

## Task Order Acquisition Plan (TOAP) Template

**Requirements and Responsibilities:** The Program Office is responsible for completing the Acquisition Plan (AP), with assistance from the Contracting Officer/Contract Specialist (CO/CS).

The Program Office must coordinate with the CO/CS as early as possible (see FAR Subparts 7.104(b) and (d)). Timely award of an acquisition depends on receipt of an accurate, complete, and approved AP in the contracting office.

Writers and reviewers will: (1) eliminate vague and ambiguous language; (2) conduct a thorough review of the technical aspects of the Statement of Work/Specification; (3) appropriately structure the project in phases or tasks; and (4) specify methods to assess the contractor's performance. The information provided in this AP should be consistent with the Parent Contract or Ordering Agreement.

The instructions (including those in footnotes) appear in "*red italic*" and should be deleted from the final AP.

This document replaces the Task Order Request Form (TORF) for issuing Task and Call Orders ("TO" or "Order") above the Simplified Acquisition Threshold (SAT), in accordance with HHS Policy Directive, Chapter 1, available at <https://intranet.hhs.gov/manual/directive-acquisition-planning/chapter-1>.

**To:** \_\_\_\_\_ Contracting Officer/Contract Specialist, National Cancer Institute, Office of Acquisitions

**From:** *Insert the name of the Head of the Sponsoring Program Office for the project, and organization name.*

**Parent IDIQ Contract Title:**

**Parent IDIQ Contract Number(s):** *If you have a multiple award IDIQ/BPA, an attachment listing IDIQ/BPA award holders and associated award numbers may be referenced here.*

**Task Order (TO)/ Project Title:**

### **Part 1- Acquisition Plan Content**

#### **(a) Acquisition Background and Objectives - FAR 7.105(a)**

##### **1. Statement of Need- FAR 7.105(a)**

The requirements document for this TO is in accordance with Task Area(s) #\_\_\_\_ of Parent Contract. Briefly describe:

*See Attachment 1: Requirements Document, e.g. SON, SOW, SOO, PWS. Include the information necessary for prospective offerors to provide meaningful proposals (see FAR 11.000).*

**Type of Requirement: Select one or more**

- Supplies/equipment (including Information and Communication Technology (ICT) equipment)  
 Severable services<sup>1</sup>     Non-severable Services<sup>2</sup>  
     Non-R&D services  
     R&D services<sup>3</sup>  
     ICT support services  
     Other (specify) \_\_\_\_\_

Anticipated Number of Task Orders to be awarded: \_\_\_\_\_.

**2. Applicable Conditions- FAR 7.105(a)(2),**

- No known cost, schedule and capability/performance constraints have been identified for this acquisition, or  
 Known cost, schedule, and capability/performance constraints include . . . *State all significant conditions affecting the acquisition.*

**Subcontractors:**

- It is anticipated that subcontractors may be needed to satisfy this requirement. If the acquisition is expected to be "TERM", the subcontractor hours are:  
     Included in the Level of Effort provided, or  
     Excluded from the Level of Effort provided.  
 It is not expected that subcontractors will be needed to satisfy this requirement.

**3. Cost – FAR 7.105(a)(3), See *Attachment #2*.**

*Attached is the Independent Government Cost Estimate (IGCE) that explains what the total estimated cost of this procurement inclusive of all options.*

**4. Capability or Performance – FAR 7.105(a)(4), *Specify the required capabilities or performance characteristics of the supplies or performance standards of the services to be acquired and state how they are related to the need.***

**5. Delivery or Performance-Period Requirements – FAR 7.105(a)(5)**

- a. Described below is the basis for establishing this period:

---

<sup>1</sup> A severable service is continuing and recurring in nature; can be separated into components that independently provide value or one that is measured in terms of hours or level-of-effort rather than work objectives [B-277165, Jan. 10, 2000, at 5; 60 Comp. Gen. 219, 221--22 (1981)].

<sup>2</sup> A non-severable service is a single undertaking that cannot be feasibly subdivided; produces a single or unified outcome, product or report, one that requires delivery of a specified end product (for example, a final report of research) [65 Comp. Gen. at 743—744].

<sup>3</sup> <https://policymanual.nih.gov/6315-1>

b. Deliverables/Reporting Requirements:

Are indicated in the table below     Are included in the SOW.     Are separately attached

*Example reports/deliverables are listed below for consideration.*

*Select or adjust as appropriate for this TO acquisition.*

|                          | <b>Deliverable</b>                              | <b>Specific Instructions<br/>(if different from<br/>base contract)</b> |
|--------------------------|---|--|
| <input type="checkbox"/> | Kick-off Meeting / Presentation Materials       |  |
| <input type="checkbox"/> | Quarterly Task Order Progress Report            |  |
| <input type="checkbox"/> | Teleconferences with COR                        |  |
| <input type="checkbox"/> | Annual Task Order Progress Report               |  |
| <input type="checkbox"/> | Annual Utilization Report per Task Order        |  |
| <input type="checkbox"/> | Final Invention Statement per Task Order        |  |
| <input type="checkbox"/> | Invention Disclosure Report per Task Order      |  |
| <input type="checkbox"/> | Draft Final Task Order Report                   |  |
| <input type="checkbox"/> | Final Task Order Report                         |  |
| <input type="checkbox"/> | Summary of Salient Results per Task Order       |  |
| <input type="checkbox"/> | Section 508 Annual Report                       |  |
| <input type="checkbox"/> | Section 508 Conformance Certification           |  |
| <input type="checkbox"/> | Other (complete as needed – add rows as needed) |  |

6. **Trade-Offs – FAR 7.105(a)(6),** *Discuss the expected consequences of trade-offs among the various cost, capability or performance, and schedule goals that reflects the changing needs and priorities of the program.*  
*Note: This section should not discuss trade-offs in relation to source selection.*

7. **Risks – FAR 7.105(a)(7),** *Discuss technical, cost, and schedule risks and describe what efforts are planned or underway to reduce risk and the consequences of failure to achieve goals. If concurrency of development and production is planned, discuss its effects on cost and schedule risks.*

8. **Acquisition Streamlining – FAR 7.105(a)(8),**

- This IDIQ/BPA order has not been specifically designated by the requiring agency as a program subject to acquisition streamlining, or  
 Acquisition Streamlining was contemplated at the parent IDIQ/BPA contract.

**(b) Plan of Action - FAR 7.105(b)**

1. **Sources – FAR 7.105(b),** *Indicate the prospective sources of supplies or services that can meet the need.*

**Market Research. Include all that apply**

- The COR has reviewed the market research conducted for the base IDIQ and verifies that the use of the proposed pre-existing contract vehicle - base IDIQ or BPA - is still the most appropriate method of fulfilling its current requirement. If the IDIQ is for noncommercial services, the COR has assessed the current state of the commercial marketplace to confirm that no feasible commercial products or services have become available since award of the base IDIQ.

- A potential source list was developed as a result of market research conducted.  
*See Attachment or list potential sources here.*
- Dynamic Small Business Search [http://dsbs.sba.gov/dsbs/search/dsp\\_dsbs.cfm](http://dsbs.sba.gov/dsbs/search/dsp_dsbs.cfm)  
*See Attachment for results.*
- Publication of a Sources Sought Notice to an internal pool of IDIQ/BPA multiple awardees,  
*attach if applicable.*
- Contact with individuals in Government and industry knowledgeable of this type of requirement regarding market capabilities to meet requirements.
- Review of the results of recent market research undertaken, within the past 6 months conducted to meet similar or identical requirements.
- Publication of formal requests for information in appropriate technical or scientific journals or business media
- Review of Government-wide database of contracts and other procurement instruments or commercial databases that provide information relevant to agency acquisitions (i.e., E-portals in Commerce).
  - Technical personnel participated in interactive, on-line communication among industry, acquisition personnel, and customers.
  - Source lists of similar items from other contracting activities or agencies, trade associations, or other sources were obtained.
  - Review of catalogs and other generally available product literature published by manufacturers, distributors, and dealers or available on-line.
  - Conduct of meetings, forums, or pre-solicitation conferences to involve potential offerors early in the acquisition process.

If this is a competitive TO, is it being set-aside for Small Businesses?  yes/  no

- If yes, indicate set-aside type: \_\_\_\_\_
- If no, and there is a small business in the IDIQ or BPA pool, please describe the rationale for not setting aside for small business: \_\_\_\_\_

Small Business Review: Provide the Small Business Review (HHS 653) except for:

- Orders placed under single-award Indefinite Delivery, Indefinite Quantity (IDIQ) contracts;
- Calls issued against single-award blanket purchase agreements (BPA);
- Orders issued against single-award blanket ordering agreements (BOA); and
- Orders/calls placed under HHS-issued IDIQs, agreements, multi-agency contracts/agreements, or

Government-wide Acquisition Contracts (GWAC) when the base vehicle is set-aside for small businesses in accordance with FAR Part 19.

*See Attachment.*

Bundling: this is  or is not  a bundled requirement as defined in FAR 2.1.

## 2. Competition – FAR 7.105(b)(2), (check all that apply) (*see FAR 7.102 and 10.002(b)*)

- Multiple Award IDIQ or BPA- Fair opportunity for award of the TO will be considered in accordance with the Parent Contract. *See Attachment,* for a list of IDIQ contractors to compete.
- Multiple Award IDIQ or BPA – Competition will not be sought as the following exception applies:
  - Urgent Need; *see attached Justification*
  - Only one Contractor is capable; *Include Justification*
  - Order is a logical follow on to a previous order; *Include Justification*
  - Order is necessary to satisfy minimum guarantee.
- Single Source IDIQ or BPA contract.

### **3. Contract Type Selection- FAR 7.105(b)(3)**

Fixed Price type order.

A fixed priced order will be used for this task because the requirement can be fully defined and described, and, risk involved is minimal or can be predicted with an acceptable degree of certainty.

Cost Reimbursement type order (i.e., CPFF, CPIF, CPAF, CR).

A cost reimbursement type order is appropriate for this task because the absence of precise specifications and difficulties in estimating costs with accuracy. The complexity of the requirement and uncertain nature of the work makes it impractical to establish a fixed-price for any portion of the work in the anticipated award or in future years. Sufficient safeguards are included in the Parent Contract to ensure that costs are allowable, allocable, and fair and reasonable. The contractor's accounting system was reviewed and determined adequate for documenting costs applicable to performance. Government personnel with the required training and expertise are assigned to the contract providing necessary resources to monitor performance, assuring the use of efficient methods and effective cost controls.

If Cost Reimbursement plus Fixed Fee (CPFF) (see FAR 16.306(d)):

Completion form       Term (Level-of-Effort) form

Time and Materials type order (T&M).

A T&M type order is appropriate for this task because it is not possible at the time of placing the order to estimate accurately the extent or duration of the work or to anticipate costs with any reasonable degree of confidence. The contractor will be paid in accordance with established hourly rates, as well as reimbursed for the cost of materials, up to a ceiling amount.

**Attached is the required D&F (FAR Subpart 16.601(d)).**

Labor-Hour type order.

Labor-hour type is similar to Time and Materials type, except that the contract does not involve reimbursement of cost for materials. **Attached is the required D&F (FAR Subpart 16.601(d)).**

Other (specify, e.g., cost-sharing, cost-plus-award/incentive-fee) \_\_\_\_\_

### **4. Source Selection Procedures- FAR 7.105(b)(4),**

The source selection will be made by using:

Lowest Priced Technically Acceptable, or

Best Value/ Tradeoff Process.

Cost/Price Significance.

Technical factors are of paramount consideration in the award of the TO.

All evaluation factors, other than cost/price, when combined are significantly more important than cost/price in the award of the TO.

All evaluation factors, other than cost/price, when combined are approximately equal to cost/price in the award of the TO.

All evaluation factors, other than cost/price, when combined are significantly less important than cost/price in the award of the TO.

Cost or price is paramount in the award of the TO.

Past Performance.

Past Performance will not be an evaluation factor used in this task order acquisition.

- Past Performance will be an evaluation factor for this task order acquisition, using parameters below:  
*Complete as necessary – how many past performance references will be requested, how recent must they be, only for work under this IDIQ/BPA or any relevant work, etc.*

Evaluation of options: The Contracting Officer shall evaluate offers for any options contained in a solicitation in accordance with FAR 17.206(a) unless otherwise noted in the attached determination and findings.

*Attach a D&F for inclusion of options, if options will be included in the task order.*

Technical Evaluation Criteria.

*Examples criteria are listed below for consideration. Select or adjust as appropriate for this TO acquisition.*

| <b>Evaluation Criteria</b> |   |
|----------------------------|---|
| <input type="checkbox"/>   | Suitability and feasibility of the proposed technical approach, methods and procedures for satisfying the requirements with a discussion of potential problems to be encountered and proposed solutions and/or risk mitigation strategies |
| <input type="checkbox"/>   | Suitability and acceptability of procedures for assuring quality of work, products, and deliverables  |
| <input type="checkbox"/>   | Suitability of experience, education and qualifications of all staff proposed in the technical aspects of the Statement of Work.  |
| <input type="checkbox"/>   | Adequacy of facilities and equipment to perform this type of work.  |
| <input type="checkbox"/>   | Demonstrated adequacy of data management and quality assurance unit.  |
| <input type="checkbox"/>   | Other (complete as needed – add rows as needed)   |

Technical Proposal Instructions.

*Example instructions are listed below for consideration. Select or adjust as appropriate for this TO acquisition.*

| <b>Technical Proposal Instructions</b> |                              |  |
|--|------------------------------|--|
| <input type="checkbox"/>               | Cover Sheet                  | The Technical Proposal cover sheet should include the following: <ul style="list-style-type: none"> <li>• Base Contract Number</li> <li>• Task Order RFP Number</li> <li>• Name, address, email and telephone number of Key Personnel</li> <li>• Date of submission</li> <li>• Name, title, address, email, telephone and signature of authorized Business Representative (person authorized to sign contracts on behalf of the organization)</li> </ul> |
| <input type="checkbox"/>               | Page Limits                  | Example instruction: Technical Proposal should be [ ] pages in length. Resumes and the Cover Sheet do not count towards the page limit.  |
| <input type="checkbox"/>               | Technical Approach / Methods | A detailed technical proposal shall be submitted indicating how each aspect of the Statement of Work is to be accomplished. The technical proposal shall reflect a clear understanding of the nature of the task order being undertaken. The technical proposal shall include information on how the project is to be organized, staffed, and managed.   |
| <input type="checkbox"/>               | Experience & Qualifications  | Describe the experience and qualifications of personnel who will be assigned for direct work on this task order. Identify direct technical supervisors and key technical personnel, and the estimated level of effort proposed.  |
| <input type="checkbox"/>               | Resumes                      | Include resumes of individuals where one was not previously provided with the original, base contract proposal. Each resume must indicate educational background, recent experience, specific or technical accomplishments, and a listing of relevant publications. Resumes do not count towards the page limit specified above.   |

|                          |                                  |  |
|--------------------------|----------------------------------|--|
| <input type="checkbox"/> | Other Instructions,<br>as needed |  |
|--------------------------|----------------------------------|--|

Business Proposal Instructions.

*Example instructions are listed below for consideration. Select or adjust as appropriate for this TO acquisition.*

Provide a Summary of Proposed cost/price cover page.

- If the acquisition includes options, the summary should separately address the basic requirement and each potential option, and then provide a total amount including the basic requirement and all potential options.

Provide a budget using an Excel spreadsheet format that breaks down the total proposed cost/price to allow the Government to perform analysis of the elements of the proposed cost/price.

Provide a brief narrative justifying the proposed costs for each cost line item.

[Insert other instructions as appropriate.]

**5. Acquisition Considerations – FAR 7.105(b)(5),**

Purchase or lease of equipment.

- This TO is exclusively for the purchase of equipment. A determination to lease or buy and the comparative cost of each is provided below: (*include narrative, or as an attachment*)
- This TO is not for the exclusive purchase of equipment.

Section 508 Accessibility Compliance *See <http://www.hhs.gov/web/508/index.html>.*

- This TO is considered an ICT product or service. The contractor will be required to develop, procure, maintain and/or use ICT and to ensure it allows Federal employees and members of the public with disabilities to have access to, and use of, information and data comparable to the access and use by people without disabilities. Also see FAR Subpart 39.2.

The following Section 508 standards shall be employed for this TO: (*include*)

**OR**

- In accordance with 36 CFR 1194.3, FAR 39.204(c) and HHS Section 508 Policy at 4.3.3, the ICT product or service is considered incidental to the contract. The certification required at 4.3.3 is attached. All electronic reports submitted shall be compliant with Section 508 of the Rehabilitation Act of 1973.

- This TO is not an ICT product or service, yet components may include ICT products or services for public view. To ensure the ICT allows Federal employees and members of the public with disabilities to have access to, and use of, information and data comparable to the access and use by people without disabilities the following 508 standards shall be employed: (*include*) Additionally, all electronic reports submitted shall be compliant with Section 508 of the Rehabilitation Act of 1973.
- This TO is not an ICT product or service. However, all electronic reports submitted shall be compliant with Section 508 of the Rehabilitation Act of 1973.

**6. Budgeting and Funding – FAR 7.105(b)(6),**

- This TO represents a non-severable effort, which will be fully funded at time of award. The Period of Performance or Delivery Date is: \_\_\_\_\_

- This TO represents a severable multiple year effort, which will be funded for a Base Period and Option Periods with estimated obligations listed below.

| Period   | Date Range | Estimated Amount |
|----------|------------|------------------|
| Base     |            | \$               |
| Option 1 |            | \$               |
| Option 2 |            | \$               |
| Option 3 |            | \$               |
| Option 4 |            | \$               |
| **       |            | \$               |
| Total    |            | \$               |

*Add additional Option years as needed. \*\* For contracts that exceed 5 years, a Determination & Findings (D&F) may be required in accordance with HHSAR Subpart 317.204(e)(3).*

- This TO represents a severable multiple year effort which will be funded using the Multi-year authority under FAR 17.1/HHSAR 317.1. The estimated yearly amounts are below. The cancellation ceiling is estimated at \$ \_\_\_\_\_ which will be obligated at time of award and amortized over the life of the TO. The required D&F is included as an attachment. *The addition of options under a Multi-Year contract, to continue beyond five years, is permissible under certain circumstances. Explain below:*

|          | Date Range | Estimated Amount |
|----------|------------|------------------|
| Period 1 |            | \$               |
| Period 2 |            | \$               |
| Period 3 |            | \$               |
| Period 4 |            | \$               |
| Period 5 |            | \$               |
| Total    |            | \$               |

*The accompanying IGCE is available as Attachment #2.*

**7. Product or Service Description – FAR 7.105(b)(7), Explain below the choice of product or service description types used in the acquisition:**

- This acquisition is for commercial/non-developmental items and/or services and will follow the procedures established for commercial item purchases under FAR Part 12 taking into consideration any Section 508 accessibility standards issues or concerns with any EIT products and/or services to be acquired, or
- Commercial/non-developmental items and/or services are not available to meet the needs of this acquisition.

Performance-Based Acquisition is  /is not  applicable to this contract, *if not applicable:*

- Performance-Based Contracting is not suitable for this acquisition because the primary purpose of contracted R&D programs is to advance scientific and technical knowledge and apply that knowledge to the extent necessary to achieve agency and national goals. Unlike contracts for supplies and services, most R&D contracts are directed toward objectives for which the work or methods cannot be precisely described in advance. For the above reasons performance-based contracting is not appropriate, or
- The resulting contract will not be Performance-Based. This SOW is individually tailored to attain a degree of flexibility for contractor creativity and the objectives of the acquisition. The work is described in terms of "how" it will be accomplished and/or the number of hours to be provided. The emphasis is on achieving specified objectives and knowledge rather than on achieving predetermined end results prescribed in a statement of specific performance characteristics. For the above reasons Performance-Based contracting will not be used for this acquisition.

**8. Priorities, Allocations, and Allotments – FAR 7.105(b)(8),**

This acquisition is not subject to the Defense Priorities and Allocations System (DPAS).

**9. Contractor versus Government Performance Consideration – FAR 7.105(b)(9),**

This acquisition is not subject to the Office of Management and Budget (OMB) Circular No. A-76 (Revised), Performance of Commercial Activities, dated May 29, 2003.

**10. Inherently Government Functions – FAR 7105(b)(10),**

Not Applicable. In accordance with FAR Subpart 7.5 and the Office of Federal Procurement Policy Letter 11-01, this form serves as a written determination by the designated requirements official certifying that the services being procured under this acquisition are not inherently governmental. The required services will not involve the exercise of discretion in applying Government authority or the making of value judgment. See **Attachment**.

**11. Management Information Requirement – FAR 7.105(b)(11),** *Discuss, as appropriate, what management system the Government will use to monitor the contractor's effort. If an Earned Value Management System (EVMS) is to be used, discuss the methodology the Government will employ to analyze and use the earned value data to assess and monitor contract performance. In addition, discuss how the offeror's/contractor's EVMS will be verified for compliance with the Electronic Industries Alliance Standard 748 (EIA-748), Earned Value Management Systems, and the timing and conduct of integrated baseline reviews (whether prior to or post award). (See [FAR 34.202](#).)*

**12. Make or Buy – FAR 7.105(b)(12),**

Make or Buy Program Considerations are not applicable to this acquisition, or  
 Make or Buy Program Considerations were addressed in the Basic IDIQ or BPA's AP, or  
 Make or Buy Program Considerations were considered as follows: *Discuss as applicable*

**13. Test and Evaluation - FAR 7.105(b)(13),**

This acquisition is not considered a major system acquisition under the definition of FAR Part 2 and production release is not applicable., or  
 The Base IDIQ or BPA's AP addressed Test and Evaluation, or  
 Test program of the contractor and the Government is applicable: *Describe the test program for each major phase of a major system acquisition. If concurrency is planned, discuss the extent of testing to be accomplished and any testing milestones that will be met before production release.*

**14. Logistics Considerations - FAR 7.105(b)(14), Describe:**

Does the acquisition include a requirement for Patents, Data, and Copyrights beyond those granted by Rights in Data - General (FAR Clause 52.227-14)?

Yes, *describe the Patents, Data Rights, and Copyrights required (FAR Part 27 and HHSAR Part 327) Additional approvals and justification may be required.*  
 No.

A Quality Assurance Surveillance Plan (QASP): A performance-based acquisition requires the use of a QASP

Was not prepared/  Was prepared, See **Attachment**.

**15. Government-Furnished Property - FAR 7.105(b)(15),**

- Supplying the contractor with Government-Furnished Property, Information, or Facilities was incorporated into the basic contract and is applicable to this TO.
- An **attachment** includes a list of this property, information, or facilities as it is in addition to or different from the underlying contract and will be included in the TO at time of award.
- Government-Furnished Property, information, or facilities is not applicable.

**16. Government-Furnished Information- FAR 7.105(b)(16),**

- Government-Furnished Information is not applicable, or
- The Base IDIQ or BPA's AP addressed Government-Furnished Information , or
- Government-Furnished Information on this acquisition includes: *Discuss any Government information, such as manuals, drawings, and test data, to be provided to prospective offerors and contractors. Indicate which information that requires additional controls to monitor access and distribution (e.g., technical specifications, maps, building designs, schedules, etc.), as determined by the agency, is to be posted via the enhanced controls of the Government wide Point of Entry (GPE) (see FAR 5.102(a)).*

**17. Environmental and Energy Conservation Objectives - FAR 7.105(b)(17),**

- In accordance with FAR Part 23, this acquisition is considered a sustainable “Green” acquisition. The parent contract included the provisions to be used and evaluation factors for review of the offeror’s Sustainable Action Plan. This TO is subject to that plan.
- In accordance with FAR Part 23, the IDIQ contract was **not** considered a sustainable “Green” acquisition. However, environmental products will be used to the greatest extent practicable including the use of energy-efficient products or services, environmental assessments, or environmental/energy issues and special products containing recovered materials, including the special requirements for printing and writing paper. The technical requirements that each product must meet to become Energy Star® qualified are available at [ENERGY STAR Qualified Products : ENERGY STAR](#), and FAR clause 52.223-15 will be included in the TO solicitation and award.
- In accordance with FAR Part 23, the IDIQ contract was **not** considered a sustainable “Green” acquisition and environmental products are not applicable.

**18. Security Considerations - FAR 7.105(b)(18),**

a. Security of Government Facilities, Information, and Information Systems.

Applicable?

- Yes, See **Attachment**.
- No.

b. Privacy Act/ System of Records:

- Yes, See **Attachment**.
- No.

[https://oma.od.nih.gov/forms/Privacy%20Documents/Documents/Privacy%20Act%20Systems%20of%20Records%20Notices%20\(SORNs\)%205-1-15.pdf](https://oma.od.nih.gov/forms/Privacy%20Documents/Documents/Privacy%20Act%20Systems%20of%20Records%20Notices%20(SORNs)%205-1-15.pdf)

**19. Contract Administration - FAR 7.105(b)(19),** *Describe how the contract will be administered. In contracts for services, include how inspection and acceptance corresponding to the work statement's performance criteria will be enforced. In contracts for supplies or service contracts that include supplies, address whether higher-level quality standards are necessary (FAR 46.202) and whether the supplies to be acquired are critical items (FAR 46.101).*

**20. Other Considerations - FAR 7.105(b)(20), - *Discuss, as applicable:***

- a. Research Involving Human Subjects. *For additional information and exceptions consult CRF Title 45 – Part 46, <https://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=83cd09e1c0f5c6937cd9d7513160fc3f&ptid=20180719&n=pt45.1.46&r=PART&ty=HTML>.*
- The resulting TO will involve the participation of human subjects. Human research activities are considered “non-exempt” and the assurances and procedures of 45 CFR 46.101(b)(1-6) and HHSAR Subpart 370.3 will be followed.
- The resulting TO will involve the participation of human subjects. Human research activities for this acquisition are considered “exempt” because one or more of the following conditions apply: research will occur in an educational setting and will involve normal educational practices; research will use educational tests (cognitive, diagnostic, aptitude, achievement), survey procedures, interview procedures or observation of public behavior and participants will not be identifiable and are not candidates for public office; research involves the collection or study of existing data, documents, records, pathological specimens, or diagnostic specimens and these sources are publicly available or participant are not identifiable; research is approved by the head of the department and is designed to study, evaluate, or otherwise examine public benefit or service programs; or, research is designed to taste or evaluate the quality of wholesome foods or is a consumer acceptance study.
- The resulting TO will not involve the participation of human subjects in research activities.
- b. Research Involving Animals.
- The resulting TO will involve the use of live vertebrate animals. The prime contractor (and any affected subcontractors) will have an approved Animal Welfare Assurance on file with the Office of Laboratory Animal Welfare (OLAW), NIH, prior to contract award, as required by the Public Health Service Policy on Humane Care and Use of Laboratory Animals (Revised 1986) and HHSAR Subpart 370.4. The CO will retain a copy of the AWA and/or Institutional Animal Care and Use Committee approval (IACUC) in the award file.
- Research involving animals is not applicable.
- c. Selection of Conference Sites. *See HHS Travel Policy Manual, <https://psc.gov/transportation-services/resources/HHS-Travel-Policy-Manual.pdf>*
- This acquisition involves the use and selection of conference sites. Selection of the sites will follow the HHS Travel Manual which calls for consideration of sites which are reasonably central to participants, adopt a comprehensive smoke-free policy, and stipulates that light refreshments are not a travel cost. NIH policy requires organizers of scientific meetings make a concerted effort to achieve appropriate representation of women, racial/ethnic minorities, and persons with disabilities. The quality of the proposed plans to seek appropriate representation will be included in the evaluation criteria. For additional information see <http://grants.nih.gov/grants/guide/notice-files/NOT95-123.html>. Additionally, in accordance with NIH Efficient Spending Policy, a Conference Approval Request form shall be used to explain the purpose of the conference/meeting, why the conference/meeting is critical to the mission, and why the costs are considered reasonable. The request must be submitted and approved in advance of issuing the solicitation and once awarded, executed prior to each event.
- This requirement includes organizing scientific meetings (Steering Committee, OSMB/DSMB). These activities are NOT considered conferences, therefore in accordance with NIH Efficient Spending Policy a Conference Approval Request form is not required BUT the selection of meeting space must follow the NIH Manual 26101-17-1 and complete form NIH-827-1 for the Acquisition of Temporary Commercial Conference Space. The request must be submitted and approved in advance of issuing the solicitation and once awarded, executed prior to each event.

This requirement does not involve the use of conference sites or meetings or is otherwise exempt.

d. Travel.

- This TO includes travel as described in the requirements document.
- This TO does not include any travel requirements.

e. Shipping/Packaging.

- This TO includes shipping/packaging requirements as described the requirements document.
- This TO includes special shipping/packing requirements as described below: (*include narrative*).
- This TO does not include any shipping/packing requirements.

21. Milestones for the Procurement Cycle - FAR 7.105(b)(21), was created and is being updated in OASYS.

22. Identification of Participants in Acquisition Plan Preparation - FAR 7.105(b)(22), *list the individuals who participated in preparing the AP*.

**Part II – Review and Approval**

**Funds Certifying Official's Certification:**

- I hereby certify that (a) this requirement represents a bona fide need of the fiscal year for which the appropriation was made and complies with the Anti-deficiency Act<sup>4</sup>; and (b) funds are committed for the entire performance period of the TO. CAN # \_\_\_\_\_ Amount: \$ \_\_\_\_\_ FY: \_\_\_\_\_
- I hereby certify that (a) this requirement represents a bona fide need of the fiscal year or years for which the appropriation was made and complies with the Anti-deficiency Act; and (b) funds are committed for the base period or first increment of performance of this TO. CAN # \_\_\_\_\_ Amount: \$ \_\_\_\_\_ FY: \_\_\_\_\_
- This acquisition will use the multi-year contracting procedures authorized in [FAR Subpart 17.1](#) and [HHSAR Subpart 317.1](#). I hereby certify that:
  - this requirement represents a bona fide need in the fiscal year or years for which the appropriation was made and complies with the Anti-Deficiency Act; and
  - funds are committed for the first year of performance plus the estimated amount of the full cancellation ceiling, or
  - Funds are not currently committed for this acquisition. *If funds are not committed at this time, indicate when funds are expected to be committed.*

| OFFICIAL                                | NAME & TITLE | SIGNATURE | DATE |
|---|--------------|-----------|------|
| <b>FUNDS CERTIFICATION<br/>OFFICIAL</b> |              |           |      |

<sup>4</sup> See GAO Redbook at <https://www.gao.gov/legal/appropriations-law-decisions/red-book> for a discussion of the Bona Fide Needs Rule and severable versus non-severable services (Chapter 5), Anti-Deficiency Act (Chapter 6) and related appropriations limitations.

The below signatures verifies review of the AP and, as required by [HHSAR Subpart 307.105](#), certifies that it provides all required information in the prescribed format.

*Note: Please fill in with N/A for Reviews and Approvals that are not required due to the value of the Acquisition.*

| Official   | N/<br>A | Anticipated<br>COR (Check<br>One) | Name and Title | Signature |
|--|---------|-----------------------------------|----------------|-----------|
| <b>Requiring Activity Representative</b>                   |         |                                   |                |           |
| <b>Program Manager</b>                                     |         |                                   |                |           |
| <b>Head of the Sponsoring Program Office</b>               |         | NA                                |                |           |
| <b>Contracting Officer</b>                                 |         | NA                                |                |           |
| <b>Team Lead or Branch Chief, “One Level Above” Review</b> |         | NA                                |                |           |
| <b>Director or Deputy Director of OA</b>                   |         | NA                                |                |           |

### Part III – Attachments

The following attachments are made a part of this TO - Acquisition Plan.

| Included                 | Not Included             | Attachment Number and Description   |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. Requirements Document (e.g. SON, SOW, SOO, PWS)  |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. Independent Government [Cost] Estimate   |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. HHS Small Business Review Approval (HHS 653), <i>see item b.1. Small Business Review.</i>                                |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. Potential Sources/IDIQ contractors   |
| <input type="checkbox"/> | <input type="checkbox"/> | 5. Inherently Governmental Function Determination, or<br><input type="checkbox"/> See Parent Contract or Ordering Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | 6. Quality Assurance Surveillance Plan  |
| <input type="checkbox"/> | <input type="checkbox"/> | 7. List of Government Furnished Property  |
| <input type="checkbox"/> | <input type="checkbox"/> | 8. Information Security Program Requirements Checklist/Cert.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 9. Project Manager/COR Training   |

- |                          |                          |   |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | 10. Justification for Exception to Fair Opportunity (JEFO)  |
| <input type="checkbox"/> | <input type="checkbox"/> | 11. Determination and Finding to Exceed 5-year period of performance, HHSAR 317.204(e)(3), or<br><input type="checkbox"/> See Parent Contract or Ordering Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | 12. Determination and Finding for the inclusion of Options  |
| <input type="checkbox"/> | <input type="checkbox"/> | 13. Determination and Finding for _____ type contract   |

*Indicate all pre-award clearances/approvals that apply to the project by checking the appropriate blocks and provide the completed form as Part III of the AP. Otherwise, indicate when the clearance/approval will be provided. Provided below is a reference(s) for each item. The CO must ensure that all required pre-award clearances, approvals, and assurances are satisfied at the appropriate stage of the acquisition. This list may not include all required clearances/approvals for a specific project. Consult the OPDIV CO for further information.*

- |                          |                          |   |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | 14. Animal Welfare. See the <i>Public Health Service Policy on Humane Care and Use of Laboratory Animals</i> , Revised 1986, and HHSAR Subpart 370.401.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 15. Foreign Contracts. See <i>NIH Policy Manual 6325-1</i> ,<br><a href="https://policymanual.nih.gov/6325-1">https://policymanual.nih.gov/6325-1</a> Access the NIH Foreign Tracking System at:<br><a href="https://era.nih.gov/about-era/nih-and-grantor/program/facts.htm">https://era.nih.gov/about-era/nih-and-grantor/program/facts.htm</a>   |
| <input type="checkbox"/> | <input type="checkbox"/> | 16. Human Subjects. See 45 CFR 46 and HHSAR 370.301.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 17. ICT. <i>Approval of the OPDIV/OS Section 508 Official or designee is required when claiming an exception to Section 508 of the Rehabilitation.</i><br><a href="http://www.hhs.gov/web/508/index.html">http://www.hhs.gov/web/508/index.html</a>   |
| <input type="checkbox"/> | <input type="checkbox"/> | 18. Conference/Meeting Approvals. <i>(Approval is required prior to awarding any new contract reserving a conference/Meeting facility or incurring a new obligation for an HHS-sponsored conference/meeting. The sponsoring office must obtain the approval of the appropriate OPDIV or STAFFDIV official, based on the thresholds established on the NIH Efficient Spending Policy page. The request must be received at least fifteen (15) calendar days in advance of issuing any solicitation or funding opportunity announcement. The request must be on the Conference Request Form and contain sufficient detail to understand the nature and scope of the conference (see HHS Policy on Use of Appropriated Funds for Conferences and Meeting Space).</i> |
| <input type="checkbox"/> | <input type="checkbox"/> | 19. Other Clearance(s). <i>Specify the type of pre-award clearance/approval required and provide the necessary clearance information as part of the AP, if available. Otherwise, indicate when the clearance/approval will be provided.</i><br><a href="https://policymanual.nih.gov/6307-3">https://policymanual.nih.gov/6307-3</a>  |
| <input type="checkbox"/> | <input type="checkbox"/> | 20. Paperwork Reduction Act - OMB Clearance or Clinical Exemption. <i>Resulting task order will involve the collection of information from 10 or more public individuals. Clinical exemption may apply because information will be obtained from individuals under treatment or clinical examination in connection with research on or prevention of a clinical disorder (and the related study control subjects). In addition, clinical exemption may apply to the assay analyses or specimens.</i><br><a href="https://policymanual.nih.gov/1825">https://policymanual.nih.gov/1825</a>   |