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To: List NIH1102-L

Cc: Gamble, Karen (NIH/OD) [E]; Dillon, Raymond (NIH/OD) [E]; Adamik, Mary (NIH/OD) [E]; Singleton, Dennis (NIH/OD) [C]

Subject: Workform Update

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The workforms have been updated to incorporate the changes required by FAC 2005-62, effective December 20, 2012, FAC 2005-63, effective December 10, 2012, FAC 2005-64, effective January 18, 2013; OALM Communication 13-15, titled "Accelerated Payments to ALL Contractors and Vendors", disseminated January 2013; current Small Business Subcontracting Goals; USDA's online reporting solution for Biobased Products; and, other housekeeping changes. The updated files are dated 2/05/2013 and can be found on the NIH OAMP Internet at <http://oamp.od.nih.gov/DGS/DGShomepage.html>. The Document Generation System (DGS) can be accessed at: <http://dgs.nci.nih.gov/dgs/index.jsp>.

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

I. CONTRACT

II. RFP

III. SECTION K (NIH Representations & Certifications)

(<http://oamp.od.nih.gov/DGS/FORMS/sectionk.pdf>)

IV. INDIVIDUAL REPRESENTATIONS AND CERTIFICATIONS

NOTE: These files may be accessed from the OAMP Website under DGS/Contracting Forms at: (<http://oamp.od.nih.gov/DGS/rc.html>) and are only used in the rare instance where an offeror is exempt from the CCR.

V. COMMERCIAL ITEMS CLAUSES (FAR Clauses 52.212-1 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/DGS_CI_clauses.html

EXPLANATION OF CHANGES MADE TO THE CONTRACT:

- 1. Item 238, Page 108,** Article G.13. Providing Accelerated Payment to Small Business Subcontractors, has been revised in accordance with OALM Communication 13-15, dated January 31, 2013 and OMB Memorandum M-12-16, Providing Prompt Payment to Small Business Subcontractors, dated July, 11, 2012.
- 2. Items 402-418 , Page(s) 212-263 ,** Article I.1 General Clauses, has been revised to add FAR Clause 52.204-13, Central Contractor Registration Maintenance (December 2012). It replaces FAR 52.204-7 Central Contractor Registration which is now a provision, in accordance with Item I of FAC 2005-62.

3. **Item 421, Page 264** , Article I.2.a. is revised to remove the FAR Provision 52.204-7 Central Contractor Registration in the first paragraph. This first paragraph has been revised to delete FAR Clause 52.204-13 Central Contractor Registration Maintenance, and substitute FAR Clause 52.204-12, Data Universal Numbering System Number Maintenance, in accordance with Item I of FAC 2005-62.
4. **Item 531, Page 286**, Article I.3.a.52. FAR Clause 52.223-2 Affirmative Procurement of Biobased Products Under Service and Construction Contracts, has been revised to add a NOTE to advise the Contractor of the USDA's new on-line reporting tool for the reporting of biobased products as identified in HHS's December 21, 2012 E-mail entitled, "On behalf of the HHS Senior Procurement Executive – FAR 52.223-2-Affirmative Procurement of Biobased Products Under Service and Construction Contracts. This note also requires Contractors to notify the Contracting Officer of report submission.
5. **Item 663, Page 345**, Article I.6.a. Nondisplacement of Qualified Workers, has been added in accordance with FAC 2005-64.

Manual Maintenance: It is recommended that you print and replace the entire "Contract Handbook" file under DGS Handbook Files from the NIH OAMP Internet. (Please note that this document has been formatted for a XEROX Work Centre 7775. If using another printer definition, the page numbers listed above may differ on your document. However, the ITEM NUMBERS will always be the same.)

EXPLANATION OF CHANGES MADE TO THE RFP:

1. **Item 184, Page 99, Article G.13. Providing Accelerated Payment to Small Business Subcontractors**, has been revised in accordance with OALM Communication 13-15, dated January 31, 2013 and OMB Memorandum M-12-16, Providing Prompt Payment to Small Business Subcontractors, dated July, 11, 2012.
2. **Item 355, Page 221, Article I.2.a.** is revised to remove the FAR Provision 52.204-7 Central Contractor Registration in the first paragraph. This first paragraph has been revised to delete FAR Clause 52.204-13 Central Contractor Registration Maintenance and substitute FAR Clause 52.204-12, Data Universal Numbering System Number Maintenance, in accordance with Item I of FAC 2005-62.
3. **Item 458, Page 232, Article I.3.a.51. FAR Clause 52.223-2 Affirmative Procurement of Biobased Products Under Service and Construction Contracts**, has been revised to add a NOTE to advise the Contractor of the USDA's new on-line reporting tool for the reporting of biobased products as identified in HHS's December 21, 2012 E-mail entitled, "On behalf of the HHS Senior Procurement Executive – FAR 52.223-2-Affirmative Procurement of Biobased Products Under Service and Construction Contracts. This note also requires Contractors to notify the Contracting Officer of report submission.
4. **Item 586, Page 292, Article I.6.a. Nondisplacement of Qualified Workers**, has been added in accordance with FAC 2005-64.
5. **Item 661, Page 345, Article L.2.a.26.a. FAR Provision 52.204-7 Central Contractor Registration**, has been updated to (December 2012) and added as a new solicitation provision incorporated by reference. In addition this provision now includes Alternate I (December 2012) for use in solicitations to support unusual and compelling needs, in accordance with FAC 2005-62, Item I.
6. **Item 662, Page 345, Article L.2.a.26.b. FAR Provision 52.204-6 Data Universal Numbering System Number**, has been revised to change the name of the provision, update the provision to December 2012 and revise the prescription to clarify instructions for use.
7. **Item 737, Page 416, Article L.2.c.9. Small Business Subcontracting Goals**, has been updated to include current Small Business Subcontracting Goals.

Manual Maintenance: It is recommended that you print and replace the entire "RFP Handbook" file under DGS Handbook Files from the NIH OAMP Intranet. (Please note that this document has been formatted for a XEROX Work Centre 7775. If using another printer definition, the page numbers listed above may differ on your document. However, the ITEM NUMBERS will always be the same.)

EXPLANATION OF CHANGES MADE TO THE SECTION K (NIH REPRESENTATIONS AND CERTIFICATIONS):

SECTION K has been revised to incorporate changes required by FAC 2005-63 as follows:

- **PART 1** - FAR Provision 52.204-8 Annual Representations and Certifications, has been updated to December 2012 to revise subparagraph (c)(1)(xx) to change the title and update the provision to December 2012 as follows: FAR Provision 52.225-25, Prohibition on Contracting with Entities Engaging in Certain Activities or Transactions Relating to Iran-Representation and Certifications.

EXPLANATION OF CHANGES MADE TO THE REPRESENTATIONS AND CERTIFICATIONS:

Important Note about the Individual Representations and Certifications: *These files should only be used for an offeror or contractor who is exempt from the requirement to register in the CCR. All other*

offerors/contractors will access these provisions from the ORCA when they complete their annual Online Representations & Certifications Application.

The Individual Representations and Certifications have been revised to incorporate changes required by FAC 2005-63 as follows:

- FAR Provision **52.225-25, Prohibition on Contracting with Entities Engaging in Certain Activities or Transactions Relating to Iran-Representation and Certifications**, has been modified to revise the title and update to December 2012.

EXPLANATION OF CHANGES MADE TO THE COMMERCIAL ITEMS CLAUSES:

- FAR Clause **52.212-3, Contract Terms and Conditions – Commercial Items**, has been updated to December 2012 to:
 - Revise subparagraph o. in accordance with FAC 2005-63.
- FAR Clause 52.212-5, Contract Terms and Conditions Required to Implement Statutes or Executive Orders—Commercial Items, has been updated to January 2013 in accordance with FAC 2005-64 as follows:
 - Revise subparagraph (c)(7) to add FAR clause 52.222-17, Nondisplacement of Qualified Workers and renumber FAR clause 52.226-6, Promoting Excess Food Donation to Nonprofit Organizations from (c)(7) to (c)(8).
 - FAR clause 52.237-11, Accepting and Dispensing of \$1 Coin is renumbered from (c)(8) to (c)(9).
 - Revise subparagraph (e)(1)(iii) to remove *Reserved* and add FAR clause 52.222-17, Nondisplacement of Qualified Workers.

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