

City of Minot



FEDERAL GRANT PROGRAM PROCUREMENT CHECKLIST

Project Title FAA AIP #55 – Design Cargo Apron
City of Minot Project # AIR069 and AIR073 AIR076
Grant Name and Number 3-38-0037-055-2019
Type of Solicitation Advertisements for Bids RFP RFQ
Approved By: [Signature]
Reviewed By: Melody Shelton

This document must be utilized for all Federal procurement and is the responsibility of the department head, engineer, or program administrator. This checklist provides guidance on Federal procurement regulations. It does not address all procurement issues the City of Minot may experience. Use of the checklist provides a tool to cover most requirements experienced within Federal procurement. Please note each agency has different requirements and the responsibility will fall upon the official conducting the procurement to obtain individual grant requirements before soliciting. The Finance Department will maintain a project file and will need all pertinent documentation and a copy of this checklist forwarded (electronically if possible) upon execution of an award or modification. The Internal Auditors and/or Accountants will review this document during the life of the project to ensure all requirements are being completed and documented appropriately.

Pre Solicitation- Responsibility of Department Head and/or Program Administrator if applicable.

<input checked="" type="checkbox"/>	<p>Independent Cost Estimate (must be completed before bids are opened)--The City of Minot must perform a cost or price analysis for every procurement action, including contract modifications. The engineer's cost estimate will meet this requirement for formal sealed bids. This must be a detailed cost breakdown for the overall estimate providing the elements, such as labor and materials, of the total cost. Cost estimates must be documented and placed in the applicable procurement folder. Any e-mails and/or written documentation concerning cost estimates should be retained in the procurement folder. (See next line and section below regarding architects or engineers (A/E) or professional services procurement.) Procurement Policy Section 3: Pre-Solicitation #3; (2 CFR 200.323(a));</p>	<p>All projects have a cost estimate submitted with the FAA and State Aero applications. It is completed by Ulteig the Airport's engineer. Cost estimates are included in the FAA application which is saved in the project folder with the FAA grant application.</p>
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<input checked="" type="checkbox"/>	<p>A cost analysis and documentation is required for a RFQ or RFP (competitive negotiations). Cost analyses are used when there is no price competition or when price competition is not the only evaluation factor, such as in procuring A/E, professional, consulting, or program administrator services. A cost analysis must be completed before awarding the contract and placed in the procurement file. Cost analysis is the evaluation of separate elements (e.g. labor, materials, etc.) that make up a contractor's total cost proposal or price to determine if they are allowable, directly related to the project and ultimately, reasonable. To prepare a cost analysis 1) Obtain a detailed breakdown of the contractor's proposed cost and verify the accuracy of the cost and pricing information submitted, and evaluate. An analysis contains the following elements: 1) Is the cost reasonable, which means is it allowable under the grant; is it allocable (are costs logically related to, or required in the performance of the contract); and is the cost reasonable? 2) Is the cost necessary? 3) Compare costs proposed by the offeror with actual costs previously incurred by the same contractor for the same or similar work; compare costs of the same or similar work performed by other contractors; compare previous costs estimates from the offeror or other offerors for the same or similar items; compare the methods proposed by the offeror with the requirements of the solicitation; compare with the City's cost estimate prepared with the City Fee Schedule. Procurement Policy Section 3: Pre-Solicitation #4; HUD Quick Guide to Cost and Price Analysis; (2 CFR 200.323(a)).</p>	<p>All FAA projects have costs analysis completed for each project as well as independent consultant reviews of the fees charged on projects. The cost analysis is provided to the FAA during the grant application process which is saved in the project folder with the FAA grant application.</p>
<input checked="" type="checkbox"/>	<p>Are there any potential conflicts of interest? A conflict of interest could arise if the employee, officer or agent; any member of his/her immediate family; his/her partner; or an organization which employs or is about to employ any of the above, has a financial or other interest in the firm selected for award. Document to the right if no conflict exists with a description of how this was determined. If a conflict of interest was found, include the determination and resolution of the investigation to the right. Procurement Policy Section 2; 2 CFR 200.318(c)(1).</p>	<p>Signed conflict of interest was done with the grant approval. Conflict of interest is saved in the FAA grant award in the project folder, page 1 of the Certifications and Disclosures.</p>
<input checked="" type="checkbox"/>	<p>Describe to the left the rationale for the method of procurement and selection of contract type. Procurement Policy Section 3: Pre-Solicitation #2; (2 CFR 200.318(i)).</p>	<p>The engineer is awarded in 5 year increments and follows a QBS process, this is per Section 300 – Procurement of Professional Services and this AIP Sponsor Guidance put out by the FAA. Saved a copy in the finance procurement folder in the accounting manual.</p>

Solicitation- Responsibility of Engineer and/or Department Head and Program Administrator if applicable.

<input type="checkbox"/>	<p>Were prospective respondents allowed a reasonable amount of time to respond? Sealed bids are to be advertised for 3 consecutive weeks with the first advertisement being 21 days before the date of the opening of bids. ND Century Code 48-01.2 -04 Publication of advertisement for bids. Procurement Policy Section 4.2: Methods of Procurement #3b; and 2 CFR 200.320(c)(2)(i).</p>	<p>Ulteig has a master agreement with the airport that is good for 5 years. MSA was advertised in MDN 4/13-4/20 of 2016. FAA guidance, which is saved in the procurement folder under airport, states that the sponsor's procedure needs to be followed. Informed the airport for future ones they will need to follow the City federal procurement requirements. Information saved at M:\Financial\Project Folders\PROJECT FOLDER ESTIMATES ACTIVE\100 Airport\1. Airport Engineering Master agreement\7-27-16 Ulteig.</p>
<input checked="" type="checkbox"/>	<p>Does solicitation contain a clear and accurate description of the technical requirements for the material, product or services, and scope of work (SOW)? Procurement Policy Section 4.1 #4; and (2 CFR 200.319(c)(1 - 2)).</p>	<p>Yes, in the QBS (qualification based selection) that was done when the Airport engineering master agreement was awarded in 2016. Information saved at M:\Financial\Project Folders\PROJECT FOLDER ESTIMATES ACTIVE\100 Airport\1. Airport Engineering Master agreement\7-27-16 Ulteig.</p>
<input type="checkbox"/>	<p>Specifications and solicitation must not contain features that unduly restrict competition such as unreasonable or unnecessary experience or bonding requirements. A "brand name or equal" description may be used to define the performance or other important requirements of the procurement such as procurement of equipment to integrate with a particular brand of equipment. Procurement Policy Section 4.: Full and Open Competition #2; and §200.319(c)(1)</p>	<p>Nothing was included in the QBS (qualification based selection) for the engineering firm when Ulteig was awarded the bid. Information saved at M:\Financial\Project Folders\PROJECT FOLDER ESTIMATES ACTIVE\100 Airport\1. Airport Engineering Master agreement\7-27-16 Ulteig</p>
<p>For competitive negotiation (Request for Proposal (RFP) or Request for Qualifications (RFQ)) such as for architectural or engineering (A/E) or program administrator (PA) contracts; are the below requirements contained in the solicitation?</p>		
<input checked="" type="checkbox"/>	<p>Were proposals solicited from an adequate number of qualified sources, and was the solicitation adequately publicized to achieve sufficient competition? Per ND State Law 54-44.7-03, the solicitation must be advertised 21 days before opening of proposals. Must solicit proposals from at least three qualified sources. Procurement Policy Section 4.2 Methods of Procurement #4(a); and §200.320(d).</p>	<p>Ulteig has a Master agreement with the airport that is good for 5 years. Two firms responded, KLJ and Ulteig. The bids may be found in the airport project folder, 1. Airport Engineering Master agreement 7-27-16 Ulteig.</p>
<input checked="" type="checkbox"/>	<p>Did the solicitation identify all significant evaluation factors or selection criteria, including the corresponding point system to be used to rate the proposals/qualification statements? These factors include past performance, the ability of professional personnel, willingness to meet time and budget requirements if applicable, related experience on similar projects, and recent and current work for the City. ND State Law 54-44.7-03 (5); Procurement Policy Section 4.2 Methods of Procurement #4(a)(i); and §200.320(d) (1).</p>	<p>Ulteig has a master agreement with the airport that is good for 5 years and was included in the RFQ. The firms were scored on their capability to perform, key personnel's professional qualifications and experience, demonstrated ability to meet schedules and deadlines, familiarity with the projects being proposed at MOT, capability of personnel to be responsive to sponsor and airport needs, evidence the consultant met or made good faith efforts to meet Affirmative action and DBE, and demonstrated capability to properly administer projected funded with FAA.</p>

<input checked="" type="checkbox"/>	<p>Is this a solicitation for architectural/engineering (A/E) professional services? A/E professional services must be solicited with a RFQ. The method where price is not used as a selection factor, can only be used in procurement of A/E professional services. Procurement Policy Section 4.2 Methods of Procurement #4(b); §200.320(d) (5); and Chapter 11 of Title 40.</p>	<p>Yes, in RFQ states fees will be negotiated with top ranked firm and if can't agree with go with 2nd and 3rd highest firms. Ulteig was selected through a QBS process. Ulteig has a Master agreement with the airport for 5 years.</p>
<input checked="" type="checkbox"/>	<p>If this is not a solicitation for A/E professional services, does the RFP contain cost as an evaluation factor? Request for proposals for services other than A/E, shall always include cost and at least one non cost qualitative evaluation factor such as experience with like projects. Procurement Policy Competitive Negotiation (iii). Procurement Policy Section 4.2 Methods of Procurement #4(b); §200.320(d) (4); and Chapter 11 of Title 40.</p>	<p>Nothing in RFQ for costs being one of the factors, RFQ does indicate they will negotiate with highest ranked firm and if can't agree on price will go onto 2nd and 3rd highest ranked firm. Ulteig had a QBS process and consultants shall be selected only on the basis of their qualifications and experience, this is per Section 300 – Procurement of Professional Services and this AIP Sponsor Guidance is put out by the FAA. Saved a copy in procurement folder in the accounting manual.</p>
<input checked="" type="checkbox"/>	<p>Document the City of Minot's efforts in hiring minority-owned business enterprises and women-owned business enterprises in this solicitation. Procurement Policy Section 3: Pre-Solicitation #6; and 2CFR 200.321(a)(b).</p>	<p>In Ulteig MSA on page 8 is the affirmative action requirement. Ulteig MSA Agreement may be found at: M:\Financial\Project Folders\PROJECT FOLDER ESTIMATES ACTIVE\100 Airport\1. Airport Engineering Master agreement\7-27-16 Ulteig.</p>
<input checked="" type="checkbox"/>	<p>Solicitation requirements obtained from the program administrator and/or agency and incorporated into the solicitation and included in the bid requirements. Each funding agency could have differing clauses to be included in solicitations and contracts. Please check with the grant originator to obtain requirements. See below regarding construction requirement that could apply to A/E services.</p>	<p>The RFQ/QBS process to select Ulteig followed FAA guidance. Project specifications and MDN listed applicable federal provisions within them.</p>
<p>The below items are required by the City of Minot's Federal Grant Procurement Policy and must be included in solicitations with clauses included in the bid requirements.</p>		
<input checked="" type="checkbox"/>	<p>Notice of use of funding agency funds. For example HUD CDBG-DR funds</p>	<p>Master Ulteig agreement was procured this way.</p>
<input type="checkbox"/>	<p>Davis Bacon labor requirements. Applicable for construction projects > \$2,000. Procurement Policy Section 6 # 5; 29 CFR Part 5; Appendix II, Part 200(d).</p>	<p>Not required for Ulteig since they have no work that will include tasks that meet the definition of construction that exceeds \$2,000.</p>
<input type="checkbox"/>	<p>Section 3 clause, if funded by the Department of Housing and Urban Development (HUD). The Section 3 program requires recipients of certain HUD financial assistance, to the greatest extent possible, provide job training, employment, and contract opportunities for low- or very-low income residents in connection with projects and activities in their neighborhoods. 24 CFR Part 135.32(b).</p>	<p>N/A – not a HUD project</p>

<input checked="" type="checkbox"/>	Nondiscrimination, affirmative action, and equal employment opportunity in employment. Executive Order 11246 as amended; 41 CFR 60-1.4(b); 41 CFR 60-1.7(b); 41 CFR 60-4.2.	This information is included in Ulteig Master agreement on pages 6-8. Agreement is found at: M:\Financial\Project Folders\PROJECT FOLDER ESTIMATES ACTIVE\100 Airport\1. Airport Engineering Master agreement\7-27-16 Ulteig.
<input checked="" type="checkbox"/>	The contractor will comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act regarding procurement of recovered materials and solid waste management services. Procurement Policy Section 6 #11; 2 CFR 200.322; Appendix II, Part 200(J).	N/A for Ulteig and KLJ since engineering agreements.
<input checked="" type="checkbox"/>	Scope of work. Procurement Policy Section 4.1 #4; 2 CFR 200.319(c) (1-2).	For Ulteig included in their work order/contract which will be saved in the project contract folder.
<input checked="" type="checkbox"/>	Requirement of affirmative efforts to hire women business enterprises and minority business enterprises. Procurement Policy Section 3: Pre-Solicitation #6(e); 2 CFR 200.321(a)(b).	N/A for Ulteig since their work doesn't include any tasks that meet the definition of construction work that exceeds \$10,000
<input checked="" type="checkbox"/>	Debarment certification. Procurement Policy Section 6 #9; 2 CFR 180.220; Appendix II, Part 200(I).	Included in Ulteig's MSA Amendment #1, Section A11.
<input checked="" type="checkbox"/>	Byrd Anti-Lobbying Certification (for contract >\$100,000 (Appendix II to Part 200(I)); 31 U.S.C. 1352.	Included in Ulteig's MSA Amendment #1, Section A18.
Bid, RFP, or RFQ Documents—Responsibility of the Engineer, Department Head, or Program Administrator		
<input checked="" type="checkbox"/>	Solicitation (Advertisement for Bids, RFP, or RFQ). Include a copy of the newspaper advertisement in the file plus the solicitation included in the bid documents. Procurement Policy Section 3: Pre-Solicitation #2; 2 CFR 200.318(i).	MDN ad is saved in the Airport Engineering Master agreement folder within the airport project folder.
<input checked="" type="checkbox"/>	If a construction contract > \$2,000, was a wage rate included in the bid documents? Procurement Policy Section 6 #4; Appendix II Part 200(D); 29 CFR Part 5.	N/A – design engineering.
<input checked="" type="checkbox"/>	Was the rate checked 10 days before bid date? Document this by printing the 1st page of the wage rate with the date checked on the bottom of the web-page. If no change was made hand write on the page and place in the file. 29 CFR 1.6(c) (2)(i)(A).	N/A – design engineering.
<input type="checkbox"/>	If the rate changed was it updated by addendum sent to all holders of the bid documents? This is documented by the addendum to be placed in the file. 29 CFR 1.6(c) (2)(i)(A).	N/A – design engineering.
<input checked="" type="checkbox"/>	List of proposed bidders and suppliers receiving copies of the bid documents (if available.) Procurement Policy Section 3: Pre-Solicitation #2; 2 CFR 200.318(i).	There were 2 engineering firms that submitted proposals. Both firms were selected for interviews, Ulteig was selected by the interview committee.

<input checked="" type="checkbox"/>	<p>Are there adequate number of responses documented? Three (3) for small purchase and competitive negotiation (RFP or RFQ). Procurement Policy Page METHODS OF PROCUREMENT; two (2) or more for sealed bids. See below requirements if you do not have these minimums. Procurement Policy Section 4.2 #2-4; 2 CFR 200.320(b-d).</p>	<p>Two proposals were received for the RFQ/QBS process.</p>
<input type="checkbox"/>	<p>CAUTION! When only one bid is received in response to a competitive bid solicitation, you do not have price competition. The solicitation is considered a Noncompetitive proposal. If you decide to award on the basis of a single submitted bid price, without negotiation, you must: 1) Send a written request and receive approval from the Awarding Agency if required (check with the awarding agency. 2) justify the price is fair and reasonable; 3) compare the bid price to your own in-house estimate or engineers estimate and past prices paid for the same or substantially similar item(s) in the past; 4) obtain information from the marketplace; 5) obtain a complete cost breakdown; 6) perform a cost analysis of the proposed price and ; 7) document the rationale for the award decision and place in the procurement file. HUD Quick Guide to Cost and Price Analysis; Procurement Policy Section 4.2 #5; 2 CFR 200.320(f).</p>	<p>N/A – 2 bids were received for the RFQ/QBS for the engineer selection.</p>
<input checked="" type="checkbox"/>	<p>Copy of all bid proposals included in the file. Procurement Policy Section 3: Pre-Solicitation #2; 2 CFR 200.318(i).</p>	<p>Information can be found: M:\Financial\Project Folders\PROJECT FOLDER ESTIMATES ACTIVE\100 Airport\1. Airport Engineering Master agreement\7-27-16 Ulteig.</p>
<input checked="" type="checkbox"/>	<p>Notes from Pre-Bid Conference(s) if held, included in the file. Procurement Policy Section 3: Pre-Solicitation #2; 2 CFR 200.318(i).</p>	<p>No pre-bid conference.</p>
<input checked="" type="checkbox"/>	<p>Did the bid response include a 5% bid bond if for a construction or facilities improvement project? Procurement Policy Section 9 (1); 2 CFR 200.325(a).</p>	<p>N/A – not required for engineering contracts.</p>
<input type="checkbox"/>	<p>Documentation of reason for rejecting any and or all bids (including respondents not responsible or not responsive) must be kept in the procurement file. Procurement Policy Section 4.2 #3(e); Attachment A #3(f).</p>	
<input checked="" type="checkbox"/>	<p>A price analysis is required for every sealed bid procurement. The tabulations of bids with date and time of bid opening notated; along with any evaluations of the proposals documented will meet this requirement. Price analysis is essentially price comparison. It is the evaluation of a proposed price (i.e., lump sum) without analyzing the separate cost elements of the lump sum proposal price. Price analyses are used to compare lump sum prices (not estimates) received from contractors in a competitive pricing situation (when sealed bids are obtained). Procurement Policy Section 3 #3; 2 CFR 200.323(a).</p>	<p>N/A – not a sealed bid, was an RFQ.</p>

<input type="checkbox"/>	Were there any disputes regarding the procurement? See Procurement Policy Attachment A #s 4-5 to understand how to document.	No disputes regarding procurement.
<input type="checkbox"/>	Were the disputes handled, resolved, and disclosed? See Procurement Policy Attachment A #5 to understand how to document.	No disputes regarding procurement.
<input checked="" type="checkbox"/>	Was a protest appropriately filed as noted in the Procurement Policy Attachment A #s 4 – 5?	No protests were filed.
<input checked="" type="checkbox"/>	Did the City of Minot disclose information regarding the protest to the awarding agency? Procurement Policy Attachment A #5 (a).	No protests were received.
<input checked="" type="checkbox"/>	Were all protest requirements met by the City of Minot as detailed in the Procurement Policy Attachment A #s 4 – 5?	No protests were received.
<input checked="" type="checkbox"/>	Was the protest resolved within 35 days after filing? Procurement Policy Attachment A 5(e).	No bid protests were received.
<input checked="" type="checkbox"/>	Were any bids or offers rejected or otherwise excluded from the competitive range notified promptly in-writing by the procurement officer. The notice shall state the basis for the determination and a proposal revision will not be considered. Procurement Policy Attachment A #3(e).	There were two submittal received and both companies were selected for interviews with the committee.
<input checked="" type="checkbox"/>	If the procurement was a competitive negotiation, were unsuccessful offerors notified in writing within ten working days of contract award with the protest and debriefing procedures sent with the notification. (City of Minot current procedure is to include an award of bid notice with the items for the Mayor to sign. After the Mayor signs the form, the respective departments are given the bid notice to be sent out the unsuccessful bidders.)	N/A process was an RFQ.
Contract/Agreement Documents—Responsibility of the Engineer, Department Head, Federal Compliance Officer, and Program Administrator.		
<input checked="" type="checkbox"/>	Has the contractor's debarment check been completed before recommendations are made to Committee to award the contract? This will be completed by accessing the System For Award Management (SAM) Web site at https://www.sam.gov , search records. The printed page from the SAM Web site with the date of the check must be included in the procurement file. Procurement Policy Section 5.1 #s 2 – 3; Attachment A #2; 2 CFR 180.300 & 2424.300.	Yes. copy saved in project procurement folder, dated 10/16/19.
<input type="checkbox"/>	If the contractor has been found to be suspended, debarred, proposed for debarment, or declared ineligible as of the bid opening date was the contractor's bid rejected, and the next lowest eligible bidder checked for debarment? Procurement Policy Attachment A #2.	The bidder is not debarred.

<input type="checkbox"/>	Is there a notice of contract award included in the file?	
<input checked="" type="checkbox"/>	Award—does the award document (contract or agreement) contain the below required clauses? Appendix II, Part 200 and CDBG-DR Contract Provisions.	N/A – not CDBG-DR Funds. The other applicable provisions on Appendix II Part 200 are included within this procurement document.
<input type="checkbox"/>	Is the period of performance clearly stipulated with the date of completion noted? Are there penalties for not meeting the performance standards? Procurement Policy Section 78 FR 14344	
<input checked="" type="checkbox"/>	Breach of contract terms including administrative, contractual, or legal remedies when contractors violate or breach contract terms, and providing such sanctions and penalties as may be appropriate? Procurement Policy Section 6 #1; Appendix II, Part 200 (A).	Included in Ulteig's MSA Amendment #1, Section A13.
<input checked="" type="checkbox"/>	Termination for cause and for convenience by the City of Minot? (Contracts > \$10,000. Procurement Policy Section 6 #2; Appendix II, Part 200(B).	Included in Ulteig's Master agreement on page 9, located at M:\Financial\Project Folders\PROJECT FOLDER ESTIMATES ACTIVE\100 Airport\1. Airport Engineering Master agreement\7-27-16 Ulteig.
<input checked="" type="checkbox"/>	Compliance with Executive Order 11246, Equal Employment Opportunity? (All construction contracts and subcontracts > \$10,000). Procurement Policy Section 6 #3; Appendix II, Part 200(C).	Included in Ulteig's MSA Amendment #1, Section A16.
<input checked="" type="checkbox"/>	Compliance with Copeland "Anti-Kick-Back" Act? (All construction contracts and subcontracts > \$10,000). Procurement Policy Section 6 #4; Appendix II, Part 200(D).	N/A – Ulteig's work will not include tasks that meet the definition of construction exceeding \$2,000.
<input checked="" type="checkbox"/>	Compliance with the Davis-Bacon Act? (All construction or repair contracts or subcontracts > \$2,000). Procurement Policy Section 6 #5; Appendix II, Part 200(D).	N/A – Ulteig's work will not include tasks that meet the definition of construction exceeding \$2,000.
<input checked="" type="checkbox"/>	Was the correct wage rate included in the agreement documents? Procurement Policy Section 6 #5; Appendix II Part 200(D); 29 CFR Part 5.	N/A
<input checked="" type="checkbox"/>	Compliance with 40 U.S.C. 3701-3708 The Contract Work Hours and Safety Standards Act. (All construction or repair contracts or subcontracts > \$2,000, and > \$2,500 for other contracts which involve the employment of mechanics or laborers.) Procurement Policy Section 6 #6; Appendix II Part 200(E).	Included in Ulteig's MSA Amendment #1, Section A8.
<input checked="" type="checkbox"/>	Notice of the awarding agency requirements and regulations pertaining to reporting. (All contracts.) (see individual agency requirements)	For Ulteig included in their work order/contract which will be saved in the project contract folder.

☒	Notice of the City of Minot and awarding agencies requirements and regulations pertaining to patent rights, copyrights, and rights in data? (All contracts.)	Per the FAA Combined Federal contract provisions the right to inventions only needs to be included on experimental, developmental, or research work.
☒	Access to any books, documents, papers, or records of the project by the City of Minot, Federal agencies, and the Comptroller General of the United States	Included in Ulteig's MSA on page 6, contract is found at: Agreement is found at: M:\Financial\Project Folders\PROJECT FOLDER ESTIMATES ACTIVE\100 Airport\1. Airport Engineering Master agreement\7-27-16 Ulteig.
☒	Records must be maintained for five years after the City of Minot formally closes out each program? League of Cities City Records Management Schedule found on the City of Minot's Web site.	Included in Ulteig's MSA on page 6, contract is found at: Agreement is found at: M:\Financial\Project Folders\PROJECT FOLDER ESTIMATES ACTIVE\100 Airport\1. Airport Engineering Master agreement\7-27-16 Ulteig.
☒	Compliance with the Clean Air Act, Clean Water Act, and EPA regulations. (All contracts, subcontracts, and sub grants in amounts > \$150,000) Procurement Policy, Procurement Policy Section 6 #7; Appendix II Part 200 (G).	Included in Ulteig's MSA on page 8, contract is found at: Agreement is found at: M:\Financial\Project Folders\PROJECT FOLDER ESTIMATES ACTIVE\100 Airport\1. Airport Engineering Master agreement\7-27-16 Ulteig.
☒	Is the Green Building Standards clause included if applicable (New construction or replacement of substantially damaged residential buildings.) 81 FR 36566 dated June 7, 2016	N/A not required since not a new building construction or remodel.
☒	Does the contract contain a clause allowing the City of Minot and Federal Agencies to be permitted to require changes, remedies, changed conditions, access and record retention, and suspension of work clauses approved by the governing body?	Included in Ulteig's MSA on page 5, contract is found at: Agreement is found at: M:\Financial\Project Folders\PROJECT FOLDER ESTIMATES ACTIVE\100 Airport\1. Airport Engineering Master agreement\7-27-16 Ulteig.
☒	Does the contract contain requirements that a contract award must not be made to parties listed on the government wide Excluded Parties List System in the System for Award Management (SAM). Procurement Policy Section 6 #8; Appendix II Part 200 (H).	Included in Ulteig's MSA Amendment #1, Section A8.
☒	Does the contract contain a Byrd Anti Lobbying Clause? Procurement Policy Section 6 #9; Appendix II Part 200 (I).	Included in Ulteig's MSA Amendment #1, Section A18.

<input checked="" type="checkbox"/>	Does the contract contain a clause stating the contractor will comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act? Procurement Policy Section 6 #10; Appendix II Part 200 (J).	N/A for Ulteig since they don't procure any equipment over \$10,000.
<input checked="" type="checkbox"/>	If the procurement was a competitive negotiation, where price is not the only factor, was a cost ceiling clearly established in the contract which may not be exceeded without a contract modification? Procurement Policy Section 4.2 #4(b); 24 CFR 200.318(j)(2).	Ulteig contract includes a contract maximum amount they can't exceed unless is approval is made beforehand.
<input checked="" type="checkbox"/>	If the procurement was a competitive sealed bid procurement, was a firm fixed price contract (either lump sum or unit price) awarded to the responsible bidder whose bid is lowest in price and conforms to all the material terms and conditions of the advertisement for bids. Procurement Policy Section 4.2 #3(a)(iii); 2 CFR 200.320(c)(1)(i-iii) and 200.320(c)(2)(iv).	N/A - Contract was an RFQ.
<input checked="" type="checkbox"/>	If the contract was not awarded to the lowest bidder in the case of a competitive sealed bid procurement, was a justification for awarding included in the file with the approval of the Committee and Council? Include the minutes from the Council meeting Procurement Policy Section 8 # 2(d); 2 CFR 200.324(b).	N/A - Contract was an RFQ.
<input checked="" type="checkbox"/>	Prohibited contracts--Agreements and/or contracts must not contain "cost plus percentage of cost" and "percentage of construction costs" pricing structures. Procurement Policy Section 5.2 #5; 2 CFR 200.323(d).	Was not included in contract
<input checked="" type="checkbox"/>	Contractor Section 3 Plan with applicable tables must be included in the procurement file for HUD funded projects. 24 CFR 135	N/A - not HUD funded
<input type="checkbox"/>	List of subcontractors must be included for the procurement file. Per contract requirements	N/A
<input type="checkbox"/>	The general contractor is responsible for checking debarment of their subcontractors. This clause is usually found in the General Conditions from the Bid Documents, which are usually part of the contract documents.	N/A
<input type="checkbox"/>	Subcontractors must be required to adhere to the requirements pertinent to the funding agency and type of agreement. For example the contractor must include requirements in subcontractor agreements such as affirmative action, Section 3, and equal opportunity, and the Byrd Anti-Lobbying Amendment clause. Procurement Policy Section 6 #10; CDBG-DR Compliance Provisions.	

<input checked="" type="checkbox"/>	Performance bond for 100% of the contract if required, must be included in the file. Procurement Policy Section 9 #2.	N/A – this is an engineering contract.
<input checked="" type="checkbox"/>	Payment bond for 100% of the contract if required, must be included in the file. Procurement Policy Section 9 #3.	N/A – this is an engineering contract.
<input checked="" type="checkbox"/>	Insurance certificates in the amount required in the bid documents must be included in the file. Per contract documents	N/A – this is an engineering contract.
Contract/Agreement Execution		
<input type="checkbox"/>	Is the contract/agreement signed and dated by both parties? The contract/agreement must be signed after the council's approval. Documentation of council's approval must be kept in the file.	
<input type="checkbox"/>	Is the proper date placed on the contractual document after it is signed by the Mayor?	
<input type="checkbox"/>	Is the proper date contained within the actual contractual document, if the document contains this language?	
Change Orders, Amendments, or Modifications To Agreements—Responsibility of Engineer, Department Heads, or Program Administrator		
<input type="checkbox"/>	Is there a copy of each approved change order placed in the procurement file?	
<input type="checkbox"/>	Change orders are normally not approved by City Council or signed by the Mayor. At times amendments and modifications are sent to Council for approval and to the Mayor for signature. If this is the case, the Council must approve before the Mayor signs the documents. Include the Committee and Council minutes to document approval before signature.	
<input type="checkbox"/>	Is the proper date placed on the change order, amendment, or modification after it is signed by the approving official?	
<input type="checkbox"/>	Is the proper date contained within the actual change order, amendment, or modification documents, if the document contains this language?	
<input type="checkbox"/>	Justification and cost estimate for the change order before a proposal is requested from the contractor with explanation of how the change order relates to the original scope of the contract and to the National Objective (if a HUD project) for the project must be prepared and kept in the file.	

<input type="checkbox"/>	A signed contractor proposal must be included in the file?	
<input type="checkbox"/>	<p>Cost analyses for change orders must be completed and placed in the procurement file. To complete a cost analysis 1) obtain a detailed breakdown of the contractor's proposed cost; 2) verify the accuracy of the cost and pricing information submitted; 3) evaluate the reasonableness of proposed costs by ensuring they meet these three critical tests: are the costs allowable, are the costs allocable (are they logically related to or required in the performance of the contract), are the costs reasonable; 4) are the costs necessary and justifiable to the CDBG-DR activity (should be evaluated by the engineers or other technical personnel) 5) Compare costs with: a. actual costs previously incurred by the same contractor for the same or similar work; b. actual costs of previous of the same or similar work by other contractors; c. previous cost estimates from the offeror or other offerors for same or similar items; d. do the costs reflect the technical approach proposed and the work required? and e. compare to the cost estimate from the engineer, or staff. Copies of subsequent modified cost estimates must be kept with the original with some explanation why they changed it after the bid process. Keep documentation of cost estimates, comparisons, and worksheets to attach to the cost analysis as backup. HUD Quick Guide to Cost and Price Analysis and Procurement Policy Page 7</p>	
Additional Funding Agency Requirements—Responsibility of Engineer, Department Heads, or Program Administrators—List Below		
<input checked="" type="checkbox"/>	FAA requirement: Tax delinquency and Felony conviction –	Included in Ulteig's MSA Amendment #1, Section A8.
<input type="checkbox"/>		
<input type="checkbox"/>		
<input type="checkbox"/>		

Miscellaneous Correspondence - list below		
<input type="checkbox"/>		
<input type="checkbox"/>		
Project Completion—Responsibility of Engineer, Department Heads, or Program Administrator		
<input type="checkbox"/>	Council approval of final billing and closure of the project including memo to committee.	
<input type="checkbox"/>	Contractor final lien waivers. City of Minot requirement	N/A – Engineering agreement there is no contractor lien waivers.
<input type="checkbox"/>	Subcontractor final lien waivers. City of Minot requirement	N/A – Engineering agreement there is no contractor lien waivers.