

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

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**From:** Best, Tish (NIH/OD) [E]

**Sent:** Wednesday, August 29, 2012 9:22 AM

**To:** List NIH1102-L

**Cc:** Gamble, Karen (NIH/OD) [E]; Adamik, Mary (NIH/OD) [E]; Flynn, Erin (NIH/OD) [E]; Redd, David (NIH/OD) [E]; Laycock, Gail; Laycock, Gail

**Subject:** Workform Update

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The workforms have been updated to incorporate the changes required by FAC 2005-60, effective August 27, 2012, remove the requirement to include PRISM Line Item Number and PRISM Line Item Period of Performance in the contract document and Invoice Instructions, update and clarify the offerors certification of an Adequate Accounting System and other housekeeping changes. The updated files are dated 8/27/2012 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 2005-60, you may access the Federal Register Notice, under General Services Administration at:

- <http://www.gpo.gov/fdsys/search/getfrtoc.action?selectedDate=2012-07-26>

### **I. Contract**

### **II. RFP**

### **III. 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. Items 5, 7, 9, 11, 13, 15, 17, 19, 21, 25, 26, 28, 29, 33, 36, 39, 42, 45, 47, 49, 51, 53, 55, 57, Pages 6-9, 11-13, 17-19, 22-23, 25-30 & 32, Articles B. Prices/Costs,** have been revised to remove the requirement to include identification of the PRISM/NBS Line Item number and Line Item Period of Performance on the Contractor's invoices.

**2. Items 192, 194, & 195, Pages 85, 86, & 87, Article G.8. Invoice Submission/Contract Financing Request (RC)-1, subparagraph a.1.**, has been reformatted to provide consistent numbering for the three subparagraphs a.1. as follows:

- **Item 192**, subparagraph a.1. for use in all solicitations and contracts except NCI OA & ORF.
- **Item 194**, subparagraph a.1. for use in all solicitations and contracts for NCI OA.
- **Item 195**, subparagraph a.1. for use in all solicitations and contracts for ORF.

**NOTE:** There is no change to the content of these items, they have been renumbered to reflect the proper subparagraph number.

**3. Items 196 & 197, Pages 88 & 89, Article G.8. Invoice Submission/Contract Financing Request (RC)-1, subparagraph a.2.**, has been reformatted to provide consistent numbering for the two subparagraphs a.2. as follows:

- **Item 196**, subparagraph a.2. for use in all solicitations and contracts except NCI OA.
- **Item 197**, subparagraph a.2. for use in all solicitations and contracts for NCI OA.

**NOTE:** The only content change made to a.2. is the removal of subparagraph g. which required the identification of PRISM Line Items and Line Item Period of Performance on each invoice.

**4. Items 203, 205, & 206, Pages 92 & 93, Article G.9. Invoice Submission/Contract Financing Request (RC)-4, subparagraph a.1.**, has been reformatted to provide consistent numbering for the three subparagraphs a.1. as follows:

- **Item 203**, subparagraph a.1. for use in all solicitations and contracts except NCI OA & ORF.
- **Item 205**, subparagraph a.1. for use in all solicitations and contracts for NCI OA.
- **Item 206**, subparagraph a.1. for use in all solicitations and contracts for ORF.

**NOTE:** There is no change to the content of these items, they have been renumbered to reflect the proper subparagraph number.

**5. Items 207 & 208, Pages 95 & 96, Article G.9. Invoice Submission/Contract Financing Request (RC)-4, subparagraph a.2.**, has been reformatted to provide consistent numbering for the two subparagraphs a.2. as follows:

- **Item 207**, subparagraph a.2. for use in all solicitations and contracts except NCI OA.
- **Item 208**, subparagraph a.2. for use in all solicitations and contracts for NCI OA.

**NOTE:** The only content change made to a.2. is the removal of subparagraph g. which required the identification of PRISM Line Items and Line Item Period of Performance on each invoice.

**6. Items 216, 218, & 219, Pages 99, 100 & 101, Article G.10. Letter of Credit Payment Information, subparagraph c.1.**, has been reformatted to provide consistent numbering for the three subparagraphs c.1. as follows:

- **Item 216**, subparagraph c.1. for use in all solicitations and contracts except NCI OA & ORF.
- **Item 218**, subparagraph c.1. for use in all solicitations and contracts for NCI OA.
- **Item 219**, subparagraph c.1. for use in all solicitations and contracts for ORF.

**NOTE:** There is no change to the content of these items, they have been renumbered to reflect the proper subparagraph number.

- 7. Items 220 & 221, Pages 102 & 103, Article G.10. Letter of Credit Payment Information, subparagraph c.2.**, has been reformatted to provide consistent numbering for the three subparagraphs c.2. as follows:
- **Item 220**, subparagraph c.2. for use in all solicitations and contracts except NCI OA.
  - **Item 221**, subparagraph c.2. for use in all solicitations and contracts for NCI OA.
- 8. NOTE:** The only content change made to c.2. is the removal of subparagraph g. which required the identification of PRISM Line Items and Line Item Period of Performance on each invoice.
- 9. Items 227, 229, & 230, Pages 105, 106, & 107, Article G.11. Invoice Submission (RC)-2, subparagraph a.1.**, has been reformatted to provide consistent numbering for the three subparagraphs a.1. as follows:
- **Item 227**, subparagraph a.1. for use in all solicitations and contracts except NCI OA & ORF.
  - **Item 229**, subparagraph a.1. for use in all solicitations and contracts for NCI OA.
  - **Item 230**, subparagraph a.1. for use in all solicitations and contracts for ORF.
- NOTE:** There is no change to the content of these items, they have been renumbered to reflect the proper subparagraph number.
- 10. Items 231 & 232, Pages 108 & 109, Article G.11. Invoice Submission (RC)-2, subparagraph a.2.**, has been reformatted to provide consistent numbering for the two subparagraphs a.2. as follows:
- **Item 231**, subparagraph a.2. for use in all solicitations and contracts except NCI OA.
  - **Item 232**, subparagraph a.2. for use in all solicitations and contracts for NCI OA.
- NOTE:** The only content change made to a.2. is the removal of subparagraph g. which required the identification of PRISM Line Items and Line Item Period of Performance on each invoice.
- 11. Item 237, Page 112, Article G.13. Accelerated Payment to Small Business Subcontractors**, has been added for use in all contracts at the Contracting Officer's discretion. This article was added to comply with the 7/11/12 temporary Executive Branch policy M-12-16, Providing Prompt Payment to Small Business Subcontractors.
- 12. Items 401 – 417, Pages 225 – 273, Article I.1. General Clauses**, have been revised as follows:
- FAR Clause 52.204-7, Central Contractor Registration, has been updated to August, 2012 in accordance with Item I of FAC 2005-60.
  - FAR Clause 52.204-10, Reporting Executive Compensation and first-Tier Subcontract Awards, has been updated to August, 2012 in accordance with Item I of FAC 2005-60.
  - Alternates II & IV of FAR Clause 52.216-7, Allowable Cost and Payment, have been updated to August, 2012 in accordance with Item II of FAC 2005-60.
  - FAR Clause 52.222-54, Employment Eligibility Verification, has been updated to July, 2012 in accordance with Item VI of FAC 2005-60.
  - FAR Clause 52.232-7, Payments under Time-and-Materials and Labor-Hour Contracts, has been updated to August, 2012 and Alternate I of this clause has been removed, in accordance with Item II of FAC 2005-60.
- 13. Item 420, Page 276, Article I.2.a. FAR Clause, 52.204-7, Central Contractor Registration**, has been updated to August, 2012 in accordance with Item I of FAC 2005-60.

14. **Item 428 (OLD)**, Article I.2.j. FAR Clause 52.216-7, Allowable Cost and Payment, modified for use with a hospital has been deleted in its entirety based on changes to FAR 16.307 in Item II of FAC 2005-60. Specifically, FAR 16.7 no longer singles out a Hospital as an organization type. Under FAC 2005-60, applicability for Hospitals would depend on the type of organization, i.e. Nonprofit, State or Local Government, Educational Institution, etc.
15. **Item 429, Page 277**, Article I.2.j. Alternate III (August 2012) of FAR Clause 52.216-7, Allowable Cost and Payment, has been added for use with a contract with a State or Local Government in accordance with Item II of FAC 2005-60.
16. **Item 430, Page 277**, Article I.2.k. Alternate IV (August 2012) of FAR Clause 52.216-7, Allowable Cost and Payment, has been added for use with a contract with a State or Local Government exempted under OMB Circular No. A-122, in accordance with Item II of FAC 2005-60.
17. **Item 438, Page 279**, Article I.2.s. FAR Clause 52.222-54, Employment Eligibility Verification, has been updated to July 2012 in accordance with Item VI of FAC 2005-60.
18. **Item 530, Page 300**, Article I.3.a. 52. FAR Clause 52.223-2, Affirmative Procurement of Biobased Products Under Service and Construction Contracts, has been updated to July 2012 in accordance with Item VI of FAC 2005-60.
19. **Items 673, 675 & 676, Page 365-366**, Section J – List of Attachments, Items 4, 5 & 6, NIH Invoice Instructions, (RC)-1; (RC)-2; & (RC)-4, have been updated to remove the requirement to include identification of the PRISM/NBS Line Item number and Line Item Period of Performance on the Contractor’s invoices and are now dated 8/2012.
20. **Item 699, Page 369**, Section K – Representations and Certifications, Item 1. Annual Representations and Certifications, has been revised to state that the ORCA can be accessed at the SAM website.

**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 3, Page 8**, Section A – Solicitation/Contract Form, Item 10., has been revised to update the instructions to access the CCR through The System for Award Management (SAM).
2. **Items 7, 9, 11, 13, 15, 17, 19, 21, 23, 27, 28, 30, 31, 35, 38, 41, 44, 47, 49, 51, 53, 55, 57, 59, Pages 9-12, 14, 16, 20-23, 25-26, 28-34**, Articles B. Prices/Costs, Articles B. Prices/Costs, have been revised to remove the requirement to include identification of the PRISM/NBS Line Item number and Line Item Period of Performance on the Contractor’s invoices.

- 3. Items 138, 140, & 141, Pages 70-71, Article G.8. Invoice Submission/Contract Financing Request (RC)-1, subparagraph a.1.**, has been reformatted to provide consistent numbering for the three subparagraphs a.1. as follows:
- **Item 138**, subparagraph a.1. for use in all solicitations and contracts except NCI OA & ORF.
  - **Item 140**, subparagraph a.1. for use in all solicitations and contracts for NCI OA.
  - **Item 141**, subparagraph a.1. for use in all solicitations and contracts for ORF.

**NOTE:** There is no change to the content of these items, they have been renumbered to reflect the proper subparagraph number.

- 4. Items 142 & 143, Pages 73-74, Article G.8. Invoice Submission/Contract Financing Request (RC)-1, subparagraph a.2.**, has been reformatted to provide consistent numbering for the two subparagraphs a.2. as follows:
- **Item 142**, subparagraph a.2. for use in all solicitations and contracts except NCI OA.
  - **Item 143**, subparagraph a.2. for use in all solicitations and contracts for NCI OA.

**NOTE:** The only change made to a.2. is the removal of subparagraph g. which required the identification of PRISM Line Items and Line Item Period of Performance on each invoice.

- 5. Items 149, 151, & 152, Pages 77-79, Article G.9. Invoice Submission/Contract Financing Request (RC)-4, subparagraph a.1.**, has been reformatted to provide consistent numbering for the three subparagraphs a.1. as follows:
- **Item 149**, subparagraph a.1. for use in all solicitations and contracts except NCI OA & ORF.
  - **Item 151**, subparagraph a.1. for use in all solicitations and contracts for NCI OA.
  - **Item 152**, subparagraph a.1. for use in all solicitations and contracts for ORF.

**NOTE:** There is no change to the content of these items, they have been renumbered to reflect the proper subparagraph number.

- 6. Items 153 & 154, Pages 80-81, Article G.9. Invoice Submission/Contract Financing Request (RC)-4, subparagraph a.2.**, has been reformatted to provide consistent numbering for the two subparagraphs a.2. as follows:
- **Item 153**, subparagraph a.2. for use in all solicitations and contracts except NCI OA.
  - **Item 154**, subparagraph a.2. for use in all solicitations and contracts for NCI OA.

**NOTE:** The only change made to a.2. is the removal of subparagraph g. which required the identification of PRISM Line Items and Line Item Period of Performance on each invoice.

- 7. Items 162, 164, & 165, Pages 84-85, Article G.10. Letter of Credit Payment Information, subparagraph c.1.**, has been reformatted to provide consistent numbering for the three subparagraphs c.1. as follows:
- **Item 162**, subparagraph c.1. for use in all solicitations and contracts except NCI OA & ORF.
  - **Item 164** subparagraph c.1. for use in all solicitations and contracts for NCI OA.
  - **Item 165**, subparagraph c.1. for use in all solicitations and contracts for ORF.

**NOTE:** There is no change to the content of these items, they have been renumbered to reflect the proper subparagraph number.

- 8. Items 166 & 167, Pages 87-88, Article G.10. Letter of Credit Payment Information, subparagraph c.2.**, has been reformatted to provide consistent numbering for the three subparagraphs c.2. as follows:
- **Item 166**, subparagraph c.2. for use in all solicitations and contracts except NCI OA & ORF.
  - **Item 167** subparagraph c.2. for use in all solicitations and contracts for NCI OA.

**NOTE:** The only change made to c.2. is the removal of subparagraph g. which required the identification of PRISM Line Items and Line Item Period of Performance on each invoice.

- 9. Items 173, 175, & 176, Pages 90-92, Article G.11. Invoice Submission (RC)-2, subparagraph a.1.**, has been reformatted to provide consistent numbering for the three subparagraphs a.1. as follows:
- **Item 173**, subparagraph a.1. for use in all solicitations and contracts except NCI OA & ORF.
  - **Item 175**, subparagraph a.1. for use in all solicitations and contracts for NCI OA.
  - **Item 176**, subparagraph a.1. for use in all solicitations and contracts for ORF.

**NOTE:** There is no change to the content of these items, they have been renumbered to reflect the proper subparagraph number.

- 10. Items 177 & 178, Pages 93-94, Article G.11. Invoice Submission (RC)-2, subparagraph a.2.**, has been reformatted to provide consistent numbering for the three subparagraphs a.2. as follows:
- **Item 177**, subparagraph a.2. for use in all solicitations and contracts except NCI OA & ORF.
  - **Item 178**, subparagraph a.2. for use in all solicitations and contracts for NCI OA.

**NOTE:** The only change made to a.2. is the removal of subparagraph g. which required the identification of PRISM Line Items and Line Item Period of Performance on each invoice.

- 11. Item 183, Page 97, Article G.13. Accelerated Payment to Small Business Subcontractors**, has been added for use in all contracts at the Contracting Officer's discretion. This article was added to comply with the 7/11/12 temporary Executive Branch policy M-12-16, Providing Prompt Payment to Small Business Subcontractors.
- 12. Item 354, Page 210, Article I.2.a. FAR Clause, 52.204-7, Central Contractor Registration**, has been updated to August, 2012 in accordance with Item I of FAC 2005-60.
- 13. Item 367, Page 212, Article I.2.n. FAR Clause 52.222-54, Employment Eligibility Verification**, has been updated to July 2012 in accordance with Item VI of FAC 2005-60.
- 14. Item 457, Page 232, Article I.3.a. 51. FAR Clause 52.223-2, Affirmative Procurement of Biobased Products Under Service and Construction Contracts**, has been updated to July 2012 in accordance with Item VI of FAC 2005-60.
- 15. Item 595, Page 306, Section K – Representations and Instructions**, has been revised to update the instructions to access the ORCA through The System for Award Management (SAM).
- 16. Item 750, Page 425, Section L.2.c.16.e. Adequate Accounting System**, has been revised modify the certification to conform more closely with the Accounting System evaluate elements set forth in the survey tool used to evaluation prospective contractors accounting systems (SF 1408, entitled "Preaward Survey of Prospective Contractor Accounting System." In addition, a subparagraph was added to the end of this item to advise the offeror that "The Contracting Officer reserves the right to

request, with the Final Proposal Revision (FPR), a current (within 18 months) CPA opinion confirming that the Offeror's accounting system is compliant as certified above.”

**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 COMMERCIAL ITEMS CLAUSES:**

- FAR Clause 52.212-4, Contract Terms and Conditions – Commercial Items, has been revised to:
  - Update Alternate I to August, 2012, in accordance with Item II of FAC 2005-60.
- FAR Clause 52.212-5, Contract Terms and Conditions Required to Implement Statutes or Executive Orders—Commercial Items, has been updated to August, 2012 to:
  - Update subparagraph b.(4) in accordance with Item I of FAC 2005-60;
  - Update subparagraph b. (34) in accordance with Item VI of FAC 2005-60; and,
  - Update Alternate II to (July 2012) in accordance with Item VI of FAC 2005-60
  - Update Alternate II, subparagraph (e)(1)(ii)(L) to (July 2012) in accordance with Item VI of FAC 2005-60

Thank you,

Tish & Andrea

**Helen Tissian Best**

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