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**Subject:** Workform Update  
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The workforms have been updated to incorporate the changes required by policy, regulatory and statutory enactments, the "United States Government Policy for Institutional Oversight of Life Sciences Dual Use Research of Concern", effective September 24, 2015, FAC 2005-83 and FAC 2005-84. The updated files are dated 11/05/2015 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>. FAR Clause 52.213-4, Terms and Conditions-Simplified Acquisitions (Other Than Commercial Items) (October 2015), is updated to through FAC 2005-84 and is located at: <http://oamp.od.nih.gov/DGS/additional-workform-information/simplified-acquisition-clauses-attachments>. **PLEASE NOTE:** The email address for the DGS Helpdesk has changed. 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/sectionk\\_508.pdf](https://oamp.od.nih.gov/sites/default/files/DGS/contracting-forms/sectionk_508.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/reference-material-prospective-offerors-and-contractors/contracting-forms>) and are only used in the rare instance where an offeror is exempt from the SAM.*

## **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/additional-workform-information/commercial-item-provisions-clauses>*

**NOTE:** All Solicitation and Contract Items referencing the following thresholds have been updated, in accordance with Item I of FAC 2005-83.

1. The micropurchase threshold of \$3,000 is increased to \$3,500.
2. The commercial items test program ceiling is increased from \$6.5 million to \$7 million.
3. The cost or pricing data threshold is increased from \$700,000 to \$750,000.
4. The prime contractor subcontracting plan floor is increased from \$650,000 to \$700,000, while the construction threshold remains at \$1.5 million.
5. The threshold for reporting first-tier subcontract information, including executive compensation, is increased from \$25,000 to \$30,000.
6. The cost or pricing data threshold and Cost Accounting Standard threshold are raised from \$700,000 to \$750,000.

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

1. Item 73, Page 39, Section B.14.p. Contract Number Designation, is revised PRESCRIPTION ONLY to clarify applicability of this item.
2. **NEW Item** 115, Page 48, Section C.2.a.5. Reporting on Dual Use Research of Concern, is added, in accordance with the “United States Government Policy for Institutional Oversight of Life Sciences Dual Use Research of Concern.”
3. Item 189, Page 82, Article G.6. Equitable Adjustments Due to Changes, is revised to update the FAR references in paragraph e.
4. Item 190, Page 84, Article G.7. Invoice Submission/Contract Financing Request and Contract Financial Report, is revised (PRESCRIPTION ONLY) to remove the reference to Letter of Credit.
5. Item 212, Page 98, Article G.9. Contract Financial Report, is revised (PRESCRIPTION ONLY) to remove the reference to Letter of Credit.
6. Item 250, Page 117, H.20 Dual Use Research of Concern, is added, in accordance with the “United States Government Policy for Institutional Oversight of Life Sciences Dual Use Research of Concern.”
7. Item 253, Page 118, H.24. Restriction on Abortions, is revised to clarify the restriction of this item.

8. Items 376-392, Pages 212-263, Section I.1. – General Clauses, in accordance with Item I of FAC 2005-83:  
Update FAR **52.204-10 Reporting Executive Compensation and First-Tier Subcontract Awards** to (Oct 2015).  
Update FAR **52.209-6 Protecting the Government’s Interest When Subcontracting With Contractors Debarred, Suspended, or Proposed for Debarment** to (Oct 2015).  
Update FAR **52.219-9 Small Business Subcontracting Plan** to (Oct 2015).  
Update FAR **52.222-35 Equal Opportunity for Veterans** to (Oct 2015).  
Update FAR **52.222-37 Employment Reports on Veterans** to (Oct 2015).  
Update FAR **52.222-54 Employment Eligibility Verification** to (Oct 2015).  
Update FAR **52.248-3 Value Engineering-Construction** to (Oct 2015).
9. Items 409-411, Page 266, Section I.2.o. through q. FAR Clause 52.219-9 Small Business Subcontracting Plan, is updated to (Oct 2015), in accordance with Item I of FAC 2005-83.
10. Item 413, Page 267, Section I.2.s. FAR Clause 52.222-54 Employment Eligibility Verification, is updated to (Oct 2015), in accordance with Item I of FAC 2005-83.
11. Item 434, Page 273, Section I.2.nn. FAR Clause 52.248-3 Value Engineering--Construction, is updated to (Oct 2015), in accordance with Item I of FAC 2005-83.
12. Item 456, Page 277, Section I.3.1 FAR Clause 52.203-13, Contractor Code of Business Ethics and Conduct, is updated to (Oct 2015), in accordance with Item I of FAC-2005-83.
13. Item 470, Page 280, Section I.3.15. FAR Clause 52.209-10, Prohibition on Contracting with Inverted Domestic Corporations, is updated to (Nov 2015), in accordance with Item II of FAC 2005-83.
14. Item 507, Page 288, Section I.3.51. FAR Clause 52.223-13 Acquisition of EPEAT®-Registered Imaging Equipment (Alternate I) is updated to (Oct 2015), in accordance with I of FAC 2005-84.
15. Item 510, Page 289, Section I.3.55. FAR Clause 52.223-16 Acquisition of EPEAT®-Registered Personal Computer Products, is updated to (Oct 2015), in accordance with Item I of FAC 2005-84.
16. Item 546, Page 296, Section I.3.91. FAR Clause 52.230-5 Cost Accounting Standards-Educational Institution, is updated to (Oct 2015), in accordance with Item I of FAC 2005-83.
17. **NEW Item** 681, Page 377, Section J.30. Dual Use Research of Concern (DURC) Risk

Mitigation Plan, is added, in accordance with the “United States Government Policy for Institutional Oversight of Life Sciences Dual Use Research of Concern.”

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

1. **NEW Item 70**, Page 35, Section C.2.a.3. Reporting on Dual Use Research of Concern, is added, in accordance with the “United States Government Policy for Institutional Oversight of Life Sciences Dual Use Research of Concern.”
2. Item 134, Page 64, Article G.6. Equitable Adjustments Due to Changes, is revised to update the FAR references in paragraph e.
3. Item 135, Page 66, Article G.7. Invoice Submission/Contract Financing Request and Contract Financial Report, is revised (PRESCRIPTION ONLY) to remove the reference to Letter of Credit.
4. Item 157, Page 80, Article G.9. Contract Financial Report, is revised (PRESCRIPTION ONLY) to remove the reference to Letter of Credit.
5. Item 183, Page 93, H.20 Dual Use Research of Concern, is added, in accordance with the “United States Government Policy for Institutional Oversight of Life Sciences Dual Use Research of Concern.”
6. Item 186, Page 94, H.23. Restriction on Abortions, is revised to clarify the restriction of this item.
7. Item 337, Page 181, Section I.2.j. FAR Clause **52.219-9 Small Business Subcontracting Plan**, is updated to (Oct 2015), in accordance with Item I of FAC 2005-83.
8. Item 338, Page 181, Section I.2.k. FAR Clause **52.219-9 Small Business Subcontracting Plan (Alternate II)**, is updated to (Oct 2015), in accordance with Item I of FAC 2005-83.
9. Item 339, Page 182, Section I.2.i. FAR Clause **52.219-9 Small Business Subcontracting Plan (Alternate III)**, is updated to (Oct 2015), in accordance with Item I of FAC 2005-83.
10. Item 341, Page 182, Section I.2.n. FAR Clause **52.222-54 Employment Eligibility Verification**, is updated to (Oct 2015), in accordance with Item I of FAC 2005-83.
11. Item 361, Page 187, Section I.2.hh. FAR Clause **52.248-3 Value Engineering-- Construction**, is updated to (Oct 2015), in accordance with Item I of FAC 2005-83.
12. Item 383, Page 191, Section I.3.1 FAR Clause **52.203-13, Contractor Code of Business**

**Ethics and Conduct**, is updated to (Oct 2015), in accordance with Item I of FAC-2005-83.

13. Item 397, Page 194, Section I.3.15. FAR Clause **52.209-10, Prohibition on Contracting with Inverted Domestic Corporations**, is updated to (Nov 2015), in accordance with Item II of FAC 2005-83.
14. Item 433, Page 202, Section I.3.51. FAR Clause **52.223-13 Acquisition of EPEAT®-Registered Imaging Equipment** (Alternate I) is updated to (Oct 2015), in accordance with I of FAC 2005-84.
15. Item 436, Page 203, Section I.3.54. FAR Clause **52.223-16 Acquisition of EPEAT®-Registered Personal Computer Products**, is updated to (Oct 2015), is updated, in accordance with Item I of FAC 2005-84.
16. Item 471, Page 210, Section I.3.89. FAR Clause **52.230-5 Cost Accounting Standards-Educational Institution**, is updated to (Oct 2015), in accordance with Item I of FAC 2005-83.
17. Item 575.3, Page 290, Section J: Attachment 18 Subcontracting Plan, is revised to update the prescription and link to the Subcontracting Plan.
18. OLD Item 686, Section L.2.b.4.a. Human Subjects, is deleted to remove redundant language in the solicitation.
19. **NEW Item 704**, Page 387, Section L.2.b.8 Dual Use Research of Concern, is added, in accordance with the "United States Government Policy for Institutional Oversight of Life Sciences Dual Use Research of Concern."
20. Item 721, Page 405, Section L.2.c.6 Salary Rate Limitation in Fiscal Year 2015, is revised to clarify applicability to consultants.

## **EXPLANATION OF CHANGES MADE TO THE INDIVIDUAL 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 SAM. All other offerors/contractors will access these provisions when they complete their annual Online Representations & Certifications at [www.acquisition.gov](http://www.acquisition.gov).*

FAR Clause **52.209-5 Certification Regarding Responsibility Matters**, is updated, in accordance with Item I of FAC 2005-83.

FAR Clause **52.209-2 Prohibition on Contracting With Inverted Domestic Corporations-Representation**, is updated to (Nov 2015), in accordance with Item II of FAC 2005-83.

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

FAR Clauses **52.212-1 Instructions to Offerors-Commercial Items** (October 2015) is revised to include the updated thresholds, in accordance with Item I of FAC 2005-83.

FAR Clause **52.212-3, Offeror Representations and Certifications—Commercial Items**, revised to include the updated thresholds, in accordance with Item I of FAC 2005-83 and is updated to (November 2015). The following change is in accordance with Item II of FAC 2005-83:

- Revise paragraph (n)(2).

FAR Clause **52.212-5, Contract Terms and Conditions Required to Implement Statutes or Executive Orders-Commercial Items**, has been updated to (October 2015). The following changes are in accordance with Item I of FAC 2005-83 and Item I of FAC 2005-84.

- Revise paragraphs (a)(1), (b)(2), (4), (8), (17), (29), (31), (34), Alternate I of (36), and (39) to (Oct 2015).
- Revise paragraphs (e)(1)(i), (ii), (vi), (viii), and (xiv) to (Oct 2015).
- Revise Alternate II to (Oct 2015) and paragraphs (e)(1)(A), (C), (F), and (M) to (Oct 2015).

Thank you,

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