



JA White

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# CPSR Checklist





In life, change is inevitable.  
In business, change is vital.

Warren G. Bennis

“ quote fancy

# What are Checklists?

Comprehensive lists of crucial tasks that are completed in a specified order. Their purposes are to ensure no important steps are forgotten



Drive efficiency and compliance



Ensure consistency



Assist with change management and training



Help minimize mistakes

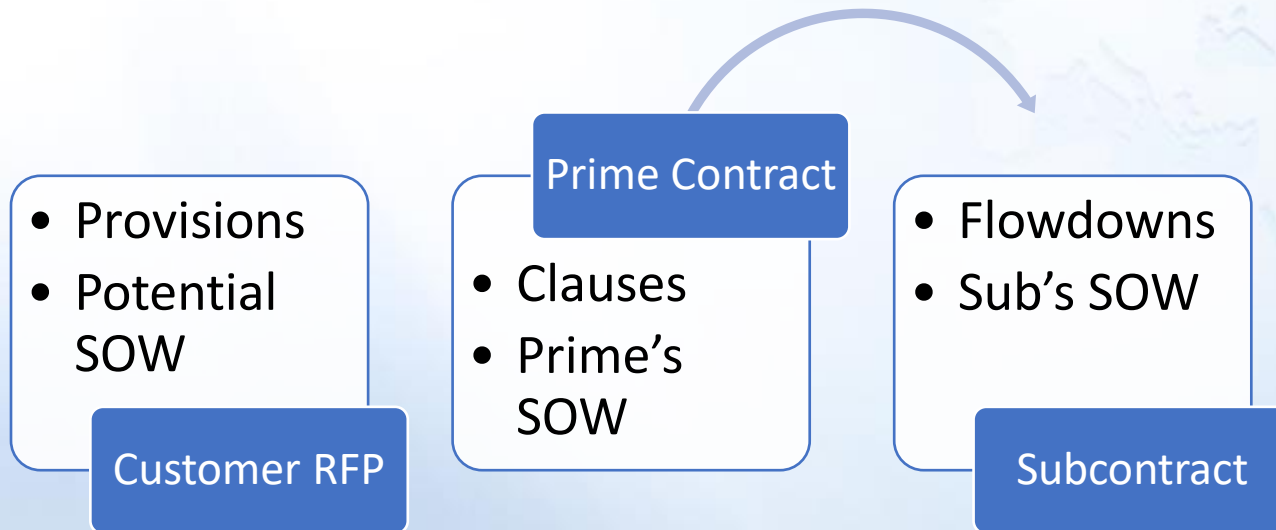


Manage Documentation

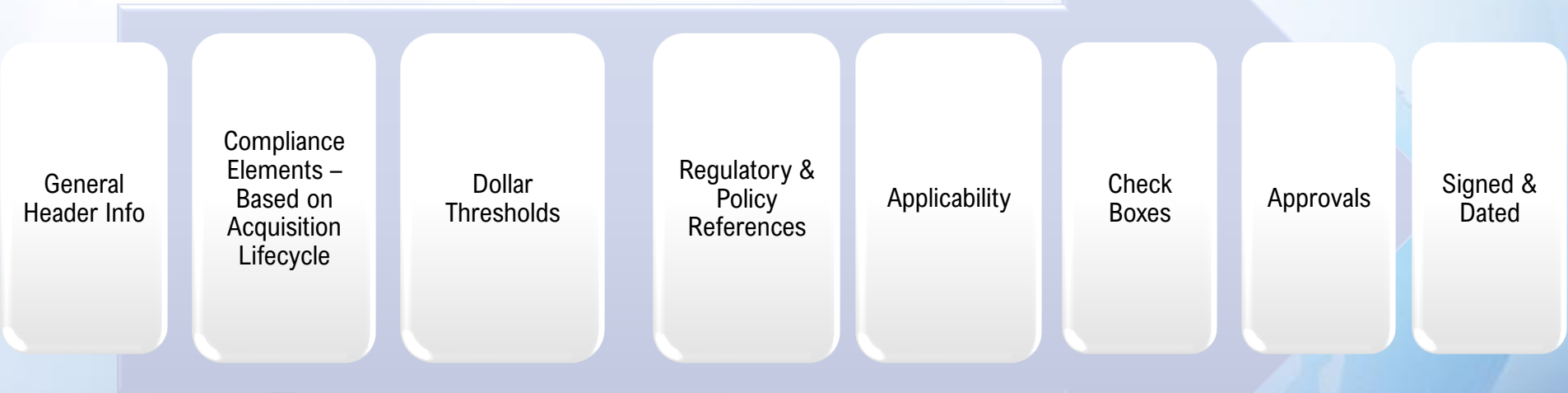


Are often used as an audit tool

# GovCon Compliance Drivers



# Typical Checklist Elements



# How to Create a Compliance Checklist



# Developing a CPSR Checklist

## Identify the Applicable References

### **FAR:**

[Part 44 - Subcontracting Policies and Procedures | Acquisition.GOV](#)

[Part 52 - Solicitation Provisions and Contract Clauses | Acquisition.GOV](#)

### **DFARS:**

[244.305-70 Policy. | Acquisition.GOV](#)

[252.244-7001 Contractor Purchasing System Administration. | Acquisition.GOV](#)

### **DoE Guidelines**

[PEER Handbook \(energy.gov\)](#) (PERT CPSR Independent Peer Review Program Handbook)

### **DCMA Guidelines**

[CPSR Guidebook 062719.pdf \(dcma.mil\)](#)



STEP  
1

# Developing a Small Business Review Checklist

- Determine the Need for and Purpose of the Checklist
- Review Each Clauses for Actionable, Compliance-Related Items
- Review FAR Prescriptions for Actionable, Compliance-Related Items
- Review Internal and External Audit Programs and the Results of Previous Audit Reports





# Developing a Small Business Review Checklist

- Identify the Need for Documentation to Support Compliance:
  - Forms
  - Workflows
  - Reports
  - Audits
  
- Identify Specific Actionable, Compliance-Related Items and Audit Elements to Include within the Checklist
  
- Create the Checklist



# Types of CPSR Checklists

1. Risk Assessment
2. Pre-CPSR Request for Data
3. Procurement Policies and Procedures
4. Procurement File Review



# CPSR Policy/Procedure Checklist Elements

- Adequate System Description
  - Policies
  - Procedures
  - Description of Practices
  - Specify who is responsible for ensuring compliance with each prescribed policy and or procedure
  
- Current and updated to include current dollar thresholds, clause numbers, as well as any clause prescriptions.
- Ensure purchase orders and subcontracts contain mandatory and applicable flow-down clauses required to carry out the requirements of the prime contract.
- Policies and procedures shall be written in a way that complies with the Federal Acquisition Regulation and the Defense Federal Acquisition Regulation Supplement, and be in accordance with DFARS 252.244-70001(c)(1)

# FAR Guidance (44.303 Extent of Review)

- The considerations listed in [44.202-2](#) for consent evaluation of particular subcontracts also shall be used to evaluate the contractor's purchasing system, including the contractor's policies, procedures, and performance under that system. Special attention shall be given to-
  - (a) The results of market research accomplished;
  - (b) The degree of price competition obtained;
  - (c) Pricing policies and techniques, including methods of obtaining certified cost or pricing data, and data other than certified cost or pricing data;



# FAR Guidance (44.303 Extent of Review)

- (d) Methods of evaluating subcontractor responsibility, including the contractor's use of the System for Award Management Exclusions (see [9.404](#)) and, if the contractor has subcontracts with parties on the Exclusions list, the documentation, systems, and procedures the contractor has established to protect the Government's interests (see [9.405-2](#));
- (e) Treatment accorded affiliates and other concerns having close working arrangements with the contractor;
- (f) Policies and procedures pertaining to small business concerns, including small disadvantaged, women-owned, veteran-owned, HUBZone, and service-disabled veteran-owned small business concerns;
- (g) Planning, award, and postaward management of major subcontract programs;
- (h) Compliance with Cost Accounting Standards in awarding subcontracts;
- (i) Appropriateness of types of contracts used (see [16.103](#));
- (j) Management control systems, including internal audit procedures, to administer progress payments to subcontractors; and
- (k) Implementation of higher-level quality standards.



# FAR 44.202-2 Considerations

(a) The contracting officer responsible for consent must, at a minimum, review the request and supporting data and consider the following:

- (1) Is the decision to subcontract consistent with the contractor's approved make-or-buy program, if any (see [15.407-2](#))?
- (2) Is the subcontract for special test equipment, equipment or real property that are available from Government sources?
- (3) Is the selection of the particular supplies, equipment, or services technically justified?
- (4) Has the contractor complied with the prime contract requirements regarding-
  - (i) Small business subcontracting, including, if applicable, its plan for subcontracting with small, veteran-owned, service-disabled veteran-owned, HUBZone, small disadvantaged and women-owned small business concerns (see [part 19](#)); an
  - (ii) Purchase from nonprofit agencies designated by the Committee for Purchase From People Who Are Blind or Severely Disabled [41 U.S.C.8504](#) (see [part 8](#))?



# FAR 44.202-2 Considerations

(5) Was adequate price competition obtained or its absence properly justified?

(6) Did the contractor adequately assess and dispose of subcontractors' alternate proposals, if offered?

(7) Does the contractor have a sound basis for selecting and determining the responsibility of the particular subcontractor?

(8) Has the contractor performed adequate cost or price analysis or price comparisons and obtained certified cost or pricing data and data other than certified cost or pricing data?

(9) Is the proposed subcontract type appropriate for the risks involved and consistent with current policy?



# FAR 44.202-2 Considerations

(10) Has adequate consideration been obtained for any proposed subcontract that will involve the use of Government-provided equipment and real property?

(11) Has the contractor adequately and reasonably translated prime contract technical requirements into subcontract requirements?

(12) Does the prime contractor comply with applicable cost accounting standards for awarding the subcontract?

(13) Is the proposed subcontractor listed as excluded in the System for Award Management (see [subpart 9.4](#))?





# DCMA Job Aids

[CPSR Guidebook 062719.pdf \(dcma.mil\)](#)

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# DoE Job Aids

[PEER Handbook \(energy.gov\)](http://energy.gov)

## ATTACHMENT K - CONTRACTOR PURCHASING SYSTEM ASSURANCE CRITERIA

DEAR 970.4402-2 Guiding Principle	Evidence of Compliance	AOI	R	Observations
<b>1. Contractor's purchasing system delivers to its customers on a timely basis those products and services necessary to accomplish the purposes of the Government's contract.</b>				
1.1 Internal customers are brought into the procurement planning process at the appropriate stage.		P		
1.2 Requirements schedules and long lead items are identified by end-users at the appropriate stage of the procurement process.		P		
1.3 Procurement organization works with their end-users to develop well defined requirements, appropriate solicitation methodology and contract type in a timely fashion.		P		
1.4 Contractor has mechanisms in place to accommodate emergency buys.		P		
<b>2. Contractor's purchasing system is well-defined, consistently applied and follows purchasing practices appropriate for the requirement and dollar value of the purchase.</b>				
2.1 Adequate controls exist to guard against the misuse of delegated purchasing authority.		IC		
2.2 Special terms and conditions are used when necessary after appropriate internal review.		IC		
2.3 Government property is properly documented and accounted for, when provided.		FD		
2.4 Contract types selected were appropriate for the cost and performance risks associated with the scopes of work and consistent with applicable guidelines.		IC		
<b>3. Contractor's purchasing system provides appropriate measures to ensure the acquisition of quality products and services at fair and reasonable prices</b>				
3.1 Proper balance is maintained between supporting the requiring activity in a timely manner and obtaining "best value" in procuring supplies and services.		IC		

Ratings (R): Weakness = ○ Acceptable = ⊕ Strength = ● Best Practice = ⊙

Areas of Interest (AOI): •Construction (C) •Contract Administration (CA) •Ethics / Training (ET) •File Documentation (FD) •Internal Controls (IC)  
•Planning (P) •Prime Contract Compliance (PCC) •Resources (R) •Self-assessment (SA) •Sourcing / Supplier Performance (SSP)

# DoE Job Aids

DEAR 970.4402-2 Guiding Principle	Evidence of Compliance	AOI	R	Observations
3.2 Contractor is taking advantage of opportunities to leverage its buying power.		P		
3.3 Pre-award cost/price analysis was performed consistent with purchasing system requirements.		FD		
3.4 Certified cost or pricing data and a Certificate of Current Cost or Pricing Data are obtained, when required.		PCC		
<b>4. Contractor's purchasing system provides appropriate measures to ensure the use capable and reliable subcontractors</b>				
4.1 Contractor is authorized to buy from government sources of supply and uses those sources appropriately.		SSP		
4.2 Contractor does not enter into any subcontract in excess of \$30,000 with a contractor that is debarred, suspended, or proposed for debarment unless there is a compelling reason to do so. Furthermore, Contractor notifies its Contracting Officer in writing before entering into a subcontract with a party that is debarred, suspended, or proposed for debarment.		SSP		
4.3 Contractor has a system in place to select capable and reliable subcontractors who have a record of successful past performance or can demonstrate a current ability to perform.		SSP		
4.4 Contractor personnel make a determination of subcontractor responsibility prior to award.		PCC		
<b>5. Contractor's purchasing system provides appropriate measures to ensure the minimization of acquisition lead-time and administrative costs of purchasing</b>				
5.1 The procurement organization engages in acquisition planning with end users to ensure timely acquisitions.		P		
5.2 Contractor makes use of automation to the maximum extent feasible.		R		
5.3 Contractor uses standard subcontract templates to the maximum extent practicable.		R		
5.4 Contractor has a process in place for revision of contract templates and clauses, when required.		IC		
5.5 Acquisition cycle/lead times are tracked and trended.		R		

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# DoE Job Aids

DEAR 970.4402-2 Guiding Principle	Evidence of Compliance	AOI	R	Observations
5.6 Personnel resources are adequate to support current procurement needs.		R		
5.7 Requirements schedules and long lead items are identified by end-users at the appropriate stage of the procurement process.		P		
5.8 Contractor uses Rapid Purchasing Techniques (e.g., purchase cards, electronic commerce) when appropriate.		IC		
5.9 Contractor has optimized its use of Rapid Purchasing Techniques.		IC		
<b>6. Contractor's purchasing system provides appropriate measures to ensure the use of effective competitive techniques</b>				
6.1 Forecasts for future procurement actions are communicated to industry well in advance to maximize competition.		P		
6.2 Contractor makes reasonable attempts to minimize non-competitive procurements and optimize competition.		P		
6.3 Contract requirements and evaluation criteria are reviewed to eliminate overly-restrictive specifications/criteria and maximize competition.		SSP		
<b>7. Contractor's purchasing system provides appropriate measures to ensure the reduction of subcontract performance risks and facilitation of quality relationships</b>				
7.1 Allowable costs for cost reimbursable subcontracts are determined in accordance with the cost principles.		CA		
7.2 Contractor performs audits of cost reimbursement subcontractors, and other audits when necessary, to provide a valid basis for pre-award cost or price analysis, and post-award allowable costs.		CA		
7.3 Post award cost/price issues are identified and appropriately resolved.		CA		
7.4 Contractor provides timely disposition instructions for Government property and ensures compliance with those instructions.		CA		

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# DoE Job Aids

DEAR 970.4402-2 Guiding Principle	Evidence of Compliance	AOI	R	Observations
7.5 Contractor has a process in place to prevent award of a construction subcontract to the A&E company or affiliate who prepared the design.		C		
7.6 When Contractor awards a turnkey (i.e., design-build) subcontract, subcontractor assumes all liability for defects in design and construction, including consequential damages.		C		
7.7 Contractor has a process in place to prevent the award of a cost reimbursement and a fixed-price subcontract for construction, architect-engineer services, or a combination thereof to the same firm, when those subcontracts will be performed at the same site.		C		
7.8 Contractor has a process in place that prevents the work of a construction subcontractor from being inspected by the same subcontractor or its affiliates.		C		
7.9 Bond requirements and other performance guarantee requirements are adequately stated in construction subcontracts and Contractor ensures that those requirements are met prior to commencement of work.		C		
7.10 Contractor has a system in place to ensure that a construction subcontractor: <ul style="list-style-type: none"> <li>pays required wages and fringe benefits</li> <li>submits certified payrolls on a weekly basis.</li> </ul>		C		
7.11 Contractor includes appropriate Organizational Conflict of Interest (OCI) language in its solicitations and subcontracts.		FD		
7.12 Contractor has adequate controls in place to preclude fraud, waste and abuse when using Rapid Purchasing Techniques.		IC		
7.13 Contractor's policies/procedures are followed when using Rapid Purchasing Techniques.		IC		
7.14 Authorized users of Rapid Purchasing Techniques are provided appropriate and timely training on the applicable policies/procedures.		IC		

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# DoE Job Aids

DEAR 970.4402-2 Guiding Principle	Evidence of Compliance	AOI	R	Observations
<b>8. Contractor's purchasing system provides appropriate measures to ensure the use of self-assessment and benchmarking techniques to support continuous improvement</b>				
8.1 Contractor has a system for problem identification, data collection and analysis, and takes appropriate steps for improvement based on its findings.		SA		
8.2 Contractor uses the Balanced Scorecard (BSC) Program, Objectives Matrix, Contractor Assurance System (CAS) or other methodology to establish outcome oriented performance objectives.		SA		
8.3 Contractor has an internal audit/assessment program which reviews management systems and internal controls to determine whether they are adequate to accomplish the objectives of the purchasing system.		SA		
8.4 Lessons learned and findings from internal and external audits/reviews are trended and considered in deciding corrective actions to be taken; such information is adequately conveyed to the procurement staff.		SA		
8.5 Contractor uses performance indicators to monitor both its current performance and its efforts to improve processes, motivate and educate employees, and enhance information systems.		SA		
8.6 Contractor uses benchmarking techniques to support continuous process improvement.		SA		
<b>9. Contractor's purchasing system provides appropriate measures to ensure the maintenance of the highest professional and ethical standards</b>				
9.1 Contractor has an ethics program and its procurement personnel receive training on ethics.		ET		
9.2 Appropriate training is provided to all individuals who will be responsible for monitoring subcontractor performance.		ET		
9.3 Roles, responsibilities and expectations are clearly communicated for proper administration of subcontracts.		ET		
9.4 Frequency and timing of all procurement related training is appropriate.		ET		

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# DoE Job Aids

DEAR 970.4402-2 Guiding Principle	Evidence of Compliance	AOI	R	Observations
9.5 There is adequate protection to preclude fraud, waste and abuse.		IC		
9.6 Personnel training, experience, knowledge and structure are adequate to assure compliance with applicable laws, prime contract requirements, and company policy.		IC		
<b>10. Contractor's purchasing system provides appropriate measures to ensure the maintenance of file documentation appropriate to the value of the purchase and adequate to establish propriety of transaction and price</b>				
10.1 Contractor's files adequately document that funds are available prior to award.		FD		
10.2 Source selection decisions are consistent with stated evaluation criteria and technical evaluations performed, and are adequately documented.		FD		
10.3 When required, Representations and Certifications are obtained, verified and documented in the file.		FD		
10.4 Contractor has a file documentation process that is appropriate to the value of the purchase and adequate to establish the propriety of the transaction and price paid.		FD		
10.5 Appropriate analysis is being performed and documented prior to modifying a subcontract.		FD		
10.6 Certified cost or pricing data and a Certificate of Current Cost or Pricing Data are adequately documented in the file, when required.		FD		
10.7 File documentation is adequate to evidence that appropriate post-award administrative functions are being performed.		FD		
10.8 File documentation adequately justified contract types selected.		FD		
10.9 Pre-award cost/price analysis was documented consistent with purchasing system requirements.		FD		
10.10 When required, a search is conducted in the System for Award Management (SAM) to determine if any exclusions apply to the proposed awardee.		FD		

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# DoE Job Aids

DEAR 970.4402-2 Guiding Principle	Evidence of Compliance	AOI	R	Observations
10.11 When applicable, files contain evidence of compliance with the Buy American Act, Davis-Bacon Act and other prime contract requirements.		FD		
10.12 Non-competitive justifications are adequately documented and approved at required levels.		FD		
10.13 Negotiations as required and the resultant savings, if any, are appropriately documented in the file.		FD		
<b>11. Contractor's purchasing system provides appropriate measures to ensure the maximization of opportunities for small business to participate in subcontract performance</b>				
11.1 Small Business Subcontracting Plans are obtained when required.		PCC		
11.2 Contractor complies with its Small Business Subcontracting Plan, enforces compliance of its subcontractor's plans, and submits reports required by its Small Business Subcontracting Plan in a timely manner.		PCC		
11.3 Contractor participates in the DOE Mentor/Protégé Program, when required.		PCC		
11.4 Contractor engages in outreach activities to identify and use small business concerns.		PCC		
11.5 Records on each solicitation resulting in an award exceeding the Simplified Acquisition Threshold adequately document whether small business concerns were solicited and if not, why not.		PCC		
11.6 If Contractor has not met or exceeded all of its small business subcontracting goals, it is taking or has taken appropriate corrective action, as approved by the Contracting Officer, to improve performance toward those goals.		PCC		
<b>12. Contractor's purchasing system and methods comply with the requirements of its prime contract.</b>				
12.1 Contractor maintains formal policies, practices and procedures used in the award of subcontracts that are consistent with DEAR 970.5244-1 Contractor Purchasing System.		PCC		
12.2 Contractor's purchasing system policies include the requirements of its prime contract and applicable laws.		PCC		

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# DoE Job Aids

DEAR 970.4402-2 Guiding Principle	Evidence of Compliance	AOI	R	Observations
12.3 Solicitations and subcontracts incorporate required prime contract flow-down clauses.		PCC		
12.4 Contractor's procurement process adequately ensures that ES&H, security, quality, property and other appropriate requirements are included in each procurement action and adequately monitored after award.		IC		
12.5 When the Service Contract Act or the Davis-Bacon Act is applicable, Contractor includes appropriate flowdowns and wage determinations in solicitations and subcontracts.		PCC		
12.6 When required by its Prime Contract, Contractor uses contracting mechanisms such as enterprise purchases and strategic sourcing.		SSP		
12.7 When required by its Prime Contract, Contractor evaluates GSA Federal Strategic Sourcing Initiative contracts for use as part of acquisition planning.		P		
12.8 When required by its Prime Contract, Contractor has a strategy in place to consistently maintain the DOE strategic savings goal.		P		
12.9 When required by its Prime Contract, Contractor correctly calculates the strategic sourcing savings and uses valid data for the savings rate.		SSP		
<b>13. Miscellaneous data points, not related to contract compliance.</b>				
13.1 Contractor participates on ICPT/SCMC teams and uses ICPT/SCMC agreements.		SSP		
13.2 Contractor makes efficient use of DOE/NNSA prime contracts as appropriate (e.g., DOE-wide NEPA contracts).		SSP		

Construction (C)	6
Contract Administration (CA)	4
Ethics / Training (ET)	4
File Documentation (FD)	16
Internal Controls (IC)	13

Planning (P)	11
Prime Contract Compliance (PCC)	12
Resources (R)	4
Self-assessment (SA)	6
Sourcing /Supplier Performance (SSP)	8

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# Checklist Take Aways?

- Comprehensive lists of crucial tasks are completed in a specified order. Its purpose is to ensure no important step is forgotten.
- Drive Efficiency and Compliance.
- Ensure consistency.
- Assist with Change Management and Training.
- Help minimize mistakes.
- Often used as an audit tool.

# Questions?



# About Us

Jeffery A. White

**Founder & CEO**

JA White & Associates, Inc.



As a leading Government Contracting, Compliance and Supply Chain Consulting firm for the last 27 years, J.A. White & Associates, Inc. combine deep functional industry experience with flexible engagement models. Our Subject Matter Experts seek to understand our client's requirements against the current legal and regulatory environment, marketplace best practices and business trends.

With countless successful Business System Reviews and implementations and an unprecedented track record, our tailored advisory services assist the GovCon Community in terms of Supply Chain compliance and risk mitigation, managing financial risks, leveraging technology, and optimize policy and procedures for effective expenditures of Government funds.

Through corporate offices in Columbia, SC, we support domestic and international clients, as well as Federal, State, and local Governments.

# Procurement Automation created by JA White!



## Company Benefits may include:

- Company Savings
- Improved Accuracy
- Process Time Reduction
- Compliant File Documentation

## For inquiries

<https://www.jawhite.com/cpsr-inquiry-form>

**Schedule Your CPSR Automated  
Procurement Demo Today!**

# CONTACT US

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