

## Best, Tish (NIH/OD) [E]

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**From:** Best, Tish (NIH/OD) [E]  
**Sent:** Tuesday, June 05, 2012 11:45 AM  
**To:** List NIH1102-L  
**Cc:** Laycock, Gail; Bruce, Sharon (NIH/OD/ORF) [E]  
**Subject:** Workform Update

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The workforms have been updated to incorporate the changes required by FAC 2005-58, incorporate special articles and provisions applicable to and for use by ORF, and other housekeeping changes. The updated files are dated 6/4/2012 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. If you would like additional summary or detailed information about FAC 2005-58, you may access the Federal Register Notice, under General Services Administration at:

- <http://www.gpo.gov/fdsys/search/getftoc.action?selectedDate=2012-04-18>

### **I. Contract**

### **II. RFP**

### **III. 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.*

### **IV. 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](http://oamp.od.nih.gov/DGS/DGS_CI_clauses.html)*

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

- 1. Item 190, Page 69, Article G.7. Equitable Adjustments Due to Changes, has been added for ORF use.**

2. **Item 224, Page 84, Article G.11. Invoice Submission, subparagraph 2.,** has been added for ORF use. This paragraph identifies ORF invoice submission requirements.
3. **Item 246, Page 92, Article G.15. Post Award Evaluation of Contractor Performance,** has been revised update the web address for the CPARS System.
4. **Items 314 - 371, Pages 131 - 164, Articles H.57 – H.68 and associated sub articles,** have been added for ORF use as follows:
  - H.57. Wage Rates
  - H.58. Insurance
  - H.59. Health & Safety Plan
    - H.59.1. Contractor Requirements
    - H.59.2. Waiver from NIH imposed Contractor health and Safety Requirements
    - H.59.3. NIH Required Safety Training Mandate
    - H.59.4. Contractor Supervisor Orientation
    - H.59.5. Deliverables
    - H.59.6. Contractor Fully Responsible for Site Safety
    - H.59.7. Selection of Contractor Site Safety and Health Officer
    - H.59.8. Contractor Site Safety and health Officer Responsibilities
    - H.59.9. Site Safety and Health Officer Definitions
    - H.59.10. General Obligations
    - H.59.11. Accident Prevention
    - H.59.12. Contractor Injuries and Illnesses
    - H.59.13. NIH Rights
    - H.59.14. Specific Safety Provisions
    - H.59.15. Safety Performance
  - H.60. Security
    - H.60.1. Contractor Responsibility
    - H.60.2. Contractor Security Plan
    - H.60.3. Contractor Personnel
    - H.60.4. Security Procedures
  - H.61. Other On-Site
    - H.61.1. Non-Interruption of Government Activities
    - H.61.2. Utility Shutdowns
    - H.61.3. Use of Government Building Facilities
    - H.61.4. Material Delivery, Storage Areas and Debris Removal
    - H.61.5. Construction Debris
    - H.61.6. Fire Prevention
    - H.61.7. Recycling of Construction Materials
    - H.61.8. Environmental
    - H.61.9. Interim Life Safety Measures (ILSM)
    - H.61.10. Motor Vehicle and Parking Regulations
    - H.61.11. Parking Regulations
    - H.61.12. Parking Mitigation Plan
    - H.61.13. Designated Constructions Traffic Route
    - H.61.14. Grounds, Roads and Walkways
    - H.61.15. Sanitation and Food Services

- H.61.16. Document Control
- H.61.17. Communications
- H.61.18. Release of Information
- H.62. Work By The Government
  - H.62.1. Support of NIH Replaced, Renovated, Improved Equipment or Facilities
  - H.62.2. Equipment Deviations
- H.63. Performance Requirements
  - H.63.1. Equipment and Fixture Replacement Requirement
  - H.63.2. Complying with Standards
- H.64. Contractor Furnished Items
  - H.64.1. Contractor Machinery and Storage
  - H.64.2. Vehicles
  - H.64.3. Product and Service Guarantee
  - H.64.4. Furnished Parts and Industrial Codes
  - H.64.5. Care and Protection of Materials and Equipment
- H.65. Partnering
- H.66. Contractor Quality Control (CQC) Program
- H.67. Design Build Contract – Order of Precedence
- H.68. Emergency Task Order Procedures

5. **Item 514, Page 232, Article I.3.a. 43. FAR Clause 52.219-28, Post-Award Small Business Program Rerepresentation**, has been updated to April 2012 in accordance with Item IV of FAC 2005-58.
6. **Item 523, Page 234, Article I.3.a. 52. FAR Clause 52.223-2, Affirmative procurement of Biobased Products Under Service and Construction Contracts**, has been updated to May 2012 in accordance with Item I of FAC 2005-58.
7. **Item 575, Page 243, Article I.3.a.104. FAR Clause 52.237-3, Continuity of Services (PRESCRIPTION ONLY)**, has been revised to correct a previous omission and include a prescription for use of this clause when the services under the contract are considered to be vital to the Government and must be continued without interruption.
8. **Item 605, Page 247, Article I.3.b.4. HHSAR Clause 352.231-70, Salary Rate Limitation**, has been modified to add a note identifying the P.L. and limitation (112-74 and Executive Level II) for easy reference for contractors and offerors.

**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 136, Page 59, Article G.7. Equitable Adjustments Due to Changes**, has been added for ORF use.
2. **Item 170, Page 73, Article G.11. Invoice Submission, subparagraph 2.**, has been added for ORF use. This paragraph identifies ORF invoice submission requirements.

3. **Item 179, Page 79, Article G.15. Post Award Evaluation of Contractor Performance**, has been revised update the web address for the CPARS System.
4. **Items 245 - 302, Pages 117 - 151, Articles H.55 – H.66 and associated sub articles**, have been added for ORF. For complete listing of Articles added see Item 4. Above in **EXPLANATION OF CHANGES MADE TO THE CONTRACT**.
5. **Item 440, Page 180, Article I.3.a. 42. FAR Clause 52.219-28, Post-Award Small Business Program Rerepresentation**, has been updated to April 2012 in accordance with Item IV of FAC 2005-58.
6. **Item 449, Page 182, Article I.3.a. 51. FAR Clause 52.223-2, Affirmative procurement of Biobased Products Under Service and Construction Contracts**, has been updated to May 2012 in accordance with Item I of FAC 2005-58.
7. **Item 500, Page 191, Article I.3.a.102. FAR Clause 52.237-3, Continuity of Services (PRESCRIPTION ONLY)**, has been revised to correct a previous omission and include a prescription for use of this clause when the services under the contract are considered to be vital to the Government and must be continued without interruption.
8. **Item 528, Page 195, Article I.3.b.4. HHSAR Clause 352.231-70, Salary Rate Limitation**, has been modified to add a note identifying the P.L. and limitation (112-74 and Executive Level II) for easy reference for contractors and offerors.

**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 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 2005-58 as follows:

- FAR Provision **52.223-1, Biobased Product Certification**, has been updated to May, 2012 in accordance with Item I of FAC 2005-58.

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

- FAR Clause **52.212-5, Contract Terms and Conditions Required to Implement Statutes or Executive Orders—Commercial Items**, has been updated to April, 2012 to:
  - Update clause in subparagraph b.(7) in accordance with Item IV of FAC 2005-58; and,
  - Update clauses in subparagraph b.(23) in accordance with Item IV FAC 2005-58.

Thank you,

Tish and Andrea

**Helen Tissian Best**

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