



Requirements Checklist; Low Dollar Value-Low Risk Contracts and Purchase of a Goods

Use this checklist to define the functional and technical requirements for the good.

Instructions

1. These lists are not exhaustive; these questions are just the beginning of your conversation with the stakeholders. So, in your own daily work, start with this list and build on it.
2. These questions will inform the Statement of Work and some of the legal provisions in the final contract. The Contract Professional will work with you to align these requirements and the contract terms and conditions.
3. These questions may also help you identify risks and associated losses. Please see below for instructions on the inclusion of your answers in the Risk Monitoring Template.
4. These questions and answers will also help form your Contract Summary.
5. For services see the Requirements Checklist; Low Dollar Value-Low Risk Contracts and Purchase of a Service.

Business Objectives (Why do the work)

- What is causing the need, problem, challenge or issue?
- What is the vendor doing to meet this need, problem or challenge?
- Is the vendor providing goods directly to the Agency or providing goods to the community on behalf of the Agency?
- What outcome is the Agency looking for from this vendor?
 - Deliver _____ to _____ on time for proper maintenance of _____.
 - Write your statement here.
- Summarize here: What is the purpose of the contract? (This will be used in any solicitation for a competitive bid/quote)

Developing the Work (What is the work)

- List the specific goods the vendor will provide to satisfy the need, problem or challenge.
- How does the good function? (Note, these are your technical and functional requirements.)
 - Goods: size, shape, dimensions, weight, etc.



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- What are the Agency's obligations to the vendor (access to a building, computer system, technical drawings, etc.). List those Agency requirements so the Contract Professional can determine how to include them in the contract.
- Should your Agency's policy, regulatory and statutory requirements be documented here in the functional requirements? In other words, does the good need to meet a regulatory or policy obligation? List them.
- List any required qualifications required of the vendor and/or their staff to manufacture the good?
- Check your work:* Are the functional and technical requirements clearly written in a form that the vendor and the Contract Manager both understand?
 - Use simple sentences, verbs, industry terms, and industry standards.
 - Are there *implied* requirements (such as one party providing the other party data or drawings or access to a system) that are not outlined so far? List them.

Describing Performance (How and when is the work done to specifications)

- When do the goods need to be delivered?
- Is the timeline for performance/delivery etc. clearly outlined?
 - Are there gaps in the delivery dates or "TBD's"?
 - Who, when and how will the "TBD's" be determined?
- What documents/reports will the Agency need to verify delivery of goods?
- What other objective factors will the Agency use to verify the work?
 - Think of things like: number of units delivered, no broken parts, units delivered on time etc.
- List the unit of measurement here: _____ . If there is no unit of measurement, skip the next checkbox below.
- If there is a unit of measurement, answer these questions:
 - Who will record the data about this unit of measurement?
 - How often will the recording party collect the data?
 - In what form will the recording party report the data?
 - How will the receiving party validate that the data is accurate?
 - Who will review that data?
 - Who at the Agency will approve of the data?
- What should happen if the good does not meet the requirements? (Note, these will be incorporated into the contract terms and conditions.)



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- Define complete delivery, partial delivery, “defective goods”, etc.
- Will the vendor have the right, time and ability to “cure” or fix the good? How will that work? What timeframe? Who would be negatively impacted if the goods are defective?
- Will the vendor replace the good or item? What is that process? Who will pay for shipping the defective item back to the vendor and shipping the replacement item to the Agency? Does the item need to be new or the refurbished version of the defective item originally delivered?
- ❑ *Check your work:* Are the performance requirements clearly written so the Contract Manager can demonstrate performance or demonstrate the lack of performance when talking to the vendor about its performance?

Acceptance (What happens if the goods don’t meet expectations)

The contract template will have generic acceptance language, and usually refers back to the scope of work or technical specifications for acceptance criteria. This section will provide the Agency and the vendor acceptance criteria (Acceptance criteria provide guidance about how and when the work is complete. Complete can mean a part of the units are delivered or all of the units must be delivered at one time. Please see the Defined Terms in the contract for the applicable definition.)

- ❑ Who at the Agency will verify that the goods are delivered? What does that person need to verify that the goods are delivered?
- ❑ Who at the Agency will verify that the goods meet the technical and functional specifications? In other words, that the goods are the size, shape and form ordered. What does that person need to verify technical specifications for the goods?
- ❑ Are there inspections of the goods? When, by whom and at what point? The vendor at the point of shipment or the Agency at time of delivery?
- ❑ Is testing required to validate the goods perform as requested? When, by whom and how are those tests to be done?
- ❑ Does this good require quality assurance (QA) audits, or other procedures to verify or validate performance? When, by whom and how are those to be done?
- ❑ Are there additional expenses for tests or certificates of compliance etc.? Who pays for them?
- ❑ What if something is rejected and needs to be tested again? Who pays for that process?
- ❑ How do we enforce these performance requirements? (If you have any questions, please ask your Contract Professional.)



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- Check your work:* Is the acceptance process clearly outlined so the Agency can formally accept or reject the goods? (Note, acceptance leads to payment, and rejection leads to replacement/re-work).



Reassess the answers to the following questions as your answers may indicate a potential risk and associated loss to the Agency. If you are unclear at this point, please call your Contract Professional or a Subject Matter Expert.

Risk Questions

These questions (from above) may indicate a potential risk and associated loss to the Agency.

- Is the vendor providing goods directly to the community on behalf of the agency? If yes, this is a potential risk and needs to be addressed in the legal terms and conditions. Further, note this risk in the Risk Monitoring Template and follow the directions in the template.
- Should your Agency's policy, regulatory and statutory requirements be documented here in the functional requirements? In other words, does the good need to meet a regulatory or policy obligation? If you listed any policies, regulations or statutes please work with your Agency stakeholder and Contract Professional about potential risks.
- List any required qualifications required of the vendor and/or their staff to manufacture the goods? If there are qualifications, the loss of or lack of qualifications is a potential risk and needs to be addressed in the legal terms and conditions. Further, note these qualifications as a risk in the Risk Monitoring Template and follow the directions in the template.
- Is the timeline for performance/delivery etc. clearly outlined? If a missed timeline could negatively impact the Agency or the community it serves, the missed timeline is a potential risk and needs to be addressed in the legal terms and conditions. Further, note this risk in the Risk Monitoring Template and follow the directions in the template.
- Are there tests of the goods to verify performance? If yes, a failed test is a potential risk and needs to be addressed in the legal terms and conditions. Further note this risk in the Risk Monitoring Template and follow the directions in the template.



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- Is a small business manufacturing or delivering the goods? If so, are there any risks associated with a small business manufacturing or delivering the goods? If yes, this is a potential risk and needs to be addressed in the legal terms and conditions. Further, note this risk in the Risk Monitoring Template and follow the directions in the template.



If you are unclear about any of these issues, please call your Contract Professional or a Subject Matter Expert. After these questions are complete, please set up a meeting with your Agency's Contract Professional to continue the collaborative process of preparing the solicitation for issuance.
