicitation require use of an Earned Value Management (EVM) system and a detailed CPM schedule that are consistent in application? | _____ | _____ | _____ |
| 17. Is there a requirement to flow-down compliance with an EVM system to subcontractors? | _____ | _____ | _____ |
| 18. Does the solicitation require that your firm's proposal be supported by certified cost or pricing data? | _____ | _____ | _____ |

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|-----|---|------------|-----------|----------|
| 19. | If the answer to # 18 is Yes , has the firm’s proposal been reviewed to determine if it contains factual representations such as the methodology for developing cost projections or estimates? | _____ | _____ | _____ |
| | | Yes | No | ? |
| 20. | Must the firm’s proposal include certified subcontractor (supplier) cost or pricing data? | _____ | _____ | _____ |
| 21. | If the answer to # 20 is Yes , does your firm require an appropriate indemnification from its subcontractors or suppliers? | _____ | _____ | _____ |

B. QUALIFYING THE PROJECT AND THE CONTRACTOR

- | | | | | |
|----|---|-------|-------|-------|
| 1. | Has the firm or its key project management personnel worked for this agency before? | _____ | _____ | _____ |
| 2. | If the government agency (“agency”) has multiple offices, has your firm had any experience with the office that will administer the project? | _____ | _____ | _____ |
| 3. | Has the agency or particular agency office personnel previously built a project of similar type and complexity? | _____ | _____ | _____ |
| 4. | If the answer to # 3 is Yes or ? , key potential subcontractors can be a useful source of information. | _____ | _____ | _____ |
| 5. | Do you know who will be the senior on-site agency representative(s) for the project? If so, who are they? _____ | _____ | _____ | _____ |
| 6. | Do you or your key potential subcontractors have information regarding the experience, etc., of the people that the agency will place on the project site during the actual construction? (Subcontractors can be a source of that information.) | _____ | _____ | _____ |
| 7. | Has any information on the reputation of those individuals been obtained? (Subcontractors can be a source of that information.) | _____ | _____ | _____ |
| 8. | Does the agency have the reputation for changing its project management staff as construction nears the punchlist stage? | _____ | _____ | _____ |
| 9. | Will the contracting officer be located at the project site? | _____ | _____ | _____ |

- | | | | | |
|-----|---|------------|-----------|----------|
| 10. | If the answer to #9 is No , will any government employee at the project site have contracting officer authority? | _____ | _____ | _____ |
| | | Yes | No | ? |
| 11. | If the answer to #9 is ? , will that uncertainty be resolved no later than the pre-construction conference? | _____ | _____ | _____ |
| 12. | If the answer to #10 is Yes , is the extent of that authority set forth in a written document provided by the government? | _____ | _____ | _____ |
| 12. | Is the agency awarding and administering the contract also the eventual "owner" of the project? (Many construction branches of federal agencies are, in effect, acting as construction managers and will not occupy or maintain the facility following acceptance.) | _____ | _____ | _____ |
| 13. | Does the solicitation require that the contractor or any of its subcontractors comply with the Cost Accounting Standards, see FAR Part 30 and 48 CFR Chapter 99? | _____ | _____ | _____ |
| 14. | If the answer to #13 is other than No , has your firm obtained advice from an accounting professional regarding the process and costs of compliance with these regulations? | _____ | _____ | _____ |
| 15. | Does the firm's estimate for the project include the costs for complying with the agency's CQC Site Staff requirements? | _____ | _____ | _____ |
| 16. | Does the firm's estimate for the project include the costs for complying with the agency's safety requirements? | _____ | _____ | _____ |
| 17. | If there is a joint venture partner, have questions #13 - #16 been reviewed with that firm. | _____ | _____ | _____ |

C. COMPLIANCE & PERFORMANCE OF WORK REQUIREMENTS

- | | | | | |
|----|--|-------|-------|-------|
| 1. | Would receipt of the contract require your firm to develop and implement a Business Ethics & Compliance Program? | _____ | _____ | _____ |
|----|--|-------|-------|-------|

- | | Yes | No | ? |
|---|------------|-----------|----------|
| 2. Even if your firm is not required to implement a Business Ethics & Compliance Program, has senior management briefed its project team on the grounds for violation of federal laws and regulations that could result in a federal false claims action, a termination for default, or suspension and debarment? | _____ | _____ | _____ |
| | Yes | No | ? |
| 3. Has senior management briefed its project team on the firm's obligations to make disclosures to the government of <i>possible violations</i> of federal laws and regulations and the potential for suspension and debarment if a required disclosure is not made? | _____ | _____ | _____ |
| 4. Has your firm determined whether it is obligated to post agency fraud Hotline posters at the jobsite and other common work areas? | _____ | _____ | _____ |
| 5. Does your firm have a protocol for verifying compliance with the Buy American Act? | _____ | _____ | _____ |
| 6. Has your firm modified its subcontract and purchase order forms to conform those documents to the flow-down requirements in a federal government contract? | _____ | _____ | _____ |
| 7. Has your firm modified its subcontract and purchase order forms to require comparable certifications and related indemnifications from subcontractors and suppliers when your firm is relying upon information provided by the lower tier firms? | _____ | _____ | _____ |
| 8. Does the contract require your firm to self-perform: | | | |
| a. a minimum percentage of the cost of the work? | _____ | _____ | _____ |
| b. a minimum percentage of the cost of labor on the project? | _____ | _____ | _____ |
| 9. Do the firm's standard practices on progress and final payments to subcontractors and suppliers conform to the requirements of FAR § 52.232-5, Payments under Fixed-Price Contracts, and FAR § 52.232-27, Prompt Payment for Construction Contracts? | _____ | _____ | _____ |
| 10. Does the firm have a project cost tracking system to allow for contemporaneous recording of costs expended for extra work, inefficient operations, etc.? | _____ | _____ | _____ |
| 11. Does your firm have a standard review procedure prior to certifying: | | | |
| a. a Request for an Equitable Adjustment (REA)? | _____ | _____ | _____ |
| | _____ | _____ | _____ |

- b. a request for a final decision?

D. CM/GC & DESIGN BUILD CONSIDERATIONS

1. If the contractor is labeled as a "CM", is it clear whether this is Agency CM or CM at Risk?	_____	_____	_____
	Yes	No	?
2. If the contractor functions as a CM at Risk, what discretion does it have to use other than the low, responsive bidder as a trade contractor (subcontractor)?	_____	_____	_____
3. If there is a GMP, what qualifications or assumptions appear permissible?	_____	_____	_____
4. Does the contractor as CM bear the risk of gaps or overlaps in the buyout of the trade contractors (subcontractors)?	_____	_____	_____
5. Does the contractor as the CM bear the risk of cost overruns or delays caused by one or more of the trade contractors (subcontractors)?	_____	_____	_____
6. Does the contractor bear the risk if the final design scope cannot be procured at the estimated/target price?	_____	_____	_____
7. Does the CM contract contemplate a contingency of any type?	_____	_____	_____
8. If the answer to #7 is Yes , who controls its use?	_____	_____	_____
9. Does the CM contract give the CM the right to shift line item savings to offset overruns in other line items?	_____	_____	_____
10. Does the contractor as CM provide the Miller Act payment and performance bonds?	_____	_____	_____
11. Does the solicitation contemplate that the CM will self-perform a stated percentage of the work?	_____	_____	_____
12. If the answer to #11 is Yes , is the fee or profit for that work covered by the CM's typical overall fee.	_____	_____	_____

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|-----|--|------------|-----------|----------|
| 13. | If the CM is a joint venture, questions # 11 & #12 need to be addressed from the perspective of the JV. For example, is the plan that the JV will not have any employees? (The agency may expect that the JV will have employees.) | _____ | _____ | _____ |
| 14. | Must your firm provide certified cost or pricing data to support the pricing of self-performed work? (Same question if JV is the CM.) | _____ | _____ | _____ |
| 15. | Must your firm as CM execute self-performed work on a time and materials basis (cost reimbursable basis)? | _____ | _____ | _____ |
| | | Yes | No | ? |
| 16. | If the answer to # 15 is Yes or ? , does your firm have a field cost tracking system that can separately track such costs and related expenses for the project? | _____ | _____ | _____ |
| 17. | Does the solicitation indicate that the government may engage separate prime contractors to perform other work or provide services on the site? | _____ | _____ | _____ |
| 18. | If there multiple prime contractors on the project, does the solicitation provide that one of those contractors is responsible for overall project coordination? | _____ | _____ | _____ |
| 19. | If there are multiple prime contractors, who bears the risk of time overruns? | _____ | _____ | _____ |
| 20. | Does the solicitation contain a liquidated damages provision? | _____ | _____ | _____ |
| 21. | Does the solicitation provide for the recovery of certain actual damages as well as liquidated damages? | _____ | _____ | _____ |
| 22. | If the answer to # 21 is Yes , do the trade contracts and purchase order flow that risk down as well as any liquidated damages and the CM's delay damages? | _____ | _____ | _____ |
| 23. | Does the solicitation contemplate that the contractor, as the CM, must assist the government in evaluating and responding to a trade contractor's (subcontractor's) REA or claim? | _____ | _____ | _____ |
| 24. | If the solicitation contemplates a design-build delivery system, does it contain a special Order of Precedence clause? | _____ | _____ | _____ |

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|-----|--|------------|-----------|----------|
| 25. | If the answer to # 24 is Yes , does it state that the Company's approved design drawings are not contract documents? | _____ | _____ | _____ |
| 26. | If the answer to # 24 is Yes , where does it place the contract's proposal in that order of precedence? | _____ | _____ | _____ |
| 27. | If the Answer to #24 is Yes , does it address "betterments"? | _____ | _____ | _____ |
| 28. | Is "betterment" a defined term in the solicitation? | _____ | _____ | _____ |
| 29. | Has your firm's design team members performed a design-build project for this agency before? | _____ | _____ | _____ |
| | | Yes | No | ? |
| 30. | If the answer to #29 is Yes , were there any problems? | _____ | _____ | _____ |
| 31. | Has your firm and the members of its design team identified, obtained, and considered any agency design standards or criteria that are incorporated by reference? | _____ | _____ | _____ |
| 32. | If these incorporated design standards or criteria appear to conflict with the requirements set forth in the solicitation, have written requests for clarification been submitted to the agency prior to the submission of your firm's proposal? | _____ | _____ | _____ |
| 33. | If the answer to # 32 is Yes , has each such inquiry been clearly answered in a writing from the contracting officer? | _____ | _____ | _____ |
| 34. | If the answer to # 32 is No , has this been disclosed to the government in a written request for clarification prior to the submission of your firm's proposal? | _____ | _____ | _____ |
| 35. | If the answer to # 34 is Yes , has the government clarified the requirement in writing? | _____ | _____ | _____ |

E. SITE INVESTIGATION & DSC CONSIDERATIONS

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|----|--|-------|-------|-------|
| 1. | Does the solicitation contain the standard FAR clause on Differing Site Conditions ("DSC") (FAR § 52.236-2)? | _____ | _____ | _____ |
| 2. | Does the solicitation, plans, or specifications contain any provision that purports to limit the relief provided | _____ | _____ | _____ |

by the standard DSC clause?

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|----|--|-------|-------|-------|
| 3. | If the answer to #2 is other than No , has this language been reviewed by senior management and considered in your firm's proposal? | _____ | _____ | _____ |
| 4. | Are all referenced soils reports, soil borings, and/or as-built plans provided as part of the solicitation? | _____ | _____ | _____ |
| 5. | If the answer to #4 is No or ? , has your firm otherwise obtained and reviewed that information? | _____ | _____ | _____ |

Yes **No** **?**

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|-----|--|-------|-------|-------|
| 6. | Does the solicitation contain disclaimers that purport to diminish the reliance that a contractor can place on the soils report, soils borings, etc.? | _____ | _____ | _____ |
| 7. | In order to obtain a copy of soils report, soils borings, etc., is your firm expected to sign any form containing a release? | _____ | _____ | _____ |
| 8. | Does the solicitation indicate that all needed environmental permits have been obtained and environmental restrictions observed? | _____ | _____ | _____ |
| 9. | Does the solicitation indicate that all potential environmental hazards e.g., asbestos, have been abated or will be abated by a separate government contractor? | _____ | _____ | _____ |
| 10. | If the answer to #9 appears to be Yes , does the solicitation also contain or reference specifications or standards applicable to the performance of environmental hazard abatement work of any type? | _____ | _____ | _____ |
| 11. | If the answer to #10 is Yes , has your firm submitted a written request for clarification of the purpose of those provisions if the stated scope of work does not include the abatement of environmental hazards? | _____ | _____ | _____ |
| 12. | Does your firm carry insurance for the performance of work related to the abatement of environmental hazards? | _____ | _____ | _____ |
| 13. | Does the solicitation purport to represent all existing utilities? | _____ | _____ | _____ |

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|-----|---|------------|-----------|----------|
| 14. | Does the solicitation depict existing work to be modified, renovated, or demolished? | _____ | _____ | _____ |
| 15. | Has your firm performed work similar to that described in the solicitation in the vicinity of the proposed project? | _____ | _____ | _____ |
| 16. | If the answer to #15 is other than Yes , has your firm reviewed with potential employees, geotechnical consultants, or subcontractors any information regarding conditions (soil, rock, water table, weather, etc.,) that might affect the work? | _____ | _____ | _____ |
| 17. | If the answer to #16 is Yes , what information was obtained? | _____ | _____ | _____ |
| | | Yes | No | ? |
| 18. | Are the individuals reviewing the site data, soils report and environmental site information for your firm experienced in evaluating the specific information contained in or referenced in the solicitation for the location of this project? | _____ | _____ | _____ |
| 19. | Have your firm's representatives made an on-site investigation? | _____ | _____ | _____ |
| 20. | Was the on-site investigation video taped? | _____ | _____ | _____ |
| 21. | If the answer to #20 is No , is there other written documentation of the site visit? | _____ | _____ | _____ |
| 22. | Has your firm obtained and tested soil, rock samples, etc? | _____ | _____ | _____ |
| 23. | Have the plans and specifications been compared to the project site in an effort to identify unusual conditions, conflicts, etc? (For example, did the site visit reveal the existence of manholes at locations where no utility lines are depicted on the drawings?) | _____ | _____ | _____ |
| 24. | If conflicts were noted, were written pre-proposal questions submitted to the government? | _____ | _____ | _____ |
| 25. | If the answer to #24 is Yes , were meaningful responses obtained and considered in pricing the work? | _____ | _____ | _____ |
| 26. | If the answer to #25 is No , has your firm considered its options to obtain meaningful answers? | _____ | _____ | _____ |

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|-----|---|------------|-----------|----------|
| 27. | If portions of the work, which could be affected by the site conditions, will be subcontracted, do the potential subcontractors have experience with similar work in the vicinity of the project? | _____ | _____ | _____ |
| 28. | If portions of the work, which could be affected by the site conditions, will be subcontracted, did the potential subcontractor(s) review with your firm all information obtained from the site investigation performed by the subcontractor(s)? | _____ | _____ | _____ |
| 29. | If the site inspection observations were hindered by problems such as a lack of space, lack of adequate light, e.g., above ceiling spaces, or other restrictions, has a written inquiry been made to the government seeking additional information on those conditions? | _____ | _____ | _____ |
| | | Yes | No | ? |
| 30. | Has a written inquiry been submitted to the government regarding the availability of any other information regarding the site, subsurface or soils data, as-built conditions or environmental assessments? | _____ | _____ | _____ |
| 31. | Has the information regarding the site investigation been reviewed by and with those estimating the project? | _____ | _____ | _____ |
| 32. | Can your firm clearly demonstrate that it utilized and relied on the information provided by the government and developed during its site investigation in preparing its estimate? | _____ | _____ | _____ |
| 33. | Has your firm reviewed its expectations of the site conditions with its on-site project management? | _____ | _____ | _____ |
| 34. | Has your firm reviewed the notice requirements of the Differing Site Conditions clause with its on-site project management? | _____ | _____ | _____ |
| 35. | Has your firm considered how it would structure its project documentation system and cost reporting systems to track additional or unexpected costs due to a differing site condition? (For example, does your firm have a cost system implemented for the project to separately track equipment utilization by work activity?) | _____ | _____ | _____ |

36. Is this is a **Design-Build** project, will it be necessary to conduct additional, post-award subsurface or geotechnical investigations as part of the design preparation? _____

**F. CONTRACT ADMINISTRATION CONSIDERATIONS:
CHANGES & DELAYS**

1. Are the descriptions of permitted changes under the Changes clauses in the contract with the government and in your firm’s subcontract or purchase order forms identical? (If not, identify the differences.) _____

Yes No ?

2. Has your firm’s project management team obtained and reviewed all available documentation related to the limits of the *actual authority* of other *government representatives* participating in the administration of the project? _____

3. Has your firm’s management reviewed with its project management team an established procedure to provide appropriate written notification to the contracting officer if another representative of the government directs performance of a change to the work? _____

4. Are the notice requirements in your firm’s subcontract and purchase order forms and prime contract changes, and excusable delay clauses identical or complimentary? _____

5. Does your firm’s project management staff understand that “cost” is a term of art on federal government contracting? _____

6. Does the contract with the government contain a Change Order Accounting clause (FAR § 52.243-6) or a similar provision requiring detailed tracking of costs incurred in the performance of a change similar to a T&M contract? _____

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|-----|--|------------|-----------|----------|
| 7. | Has your firm considered how it would structure its project documentation system and cost reporting systems to track costs for each change order or constructive change? | _____ | _____ | _____ |
| 8. | Has the firm’s senior project management staff reviewed the Cost Principles in FAR Part 31 and considered their effect, if any, on the firm’s procedure for tracking of costs and expenses to the project? | _____ | _____ | _____ |
| 9. | Does the contract with the government contain any special agency supplement (e.g., VA) to the Changes clause? | _____ | _____ | _____ |
| 10. | If the answer to #9 is Yes , has the effect of that contract provision on the standard contract clauses been considered by your firm’s management and your project management team? | _____ | _____ | _____ |
| | | Yes | No | ? |
| 11. | Has your firm notified its project staff of the significance of change order waiver and release provisions sometimes labeled as a “FINAL STATEMENT” in a modification? | _____ | _____ | _____ |
| 12. | Is there an established procedure to review change orders or modifications for release language on the project and to state reservations of right? | _____ | _____ | _____ |
| 13. | If the government proposes a change order release that is broader than the actual agreement, does your firm’s project management team understand its obligations, options, and the contractor’s position? | _____ | _____ | _____ |
| 14. | Has your firm’s project management staff prepared a detailed Notice Checklist for the project? | _____ | _____ | _____ |
| 15. | If the answer to #14 is Yes , has this checklist been reviewed with each member of your firm’s project site staff? | _____ | _____ | _____ |
| 16. | Does the contract with the government contain any specific documentation requirements related to delays or lost time? | _____ | _____ | _____ |
| 17. | Is the project CPM used to track daily progress on activities or simply as a progress payment vehicle? | _____ | _____ | _____ |

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|-----|---|------------|-----------|----------|
| 18. | Does your firm’s project management staff have the capability to mirror the government’s analysis of excusable delays in the project’s CPM system before submitting any time extension request to the agency? | _____ | _____ | _____ |
| 19. | Does your firm standard daily report form track activity performance in the same manner and detail as the CPM schedule tracks or identifies activities? | _____ | _____ | _____ |
| 20. | If the answer to #20 is No or ? , is it feasible to establish an activity tracking documentation process on an as needed basis with minimal advance planning? | _____ | _____ | _____ |
| 21. | Does the government restrict or prohibit introducing contract administration events e.g., RFI submissions, into the CPM schedule with ties to related field activities? | _____ | _____ | _____ |
| | | Yes | No | ? |
| 22. | Does each member of your firm’s project staff involved with the review of subcontractor’s change order proposals, REAs, or claims appreciate that the firm must eventually certify those under the Disputes procedure and the meaning and significance of that certification? | _____ | _____ | _____ |

**G. CONTRACT ADMINISTRATION CONSIDERATIONS:
CQC & SAFETY**

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|----|--|-------|-------|-------|
| 1. | Is there a requirement for a separate CQC staff distinct from the project management team? (If so, what is the size and composition of that staff?) _____
_____ | _____ | _____ | _____ |
| 2. | Are the experience and education requirements for the CQC staff clearly described? | _____ | _____ | _____ |
| 3. | Can experience in a particular work discipline be substituted for formal education? | _____ | _____ | _____ |
| 4. | If the answer to #3 is Yes , are there limitations or approvals required for that substitution? | _____ | _____ | _____ |
| 5. | Must the CQC staff chief report to a management member or officer within your firm who is not on the project site staff? | _____ | _____ | _____ |

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|-----|---|------------|-----------|----------|
| 6. | Is the solicitation clear in describing whether or not the CQC staff members must be present on the job site full time or may be present part time? | _____ | _____ | _____ |
| 7. | If the solicitation is clear in allowing for part-time CQC staff members, must the contractor obtain the government's advance approval when a member of the CQC staff is not on the job site? | _____ | _____ | _____ |
| 8. | May any member of the CQC staff be an employee of a subcontractor or vendor? | _____ | _____ | _____ |
| 9. | Are there special testing requirements that would necessitate the presence of additional manufacturers' technical representatives during the installation or start-up of equipment? | _____ | _____ | _____ |
| 10. | Are there restrictions on the duties that may be assigned to the CQC staff members in addition to their quality control functions? | _____ | _____ | _____ |
| | | Yes | No | ? |
| 11. | If the answer to # 10 is No , has there consideration of having CQC staff members perform essential project documentation related to extra work, delays, differing site conditions, etc? | _____ | _____ | _____ |
| 12. | If the answer to # 11 is Yes , has the expected procedure to document events and activities been reviewed with the CQC staff members? | _____ | _____ | _____ |
| 13. | Is there a requirement in the solicitation for a separate safety staff distinct from the project management team? | _____ | _____ | _____ |
| 14. | Are the number, experience, and education levels for the site safety staff realistic? | _____ | _____ | _____ |
| 15. | If the answer to # 14 is No or ? , has a written request for revision been submitted prior to the submission of your firm's proposal? | _____ | _____ | _____ |
| 16. | May experience be substituted for formal education for any member of the site safety staff? | _____ | _____ | _____ |
| 17. | Is the approval of the contractor's site safety plan a condition precedent to receipt of the Notice to Proceed? | _____ | _____ | _____ |
| 18. | May any member of the site safety staff be employed by a subcontractor? | _____ | _____ | _____ |

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|-----|---|------------|-----------|----------|
| 19. | Does the senior project safety officer report to on-site management for the contractor? If the answer is No or ? , to whom does this person report? _____ | _____ | _____ | _____ |
| 20. | Does the contract require the <i>full-time</i> presence of all site safety staff members? | _____ | _____ | _____ |
| 21. | Are there any restrictions on the duties that can be assigned to the safety staff members in addition to their safety functions? | _____ | _____ | _____ |
| 22. | Has your firm’s project safety manager obtained and reviewed any government safety program or manual that is referenced in the solicitation? | _____ | _____ | _____ |
| 23. | Does your firm’s safety program conform to the requirements in any applicable government safety program or regulation? | _____ | _____ | _____ |
| | | Yes | No | ? |
| 24. | Do your firm’s subcontracts and/or purchase orders clearly bind those working on-site to the government’s and the contractor’s safety programs? | _____ | _____ | _____ |

**H. CONTRACT ADMINISTRATION CONSIDERATIONS:
SOCIO-ECONOMIC & COMPLIANCE TOPICS**

- | | | | | |
|----|---|-------|-------|-------|
| 1. | Has your firm implemented a systematic program to document its efforts to achieve the various small business subcontracting goals set forth in the contract with the government? | _____ | _____ | _____ |
| 2. | Has your firm implemented a systematic program to document its efforts to achieve the Equal Employment Opportunity or other affirmative action goals set forth in the contract with the government? | _____ | _____ | _____ |
| 3. | Do the firm’s subcontracts and purchase orders flow-down, as needed, the obligations to comply with each of the socio-economic programs referenced in the contract with the government? | _____ | _____ | _____ |
| 4. | Is the project management staff familiar with the firm’s obligations related to lower tier subcontractors’ compliance with the Davis-Bacon Act? | _____ | _____ | _____ |

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|-----|--|------------|-----------|----------|
| 5. | Does your firm or any of its subcontractors pay any employee either a laborer's and journeyman's rate depending on whether that person is "working with the tools?" | _____ | _____ | _____ |
| 6. | Is the project is funded, partially or fully, with American Recovery and Reinvestment Act ("ARRA") funds? | _____ | _____ | _____ |
| 7. | If the answer to #6 is other than No , has the project staff been briefed on the requirements of compliance with ARRA? | _____ | _____ | _____ |
| 8. | Has this briefing on the ARRA requirements reviewed the differences from the standard Buy American requirements? | _____ | _____ | _____ |
| 9. | Do all of the firm's subcontracts and purchase order flow-down any Defense Priority Rating in the prime contract? | _____ | _____ | _____ |
| | | Yes | No | ? |
| 10. | If the firm's project management and site staff personnel are asked about the firm's Code of Business Ethics and Compliance program, will they be able to respond that they have received that training? | _____ | _____ | _____ |
| 11. | Is a copy of the firm's Code of Business Ethics and Compliance program available for review at the job site? | _____ | _____ | _____ |
| 12. | Does each member of the firm's project management staff understand the meaning and significance of the various certifications provided by your firm in the proposal process and during performance? | _____ | _____ | _____ |

I. Past Performance Evaluations

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|----|--|-------|-------|-------|
| 1. | Has your firm adopted an action plan to make the achievement of an outstanding/exceptional Past Performance Evaluation a top priority? | _____ | _____ | _____ |
| 2. | Has the firm's senior management reviewed the applicable Past Performance Rating form with its site staff? | _____ | _____ | _____ |

3. Has the firm's project management staff been instructed to make a detailed review of the government's expectations and standards under the Past Performance Rating form part of the pre-construction meeting or any initial partnering meeting? _____
4. Has the firm's project management staff been instructed to make a periodic review of its performance against the Past Performance Rating form a part of its periodic project management meetings with the government? _____
5. Does each member of the firm's project management staff appreciate the long term significance of a Past Performance Rating to the firm? _____
6. Has the firm's project management staff been instructed to maintain detailed documentation of the government's observations regarding its performance in relation to the Past Performance Rating form and to respond in an appropriate and pro-active manner to suggestions or criticisms? _____