

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

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

**Sent:** Wednesday, November 09, 2011 3:19 PM

**To:** List NIH1102-L

**Cc:** Grant, Darryl (NIH/OD) [E]; Levy, Barbara (NIH/OD) [C]; Gamble, Karen (NIH/OD) [E]; Laycock, Gail

**Subject:** Workform Update

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The workforms have been updated to incorporate the changes required by the HHS Final Rule, entitled, "Responsibility of Applicants for Promoting Objectivity in Research for which Public Health Service Funding is Sought and Responsible Prospective Contractor," effective September 26, 2011, include additional workform language for use with Single and Multiple IDIQ solicitations and contracts, and other housekeeping changes. The updated files are dated 11/9/2011 and can be found on the NIH OAMP Internet at <http://oamp.od.nih.gov/DGS/DGShomepage.html> (new link). 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 listed below. If you would like additional summary or detailed information about the HHS Final Rule, entitled, "Responsibility of Applicants for Promoting Objectivity in Research for which Public Health Service Funding is Sought and Responsible Prospective Contractor," you may access the Federal Register Notice, under General Services Administration at:

- <http://www.gpo.gov/fdsys/pkg/FR-2011-08-25/pdf/2011-21633.pdf>

### **I. Contract**

### **II. RFP**

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

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

#### **IMPORTANT NOTES:**

- This update does not include any changes required by FAC 2005-54. Updates required by this FAC will be issued in the near future.
- Language for "sustainable acquisitions" is currently being developed and will be issued in the near future.
- The DGS Handbook files and associated Attachments and Forms are now located on the OAMP website at: <http://oamp.od.nih.gov/> under "DGS." See the sixth list item on the left hand side of the page.

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

1. **Items 33, 36, 39 & 42, Pages 18 - 21, Article B. . PRICES/COSTS (for IDIQ Contracts)**, have been added as follows:
  - **Item 33**, for use with a Single Award IDIQ type contract when the supplies or services have been priced at the time of award.
  - **Item 36**, for use with a Single Award IDIQ type contract when the supplies or services will be issued as individually negotiated Task/Delivery Orders during the period of performance.
  - **Item 39**, for use with Multiple Award IDIQ type contracts when the supplies or services have been priced at the time of award.
  - **Item 42**, for use with Multiple Award IDIQ type contracts when the supplies or services will be issued as individually negotiated Task/Delivery Orders during the period of performance.
2. **Item 74, Page 32, Article B.15. Advance Understandings, Subparagraph p. Contract Number Designation**, has been revised to make this item more generic to allow for use by all I/Cs.
3. **Item 184, Page 61, Article G.4. Method of Ordering**, has been revised for use with IDIQ Type contracts that have been priced at the time of award.
4. **Item 185, Page 62, Article G.5. Task Order Procedure**, has been added for use with IDIQ Type contracts that will award individually negotiated Task/Delivery Orders during the period of performance.
5. **Item 305, Page 122, Article H.53. Institutional Responsibility Regarding Investigator Financial Conflicts of Interest**, has been updated in accordance with the HHS Final Rule which implemented changes to the regulations at 45 CFR Part 94, entitled, "Responsibility of Applicants for Promoting Objectivity in Research for which Public Health Service Funding is Sought and Responsible Prospective Contractor," effective September 26, 2011.
6. **Item 410, Page 186, Article I.3.2. FAR Clause 52.203-14, Display of Hotline Poster(s)**, has been revised to correct the link to the Poster.
7. **Items 599, 615, & 621, Pages 244, 246 & 247, Section J – List of Attachments**, have been revised to change to links to access these forms. The forms are now located on the OAMP, NIH website.

**Manual Maintenance:** It is recommended that you print and replace **the entire "Contract Handbook" file** under **DGS Handbook Files** from the NCI OA Internet. *(Please note that this document has been formatted for a XEROX Work Centre 7675. 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. **Items 35, 38, 41, 44, Pages 21-24, Article B. . PRICES/COSTS (for IDIQ Contracts)**, have been added as follows:
  - **Item 35**, for use with a Single Award IDIQ type contract when the supplies or services have been priced at the time of award.

- **Item 38**, for use with a Single Award IDIQ type contract when the supplies or services will be issued as individually negotiated Task/Delivery Orders during the period of performance.
  - **Item 41**, for use with Multiple Award IDIQ type contracts when the supplies or services have been priced at the time of award.
  - **Item 44**, for use with Multiple Award IDIQ type contracts when the supplies or services will be issued as individually negotiated Task/Delivery Orders during the period of performance.
2. **Item 132, Page 51, Article G.4. Method of Ordering**, has been revised for use with IDIQ Type contracts that have been priced at the time of award.
  3. **Item 133, Page 52, Article G.5. Task Order Procedure**, has been added for use with IDIQ Type contracts that will award individually negotiated Task/Delivery Orders during the period of performance
  4. **Item 238, Page 110, Article H.51. Institutional Responsibility Regarding Investigator Financial Conflicts of Interest**, has been updated in accordance with the HHS Final Rule which implemented changes to the regulations at 45 CFR Part 94, entitled, “Responsibility of Applicants for Promoting Objectivity in Research for which Public Health Service Funding is Sought and Responsible Prospective Contractor,” effective September 26, 2011.
  5. **Item 339, Page 134, Article I.3.2. FAR Clause 52.203-14, Display of Hotline Poster(s)**, has been revised to correct the link to the Poster.
  6. **Items 518.1-4, Pages 192 - 201, Section J – List of Attachments**, have been revised to change to links to access these forms. The forms are now located on the OAMP, NIH website at: [http://oamp.od.nih.gov/DGS Attachments.html](http://oamp.od.nih.gov/DGS_Attachments.html) .
  7. **Item 534, Page 210, Section L.1.h. Task Orders Under Multiple Award Indefinite Delivery Contracts**, has been added for use in solicitations that will result in the award of Multiple Award Indefinite Delivery contracts.
  8. **Item 566, Page 223, Section L.2.a. 16. Institutional Responsibility Regarding Investigator Conflicts of Interest**, has been updated in accordance with the HHS Final Rule, entitled, “Responsibility of Applicants for Promoting Objectivity in Research for which Public Health Service Funding is Sought and Responsible Prospective Contractor,” effective September 26, 2011.
  9. **Item 591, Page 235, Section L.2.a.26.h. FAR Clause 52.216-7, Single or Multiple Awards**, has been added for use in solicitations for indefinite Quantity contracts that may result in multiple contract awards.
  10. **Item 656, Page 284, Section L.2.c.6. Salary Rate Limitation in Fiscal Year 2012**, has been revised to update the FY year to 2012 and advise offerors that the authorization will be sited pending passage of the legislation.

**Manual Maintenance:** It is recommended that you print and replace **the entire “RFP Handbook” file** under **DGS Handbook Files** from the NCI OA Intranet. *(Please note that this document has been formatted for a XEROX Work Centre 7675. 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 SECTION K (NIH Representations & Certifications):**

**Part 5, Page 8, Certification of Institutional Policy on Financial Conflicts of Interest**, has been updated in accordance with the HHS Final Rule, entitled, “Responsibility of Applicants for Promoting Objectivity in Research for which Public Health Service Funding is Sought and Responsible Prospective Contractor,” effective September 26, 2011.

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