

Frequent Questions

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

A Basic Ordering Agreement (BOA) is a written understanding, negotiated between EPA and a contractor (state, local, municipal, or commercial lab), which contains the following:

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

A BOA is **NOT** a contract; it is an agreement.

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

To receive a BOA, a lab must first apply and be accepted into the ERLN (www.epa.gov/erln).

The lab must also register with the Central Contractor Registration (CCR) online 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 lab will be tasked to perform under the ERLN. EPA sees your lab 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 from the lab (sole source) or on a competitive basis. Sole-source purchase orders may be issued during national 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?

How a purchase order is processed will depend on whether or not the situation is an emergency.

Non-Emergency Situations:

- The Contracting Officer (CO) sends an RFQ to the selected ERLN labs.
- Labs will submit a quote to the CO at the time and date specified on the request (a lab is not obligated to bid on specific task orders).
- The CO will issue a purchase order to the lab whose price and other price related factors are the best value.

Emergency Situations (where the CO is unavailable and time is of the essence):

- The On-Scene Coordinator will issue a purchase order directly to the lab.

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

The RFQ and purchase order detail the level of effort required for a particular service and will include: the specific site or incident; description of services; size (i.e., how many samples); analytical method(s) needed; reporting requirements; delivery schedule; any quality assurance (QA) or quality control (QC) measures that should be performed; and payment terms and conditions.

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 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?

Labs 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?

Labs can apply by visiting <http://www.epa.gov/oamsrpod/ersc/ERLN2/index.htm>.

16. How is my lab found by the data requestor/EPA regional lab/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 three business days.

18. Who makes the decision on which lab 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 lab is not chosen, when will it be notified?

The successful award recipient 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 a lab's 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 \$3,000 except under the following conditions:

1. The Agency's needs for supplies and services are so urgent that providing fair opportunity would result in unacceptable delays;
2. Only one BOA holder can provide the supplies or services required at the quality levels required because the supplies and service are unique or highly specialized;
3. 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 lab resources with both ERLN/WLA and non-ERLN/WLA labs?

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