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Selective Review News Brief Series – Contracts

May 30, 2008

This is the fourth and final in USAC's weeklong series of News Briefs on [Selective Review](#) topics.

Question: My organization posted a Form 470 but selected a state master contract to purchase our services. What should I submit to my Selective Reviewer?

After you post a Form 470, you must conduct a fair and open competitive bidding process. You can consider a state master contract as a bid response to be evaluated with all of your other bids. Therefore, in this situation, you should be able to provide the following to your Selective Reviewer:

- Request for Proposals (RFP), if one was issued
- Copies of bids received
- Selection criteria
- Evaluation sheet and/or scoring document
- Letters and any other correspondence to and from service providers
- Copy of the state master contract. If a copy was provided to USAC previously, give your Selective Reviewer the associated Form 471 application number. If your state master contract is available on a website, give your Selective Reviewer the website address (URL).
- Copy of the document that records your decision to purchase from the state master contract. This document could be a formal letter from your procurement selection committee or an informal memorandum to the file. It should discuss how you determined that the service provider was the most cost-effective solution and should be dated on or before the contract award date but on or after the Allowable Contract Date listed on your Form 470.

See [Contract Guidance](#) on USAC's website for more information on state master contracts.

Question: Do I need a service provider signature and date on my contract?

FCC Program rules do not require the service provider to sign and date the contract. However, we recommend that you consult your state and local procurement rules and/or regulations, because these may require a service provider's signature and/or date. Note that you must be in compliance with both Program rules and your applicable state and local procurement rules and regulations.

However, the applicant MUST sign the contract, and the date of the contract must be on or before the date that the Form 471 was certified — that is, the date the certification page was postmarked or the date the form was certified online.

Question: The contract price included ineligible items. We removed the ineligible costs when we submitted our Form 471. As a result, the contract price is higher than my FRN's eligible pre-discount amount. Should I provide an explanation to the Selective Reviewer about the discrepancy?

Yes. Whenever there is a discrepancy between prices and/or contract dates, you should provide an explanation to help USAC understand your particular circumstances. Providing a complete explanation may also reduce or eliminate additional follow-up questions from your Selective Reviewer.

Question: My school underwent a Selective Review last year. We provided all of the competitive bidding documents associated with our multi-year contract. This year we used the same multi-year contract. Do we have to provide the same documentation again?

You do not have to provide the documentation again if everything has remained the same for the second year that the contract is in effect. Make sure your initial submission included the **original bids** and information on the service provider selection. If it did, give your Selective Reviewer the application number(s), Funding Request Number(s), and funding year associated with those documents so they can be located. If any of the documents are missing, the Selective Reviewer will request them from you.

Question: My library is in the first year of a three-year voluntary contract extension. What dates should I report for my contract award date and contract expiration date?

Your contract award date is the date you decided to exercise the extension. It is **not** the date you originally awarded the contract. Remember that the contract award date must be on or before the date that the Form 471 was certified. Also, remember that unless the request for voluntary contract extensions (option years) was included in the Form 470 and/or RFP, you must post a new Form 470 for those services before extending the contract.

The contract expiration date is the date the contract extension ends.

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