

Frequently Asked Questions

1. What is a Basic Ordering Agreement (BOA)?

Basic Ordering Agreement (BOA) is a written instrument of understanding, negotiated between an agency, contracting activity or contracting office and a contractor that contains the following:

- 1) Terms and clauses applying to future contracts orders between the parties during its term;
- 2) A description, as specific as practicable, of supplies or services to be provided; and
- 3) Methods for pricing, issuing, and delivering future orders under the BOA.

The BOA is not a contract it is an agreement.

2. Are there any special requirements to receive a BOA?

To receive an ERLN BOA, a laboratory must first apply and be accepted into the ERLN (www.epa.gov/erln). The laboratory must be registered in the Central Contractor Registration (CCR). Laboratories can register in the CCR by completing the online registration at www.CCR.gov.

3. Since I am a part of the ERLN will my services definitely be needed?

Receiving a BOA does not necessarily mean that a laboratory will be tasked to perform under the ERLN. EPA sees your laboratory as a potential capable and vetted resource that can provide a service during a nationally significant incident or environmental emergency.

4. How will work be ordered?

EPA will order services from BOA holders either directly (Sole Source) from the laboratory or on a competitive basis. Sole source orders will be issued during national or other emergencies, or other EPA defined specific incidents (defined on a case-by-case basis). All other times, EPA will request quotes from BOA holders for services.

5. What is the ordering process?

Depending whether or not the situation is an emergency dictates how an order will be processed, as illustrated below.

Non Emergency situation (non time critical):

- CO sends out a Request for Quote (RFQ) to the ERLN labs.
- Labs will submit a quote to the Contracting Officer at the time and date specified on the request. (A laboratory is not obligated to bid on specific orders).
- The CO will issue an order to the laboratory whose price and other price related factors are the best value to the Government.

Emergency situation (time critical):

- The On Scene Coordinator will issue a verbal order directly to the Laboratory

6. What information will be included in the Request for Quote?

The RFQ and order will include the following: specific site; description of services; size (how many samples?); analytical method(s); reporting requirements; delivery schedule; and any quality assurance (QA) or quality control (QC) that should be performed, etc.

7. Who can order work from the BOA holders?

Work will only be ordered from an On Scene Coordinator or a Contracting Officer.

8. If my lab is contacted to provide an analytical service do I have to accept?

No. Remember, a BOA is not a contract and does not require your lab to perform any work for the EPA. However, if an order is issued, you are expected to fulfill the requirement.

9. What happens if my lab cannot fulfill the terms of the order?

The Lab should contact the contracting officer and project officer to discuss possible solutions.

10. What happens if the order is not fulfilled completely?

Untimely or incomplete orders can result in termination for default. Each situation will be addressed on a case-by-case basis.

11. What if other challenges ensued (e.g. the work took longer than expected/the method wasn't used and a new one was negotiated in)?

The Lab should contact the contracting officer and project officer to discuss possible solutions.

12. How will my lab be paid?

Laboratories will be paid via EFT within 30 days after receipt of a properly submitted invoice,

13. When labs are competing for an order, how is one chosen?

The method of selection for issuance of an order is based upon lowest price in addition to other non price related factors.

14. Can I subcontract with another lab?

No. Orders will be issued to a single facility. Subcontracting will not be authorized.

15. Where can I apply?

<http://www.epa.gov/oamsrpod/ersc/ERLN2/index.htm>

16. How is my laboratory found by the data requestor/EPA regional laboratory/PO?

EPA maintains a database with all the Labs that have BOAs. This database is available to On Scene Coordinators, Data Requestors, EPA Regional Labs and Project Officers. A requester can search the database by name, analysis, location or capacity.

17. If selected for award how long will it take to receive the order?

In the case of an emergency a verbal order can be issued by the On Scene Coordinator immediately which will be followed up by a written order. Routine orders may be issued within 3 business days.

18. Who makes the decision on which laboratory is chosen?

Either the Contracting Officer or On Scene Coordinator will make the award decision.

19. Is there any standing criteria?

The criteria will be included in the Request for Quote.

20. If a laboratory is not chosen, when will it be notified?

The successful awardee and price will be posted on <http://www.epa.gov/oamsrpod/ersc/ERLN2/index.htm>

21. How long will the BOA last?

The ERLN BOAs are effect for 5 years. Each year the Government will verify your contact information.

22. What is the minimum and maximum order amounts of a BOA?

The maximum amount of the BOA is \$5,500,000.

23. What is Fair Opportunity?

The Contracting Officer must provide each BOA holder a fair opportunity to be considered for each order exceeding \$3000 except under the following conditions:

The Agency needs for supplies and services are so urgent that providing fair opportunity would result in unacceptable delays;

Only one BOA holder can provide the supplies or services required at the quality levels required because the supplies and service are so unique or highly specialized;

The order must be issued on a sole source based in the interest of economy and efficiency because it is a logical follow on to an order already issued under contract.

24. What is the procedure for exchanging laboratory resources with both ERLN/WLA and non-ERLN/WLA laboratories?

ERLN/WLA laboratories may exchange resources with other ERLN/WLA laboratories or non-ERLN/WLA laboratories at anytime following the development of a mutual agreement acceptable to all laboratories involved in the exchange.