Morehouse College
Office of General Counsel
Vendor Selection Checklist
To be submitted with all proposed contracts for goods and/or services of $5,000 or more where payment will come from a federal grant

Purpose: OMB Circular A-110, §215.45 provides, in part, that, “Some form of cost or price analysis shall be made and documented in the procurement files in connection with every procurement action.” Section 215.46 provides that, “Procurement records and files for purchases in excess of the small purchase threshold shall include the following at a minimum: (a) Basis for contractor selection; (b) Justification for lack of competition when competitive bids or offers are not obtained; and (c) Basis for award cost or price.”

This form seeks to promote compliance with the federal regulations. Principal Investigators and/or program managers should complete this form and submit it with any contract to be reviewed by the Office of General Counsel where federal funds will be utilized. A corollary and related purpose of this form is to assure the Office of General Counsel that the contracts submitted for legal review are in compliance with applicable federal regulations (2 CFR §2125.45 – 48) and Morehouse College's policies (including BF 200.1).

Questions: ALL QUESTIONS MUST BE ANSWERED. N/A IS NOT ACCEPTABLE!!!

1. ___ Yes ___ No. If appropriate, did you analyze lease and purchase alternatives to determine which would be the most economical and practical? Explain.

2. ___ Yes ___ No. Did you utilize a competitive process in order to arrive at your selection of this Consultant or Subcontractor? If you did, please complete the table below. (Note: A minimum of three written bids or proposals is a best practice).

<table>
<thead>
<tr>
<th>Vendor Name</th>
<th>Total Price</th>
<th>Selected Vendor</th>
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2 (a) Please provide an explanation for your selection of the Consultant or Subcontractor identified above (for example, experience, price, qualifications or past performance).

Explanation: ____________________________________________________________

2 (b) Please explain if you did not utilize a competitive process (sole/single source).

Explanation: ____________________________________________________________

3. ___ Yes ___ No. For a sole/single source purchase, did you seek and receive approval from the granting agency prior to making the sole or single source purchase?

3 (a). If so, please select one or more of the following to indicate that the price is fair and reasonable:

___ The quoted price incorporates discounts and/or reflects substantial savings
___ The quoted price compares favorably to previous prices paid for the same or similar items.
___ The quote price was reviewed by the sponsoring federal agency and found to be acceptable.
___ The vendor has stated that the quoted price is no greater than that charged to the vendor’s most favored customer.
___ The quoted price was obtained from a current catalogue or standard pricing list.
___ Other: _____________________________________________________________
4. ___ Yes ___ No.  Did you use positive efforts to solicit the business of small businesses, minority-owned firms, and women’s business enterprises?  (§215.44(b)) Explain.

5. ___ Yes ___ No.  Is the Consultant or Subcontractor currently employed by the College in any capacity, or has been employed by the College in any capacity during the past 12 months?

   NOTE: OMB A-21, Appendix J, 37(a) states, “Costs of professional and consultant or subcontractor services rendered by persons who are members of a particular profession or possess a special skill, and who are not officers or employees of the institution, are allowable…”

6. ___ Yes ___ No.  Are there any qualified individuals at the College who are able and willing to perform the work or provide the assistance that is to be procured from the Consultant or Subcontractor?

7. ___ Yes ___ No.  A-110 §215.42 states that, “No employee, officer, or agent shall participate in the selection, award, or administration of a contract supported by federal funds if a real or apparent conflict of interest would be involved.” Is the Consultant or Subcontractor a member of your family (which means spouse, child, grandchild, sibling, the spouses of children, grandchildren, and siblings, parent, relative or any other individual if the latter resides in the same household) and would otherwise entering into this contract result in a conflict, actual or apparent. If yes, please explain.

8. ___ Yes ___ No. In accordance with A-110 §215.47, do you agree to evaluate the contractor performance and document, as appropriate, whether the contractor has met the terms, conditions and specifications of the contract? (Your files are subject to audit by the OGC, Internal Auditing and/or the Office of Compliance at any time).

9. ___ Yes ___ No. In accordance with A-110 §215.13 Has the contractor / subcontractor ever been disbarred, suspended or otherwise excluded from the federal procurement process? If so, explain. (Please go to www.epis.gov to review vendor status, print a copy of the results and attach to the checklist).

THE OFFICE OF GENERAL COUNSEL’S FORM CONTRACT FOR USE WHEN UNITS ARE RETAINING OUTSIDE PROFESSIONALS TO BE PAID WITH FEDERAL GRANT FUNDS CONTAINS THE FOLLOWING PROVISIONS. THEREFORE, IF YOU ARE USING OUR FORM CONTRACT, THE FOLLOWING PROVISIONS ARE ALREADY INCORPORATED AND YOU SHOULD ANSWER YES TO QUESTIONS 10 – 12.

IF YOU ARE SUBMITTING ANOTHER CONTRACT OR SUBCONTRACT FOR LEGAL REVIEW, PLEASE ANSWER THE FOLLOWING QUESTIONS BY CHECKING YES OR NO. N/A IS NOT ACCEPTABLE!!!

10. ___ Yes ___ No.  In accordance with A-110 §215.48(a), does the contract contain a provision that permits the administrative, contractual or legal remedies in instances where a contractor violates or breaches the contract terms and provides for such remedial measures as may be appropriate?

11. ___ Yes ___ No.  In accordance with A-110 §215.48(b), does the contract contain a provision for termination, including the manner by which termination shall be effected and the basis for settlement and the conditions under which the contract may be terminated for default as well as conditions where the contract may be terminated because of circumstances beyond the control of the contractor?

12. ___ Yes ___ No.  In accordance with A-110 §215.48(d), does the contract contain a provision to the effect that the College, the federal awarding agency, the Comptroller General of the United States, or any of their duly authorized representatives shall have access to any books, documents, papers and records of the contractor which are directly pertinent to a specific program for the purpose of making audits, examinations, excerpts and transcriptions?

By signing below, I certify that I have read and completed the contents of the form carefully and to the best of my knowledge, the information submitted is accurate. I understand that as PI, I am responsible for determining whether a purchase is allowable under the terms of the federal grant, and I have considered such in my decision to move forward
with this purchase. I further understand that the OGC assumes by my submission of this form, I have engaged in such analysis and made a decision that the purchase is allowable and I have consulted with Business & Finance, Sponsored Research, and any other officials with relevant expertise in making that decision. I also understand that I am expected to comply with the Morehouse Code of Conduct and I certify that this purchase is in compliance with the Code.

_________________________    ________________________________
Principal Investigator (print)     Principal Investigator (signature)

_______________________________
Date

Attach this form with your proposed contract and copies of relevant documentation (including written solicitation for goods and services) and submit them to Stacey Woods, Sr. Paralegal, in the Office of General Counsel.