

## **Douglas, Arielle (NIH/OD) [E]**

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**From:** Douglas, Arielle (NIH/OD) [E]  
**Sent:** Thursday, November 10, 2016 9:19 AM  
**To:** List NIH1102-L  
**Cc:** Stroud, Caroline (NIH/OD) [C]; Kitt, Cheryl (NIH/OD) [E]; 'DGSHelp@maximus.com'  
**Subject:** DGS Workform Update Transmittal Email

The workforms have been updated to incorporate the changes required by FAC 2005-89 and FAC 2005-91. This update also fixes other housekeeping changes. The updated files are dated 11/10/2016 and can be found on the NIH OAMP Internet at <http://oamp.od.nih.gov/DGS/DGS-workform-information/handbook-files>. The Document Generation System (DGS) can be accessed at: <http://oamp.od.nih.gov/DGS>. The following is an explanation of changes made to each workform. FAR Clause 52.213-4, Terms and Conditions – Simplified Acquisitions (Other Than Commercial Items) (Nov 2016), is updated as required by FAC 2005-91 and FAC 2005-89 and is located at <http://oamp.od.nih.gov/DGS/additional-workforminformation/simplified-acquisition-clauses-attachments>.

**NOTE: There is currently a preliminary injunction that has been issued relating to FAC 2005-90. As this time all sections, provisions, and clauses of FAC 2005-90 will not be implemented until further notice.**

**PLEASE NOTE:** The email address for the DGS Helpdesk. Please send your system questions to: [DGSHelp@maximus.com](mailto:DGSHelp@maximus.com)

The following is an explanation of the changes made to each workform.

### **I. CONTRACT**

### **II. RFP**

### **III. SECTION K (NIH Representations & Certifications)**

[https://oamp.od.nih.gov/sites/default/files/DGS/contracting-forms/Articlek\\_508.pdf](https://oamp.od.nih.gov/sites/default/files/DGS/contracting-forms/Articlek_508.pdf)

### **IV. COMMERCIAL ITEMS CLAUSES (FAR Clauses 52.212-3 through 52.212-5)**

*NOTE: These files may be accessed from the OAMP Website under DGS/Contracting Forms at: <http://oamp.od.nih.gov/DGS/additional-workform-information/commercial-item-provisions-clauses>*

### **EXPLANATION OF CHANGES MADE TO THE CONTRACT:**

- 1. NEW** Item 299, Page 163, Article H.58.b Advanced Copies of Press Releases is added for NCI use.
- Items 377 - 393, Pages 220-271, Article I.1. General Clauses in accordance with Items I & V of FAC 2005-91 and Item I of FAC 2005-89 are updated as follows:
  - Update FAR Clause 52.204-10 Reporting Executive Compensation and First-Tier Subcontract Awards (\$30,000 or more) to (Oct 2016).
  - Update FAR Clause 52.204-13 System for Award Management Maintenance to (Oct 2016).
  - Update FAR Clause 52.219-8 Utilization of Small Business Concerns (Over the Simplified Acquisition Threshold) to (Nov 2016).
  - Update FAR Clause 52.219-9 - Small Business Subcontracting Plan (Over \$700,000, \$1.5 million for Construction) to (Nov 2016).

- Update FAR Clause 52.222-19 Child Labor – Cooperation with Authorities and Remedies to (Sept 2016).
  - Update FAR Clause 52.222-26 Equal Opportunity to (Sept 2016).
  - Update FAR Clause 52.244-6 Subcontracts for Commercial Items to (Nov 2016).
3. Item 395, Page 272, Article I.2.a. FAR Clause 52.204-13, System for Award Management Maintenance is updated to (October 2016) and FAR Clause 52.204-12 Data Universal Numbering System Maintenance is updated to FAR Clause 52.204-12 Unique Entity Identifier (October 2016) in accordance with Item V of FAC 2005-91.
  4. Item 409, Page 274, Article I.2.o. FAR Clause 52.219-9 Small Business Subcontracting Plan is updated to (November 2016) in accordance with Item I of FAC 2005-89.
  5. Item 410, Page 274, Article I.2.p. Alternate II of FAR Clause 52.219-9 Small Business Subcontracting Plan is updated to (November 2016) in accordance with Item I of FAC 2005-89.
  6. Item 411, Page 274, Article I.2.q. Alternate III of FAR Clause 52.219-9 Small Business Subcontracting Plan is updated to (November 2016) in accordance with Item I of FAC 2005-89.
  7. Item 415, Page 276, Article I.2.u. FAR Clause 52.225-5 Trade Agreements is updated to (October 2016) in accordance with Item VIII of FAC 2005-91.
  8. Item 419, Page 277, Article I.2.y. FAR Clause 52.219-8 Utilization of Small Business Concerns is updated to (November 2016) in accordance with Item I of FAC 2005-89.
  9. Item 459, Page 285, Article I.3.6. FAR Clause 52.204-14 Service Contracting Reporting Requirements is updated to (October 2016) in accordance with Item V of FAC 2005-91.
  10. Item 460, Page 286, Article I.3.7. FAR Clause 52.204-15 Service Contracting Reporting Requirements for Indefinite-Delivery Contracts is updated to (October 2016) in accordance with Item V of FAC 2005-91.
  11. Item 515, Page 298, Article I.3.62. FAR Clause 52.225-26 Contractors Performing Private Security Functions Outside the United States is updated to (October 2016) in accordance with Item IX of FAC 2005-91.
  12. Item 618, Page 338, Article I.4.17. FAR Clause 52.225-11 Buy American – Construction Materials Under Trade Agreements is updated to (October 2016) in accordance with Item VIII of FAC 2005-91.
  13. Item 619, Page 343, Article I.4.18. Alternate I (May 2014), FAR Clause 52.225-11 Buy American – Construction Materials Under Trade Agreements is updated to (October 2016) in accordance with Item VIII of FAC 2005-91.
  14. Item 621, Page 348, Article I.4.20. FAR Clause 52.225-23 Required Use of American Iron, Steel, and Manufactured Goods – Buy American Statute – Construction Materials Under Trade Agreements is updated to (October 2016) in accordance with Item VIII of FAC 2005-91.
  15. Item 622, Page 355, Article I.4.21. Alternate I (May 2014) FAR Clause 52.225-23, Required Use of American Iron, Steel, and Manufactured Goods – Buy American Statute – Construction Materials Under Trade Agreements is updated to (October 2016) in accordance with Item VIII of FAC 2005-91.

#### EXPLANATION OF CHANGES MADE TO THE RFP:

1. Item 230, Page 139, Article H.55.b. Publication and Publicity Sub Item: Advanced Copies of Press Releases is added for NCI use.
2. Item 328, Page 196, Article I.2.a. FAR Clause 52.204-13 System for Award Management Maintenance is updated to (October 2016) and FAR Clause 52.204-12 Data Universal Numbering System Maintenance is updated to FAR Clause 52.204-12 Unique Entity Identifier (October 2016) in accordance with Item V of FAC 2005-91.
3. Item 337, Page 197, Article I.2.j. FAR Clause 52.219-9 Small Business Subcontracting Plan is updated to (November 2016) in accordance with Item I of FAC 2005-89.

4. Item 338, Page 197, Article I.2.k. Alternate II of FAR Clause 52.219-9 Small Business Subcontracting Plan is updated to (November 2016) in accordance with Item I of FAC 2005-89.
5. Item 339, Page 198, Article I.2.l. Alternate III of FAR Clause 52.219-9 Small Business Subcontracting Plan is updated to (November 2016) in accordance with Item I of FAC 2005-89.
6. Item 343, Page 199, Article I.2.p. FAR Clause 52.225-5 Trade Agreements is updated to (October 2016) in accordance with Item VIII of FAC 2005-91.
7. Item 347, Page 200, Article I.2.t. FAR Clause 52.219-8 Utilization of Small Business Concerns is updated to (November 2016) in accordance with Item I of FAC 2005-89.
8. Item 386, Page 208, Article I.3.7. FAR Clause 52.204-14 Service Contracting Reporting Requirements is updated to (October 2016) in accordance with Item V of FAC 2005-91.
9. Item 387, Page 209, Article I.3.8. FAR Clause 52.204-15 Service Contracting Reporting Requirements for Indefinite-Delivery Contracts is updated to (October 2016) in accordance with Item V of FAC 2005-91. NEW
10. Item 441, Page 221, Article I.3.61. FAR Clause 52.225-26 Contractors Performing Private Security Functions Outside the United States is updated to (October 2016) in accordance with Item IX of FAC 2005-91.
11. Item 541, Page 259, Article I.4.17. FAR Clause 52.225-11 Buy American – Construction Materials Under Trade Agreements is updated to (October 2016) in accordance with Item VIII of FAC 2005-91.
12. Item 542, Page 265, Article I.4.18. Alternate I (May 2014), FAR Clause 52.225-11 Buy American – Construction Materials Under Trade Agreements is updated to (October 2016) in accordance with Item VIII of FAC 2005-91.
13. Item 544, Page 269, Article I.4.20. FAR Clause 52.225-23 Required Use of American Iron, Steel, and Manufactured Goods – Buy American Statute – Construction Materials Under Trade Agreements is updated to (October 2016) in accordance with Item VIII of FAC 2005-91.
14. Item 545, Page 27, Article I.4.21. Alternate I (May 2014), FAR Clause 52.225-23 Required Use of American Iron, Steel, and Manufactured Goods – Buy American Statute – Construction Materials Under Trade Agreements is updated to (October 2016) in accordance with Item VIII of FAC 2005-91.
15. **NEW ATTACHMENT** Item 577.1, Page 312, Article J. Attachment 1. Packaging and Delivery of Proposals for Use with the NIH electronic Contract Proposal Submission (eCPS) Website is added for use by Offices of Acquisition currently using NIH electronic Contract Proposal Submission (eCPS) Website.
16. Item 659, Page 385, Article L.2.a.30.a. FAR Provision 52.204-7 System for Award Management is updated to (October 2016) in accordance with Item V of FAC 2005-91.
17. Item 660, Page 385, Article L.2.a.30.b. FAR Provision 52.204-6 Data Universal Numbering System Maintenance is updated to FAR Provision 52.204-6 Unique Entity Identifier (October 2016) in accordance with Item V of FAC 2005-91.

#### **EXPLANATION OF CHANGES MADE TO THE COMMERCIAL ITEMS CLAUSES**

FAR Clause **52.212-1, Instructions to Offerors – Commercial Items**, has been updated to (Oct 2016). The following changes are in accordance with Item V of FAC 2005-91.

- Revise paragraph (j)

FAR Clause **52.212-3, Offeror Representations and Certifications – Commercial Items**, has been updated to (Oct 2016). The following changes are in accordance with Item V of FAC 2005-91.

- Remove from the introductory text of paragraph (p) “DUNS Number” and add “unique entity identifier” in its place.

FAR Clause **52.212-5, Contract Terms and Conditions Required to Implement Statutes or Executive Orders – Commercial Items**, has been updated to (Nov 2016). The following changes are in accordance with Item II, V, VII and VIII of FAC 2005-91 and Item I of FAC 2005-89.

- Revise paragraphs (b)(28)(e)(1)(v) to (Sept 2016)
- Revise Alternate II to (Sept 2016)
- Revise Alternate II paragraph (e)(1)(ii)(E) to (Sept 2016)
- Revise paragraphs (b)(4)(b)(6)(b)(7)(b)(17)(i) to (Oct 2016)
- Revise paragraphs (b)(26) and (b)(49) to (Oct 2016)
- Revise paragraphs (b)(51)(e)(1)(xviii) to (Oct 2016)
- Revise Alternate II to (Oct 2016)
- Revise Alternate II to add new paragraph (e)(1)(ii)(O)
- Revise paragraph (b)(16)(17)(i)(ii)(iii)(iv), to (Nov 2016)
- Revise paragraph e(1)(ii, to (Nov 2016) and revise the first sentence of the paragraph
- Revise Alternate II to (Nov 2016)
- Revise Alternate II paragraph (e)(1)(ii)(C) to (Nov 2016) and the first sentence of the paragraph

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