

## Frequently Asked 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](http://www.epa.gov/erln)).

The lab must also register with the Central Contractor Registration (CCR) online at [www.CCR.gov](http://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.