

CONTRACT REVIEW BOARD

STANDARD OPERATING PROCEDURES

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TABLE OF CONTENTS

PURPOSE.....	1
SCOPE OF REVIEW.....	1
ACTIONS TO BE REVIEWED.....	1
OTHER FILE DOCUMENTATION.....	1
BOARD MEMBERSHIP/ATTENDANCE.....	1
REVIEW BOARD PROCESS.....	2-4
1. Request for CRB Evaluation/Meeting	
2. Scheduling	
3. Pre-Evaluation/Meeting Preparations	
4. CRB Submissions	
5. Conduct of Meeting (when required)	
6. Major Changes	
7. Resubmissions	
8. Documentation of Findings	
9. Timeline	
WAIVER OF CRB REVIEW REQUIRMENTS.....	4
EFFECTIVE DATE.....	4
EXHIBITS	
EXHIBIT A – APD CONTRACT REVIEW BOARD REQUEST FORM	
EXHIBIT B – CRB REVIEW FORM	

CONTRACT REVIEW BOARD STANDARD OPERATING PROCEDURES

PURPOSE

This document establishes the Standard Operating Procedures (SOP's) of the Acquisition and Property Division (APD) Contract Review Board (CRB). This document applies only to contract actions conducted by APD and will supplement and not replace, normal supervisory and Contracting Officer (CO) responsibilities.

SCOPE OF REVIEW

The CRB shall review actions outlined in these procedures to ensure that the proposed action, when properly executed, will comply with established acquisition policies, procedures, and regulations.

ACTIONS TO BE REVIEWED

The following actions shall be reviewed by the CRB:

- (a) Procurement actions exceeding \$1 million (inclusive of options terms) regardless of type (competitive, non-competitive, 8(a), orders under GSA schedule, commercial items, etc.) at the following phases: (1) solicitation; and (2) award. (Note: This does not include the exercising of previously negotiated options.)
- (b) All proposed Terminations for Convenience, Terminations for Cause, and Terminations for Default.

The entire file shall be submitted for review by the CRB, including:

1. Any associated clearances or waivers (i.e., Office of Small and Disadvantaged Business Utilization, Small Business Administration, Performance Based Service Contract, Information Technology, etc.);
2. Memoranda to the file that summarize the background and history of the procurement;
3. The pre-negotiation position, summary of negotiation, source selection decision, etc.; and,
4. Notification of any protests, disputes, claims, or appeals.

BOARD MEMBERSHIP/ATTENDANCE

The CRB membership shall consist of three (3) individuals as follows:

- Chief, Acquisition Programs and Oversight Branch (APOB) (Chairperson); and
- Procurement Analysts, Senior Contract Specialists, or Level III CO's.

In the absence of the Chief, APOB, the Acting Chief, APOB, will serve as the Chairperson (or another individual if identified at the discretion of the Director, APD or Chief, APOB.

REVIEW BOARD PROCESS

The CRB members will generally complete contract reviews electronically. At the discretion of the Director, APD, the Chief, APOB, or Acting Chief as appropriate, the CRB may conduct a face-to-face meeting in lieu of electronic submissions.

1. **Request for CRB Evaluation/Meeting.** The Contract Specialist or CO shall provide Exhibit A, "APD Contract Review Board Request Form," and Exhibit B, "CRB Review Form" along with three (3) copies of the procurement action and required file to APOB.
2. **Scheduling.** In the event a face-to-face meeting is required, APOB shall do the following upon receipt of a fully approved APD Contract Review Request Form (Exhibit A) and documentation:
 - Chief, APOB will determine who will serve as the CRB members;
 - Schedule the CRB meeting, when required, identify time and place, notify all participants and distribute copies of the documentation to be reviewed; and,
 - Maintain a file of CRB actions, findings, minutes, and comments as directed by the Chairperson.
3. **Pre-Evaluation/Meeting Preparation.** Each CRB member shall ensure that a qualified replacement is provided if they are unable to participate/attend; thoroughly review the documents prior to the meeting, making written notes of problems and other questionable items; and provide comments, suggestions, and recommendations, as appropriate, to improve the document and bring it into compliance with established policies, procedures, and regulations.
4. **CRB Submissions.** CRB members shall review the documentation in accordance with this SOB and will submit questions/comments to the chairperson for consolidation. The Chairperson will then submit the findings electronically in accordance with the procedures in Item 5 below.
5. **Conduct of Meeting (when required).** CRB members shall discuss the action under review including any questions or problems identified by individual members. The CO or Contract Specialist shall be present/available to explain or clarify any issues the CRB wants to discuss. Recommendations shall be provided along with approval/disapproval/conditional approval of the reviewed action. Findings and recommendations shall be documented in Exhibit B. All disapprovals must be documented in the findings.

The Chairperson shall conduct the CRB meetings within the scope described above and shall ensure a majority decision of the CRB members in the approval, disapproval, or conditional approval of the reviewed documents. Any dissenting opinions shall be written and remain in the file. The Chairperson will also ensure majority agreement among board members that the recommended changes are deemed either major or minor.

6. **Major changes.** If major changes are present, the action shall be disapproved by the CRB and sent back to the CO for revision or correction. Examples of major changes include noncompliance with regulatory requirements, significant deficiencies in the solicitation document, or an unsupported award recommendation. Changes that are major in nature will require a subsequent CRB review.
7. **Resubmissions.** If, at the completion of the CRB review, it is concluded that the solicitation/contract must be revised before it can be released, the Board shall disapprove/conditionally approve the release and recommend appropriate changes to the CO. The CO shall revise the action, as appropriate, and request a follow-on CRB evaluation/meeting, if required in accordance with Item 5 above. At the time the document is resubmitted for CRB review, the new request shall be identified as a Resubmission in large letters at the top of Exhibit A and the causes of the earlier rejection should be appended to the Exhibit to expedite a second review. Depending upon the extent of the CRB recommended changes, the CO should submit any “resubmission,” normally, within 5 business days after receipt of the recommended changes.

At the election of the Chairperson, the revised action may be reviewed by the entire CRB membership or by the Chairperson alone.

8. **Documentation of Findings.** The approval, disapproval, or conditional approval of the document by the CRB shall be reflected on the CRB Review Form (Exhibit B) under **Review Board Findings**. Each CRB reviewer shall affix his/her signature and date to denote approval, dissent, or concurrence with the decision.

When the CRB disapproves an action, the Chairperson shall use the CRB Review form, with the attachments, to identify those findings of specific elements that did not comply with established acquisition policy, procedure, or regulation. The findings shall be attached to Exhibit B. Other CRB recommendations may be appended thereto, as necessary.

Conditional approval shall be granted by checking the appropriate block, obtaining signatures of participating reviewers, and identifying all conditions, in writing, that must be completed before the action is released. The CO shall comply with the CRB recommendations and make the required revisions, normally within 5 business days. No further CRB review will be required prior to release.

The minutes of each CRB shall be the findings and determination contained in or accompanying the CRB Review Form (Exhibit B) and any written CRB member comments on the action being reviewed. Each CRB member shall note, in writing, any questions, problems, irregularities, deficiencies, and omissions in the documentation identified during their review of the action. The Contract Specialist or CO, whose action is being reviewed by the CRB, is responsible for recording the minutes.

These findings will be discussed and resolved or result in a finding of disapproval or conditional approval. The resolved and unresolved issues that the CRB requires to be addressed by the CO must be documented in writing by the CO/Contract Specialist.

Any restrictions or limitations placed upon the action under review by the CRB shall also be indicated on the CRB record. The reasons for disapproval of any action shall be on Exhibit B and returned to the CO/Contract Specialist for action and resubmission. Each resubmission

will require a new record.

A copy of the completed CRB approval form shall be retained in APD, APOB. The original shall be placed in the contract file. At the discretion of the Chairperson, a copy of the findings may also be forwarded to the Director, APD.

9. **Timeline.** The review shall be complete and the results of the CRB forwarded to the CO within 10 business days after receipt of the request package in APOB.

WAIVER OF CRB REVIEW REQUIREMENT

Waiver of the CRB requirement for any of the above actions may be granted by the Director, APD. A written request that includes the reasons why the waiver is necessary must be submitted through the Chief, APOB, to the Director, APD.

EFFECTIVE DATE

This SOP outlined herein supersedes all previous procedures and becomes effective upon issuance and will remain in effect until revised or canceled.

CRB Procedures Approval:

Larry R. Cullumber, Director
Acquisition and Property Division

Date

APD CONTRACT REVIEW BOARD REQUEST FORM

I. TO BE COMPLETED BY THE REQUESTING BRANCH

SOLICITATION/CONTRACT NO: _____

DESCRIPTION OF SUPPLIES/SERVICE:

ESTIMATED DOLLAR AMOUNT (including options): _____

TYPE OF ACTION TO BE REVIEWED: _____

CONTRACT SPECIALIST: _____

CONTRACTING OFFICER: _____

BRANCH CHIEF: _____

COMMENTS/INSTRUCTIONS:

II. COMPLETED BY ACQUISITION PROGRAMS AND OVERSIGHT BRANCH (APOB)

CRB SCHEDULED FOR: _____
(Date and Time)

LOCATION: _____

MEMBERS: _____

CRB REVIEW FORM

Date: _____

ACTION REVIEWED (SOLICITATION/CONTRACT NO): _____

CONTRACT SPECIALIST: _____

CONTRACTING OFFICER: _____

REVIEW BOARD FINDINGS

APPROVED _____

DISAPPROVED _____

CONDITIONAL APPROVAL _____ subject to the conditions noted on the attached.

(Signature and date)

BOARD MEMBER:

(Signature and date)

BOARD MEMBER:

(Signature and date)

CHAIRPERSON

(Signature and date)

REMARKS: Findings of disapproved reviews will be identified in writing and attached to the approval form.