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The workforms have been updated to incorporate the changes required by policy, regulatory and statutory enactments, the amended Health and Human Services Acquisition Regulation (HHSAR), published in the Federal Register effective, 11/18/2015, FAC 2005-85 effective, 12/04/2015 and FAC 2005-86, effective 12/31/2015. The updated files are dated 02/01/2016 and can be found on the NIH OAMP Internet site 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) (December 2015), is updated through FAC 2005-86 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.

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/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>

EXPLANATION OF CHANGES MADE TO THE CONTRACT:

*****All revisions are made in accordance with amended HHSAR unless otherwise indicated.**

- 1.** Item 13, Page 9, Section B.3. Estimated Cost – Cost Sharing is revised (PRESCRIPTION ONLY) to remove reference to HHSAR 352.232-71 - Incrementally Funded Contract.
- 2.** Item 15, Page 9, Section B.4. Estimated Cost – Option, is revised (PRESCRIPTION ONLY) to remove reference to HHSAR 352.232-71 - Incrementally Funded Contract.
- 3.** Item 17, Page 10, Section B.5. Estimated Cost – Award Term, is revised (PRESCRIPTION ONLY) to remove reference to HHSAR 352.232-71 - Incrementally Funded Contract.
- 4.** Item 19, Page 11, Section B.6. Estimated Cost Plus Award Fee, is revised (PRESCRIPTION ONLY) to remove reference to HHSAR 352.232-71 - Incrementally Funded Contract.
- 5.** Item 21, Page 13, Section B.7. Estimated Cost Plus Award Fee, is revised (PRESCRIPTION ONLY) to remove reference to HHSAR 352.232-71 - Incrementally Funded Contract. –
- 6.** Item 23, Page 16, Section B.8. Estimated Cost Incrementally Funded Contract, the PRESCRIPTION is revised to remove reference to HHSAR 352.232-71 - Incrementally Funded and the clause title is revised to remove reference to HHSAR 352.232-71 - Incrementally Funded Contract.
- 7.** Item 129, Page 52, Section C.2.c.4.b. IT Security Plan, is revised to remove the reference to HHSAR 352.239-72 – Security Requirements For Federal Information Technology Resources.
- 8.** Item 130, Page 53, Section C.2.c.4.c. IT Risk Assessment, is revised to remove the reference to HHSAR 352.239-72 – Security Requirements For Federal Information Technology Resources.
- 9.** Item 131, Page 53, Section C.2.c.4.d. FIPS 199 Assessment, is revised to remove the reference to HHSAR 352.239-72 – Security Requirements For Federal Information Technology Resources.
- 10.** Item 132, Page 53, Section C.2.c.4.e. IT Security Certification and Accreditation (IT-SC&A) is revised to remove the reference to HHSAR 352.239-72 – Security Requirements For Federal Information Technology Resources.
- 11.** Item 185, Page 74, Article G.2. Key Personnel, HHSAR 352.237-75 (formerly HHSAR 352.242-70), is updated to (Dec 2015).
- 12.** Item 230, Page 103, Article H.1. Protection of Human Subjects, HHSAR 352.270-4(b) is

updated to (Dec 2015).

13. Item 233, Page 104, Article H.4. Restriction on Use of Human Subjects, HHSAR 352.270-6 is updated to (Dec 2015).
14. NEW Item 251, Page 115, Article H.22. Needle Exchange, HHSAR 352.270-12 (Dec 2015), is added and replaces former item *Needle Distribution*.
15. NEW Item 253, Page 115, Article H.24. Continued Ban on Funding Abortion and Continued Ban on Funding Human Embryo Research, HHSAR 352.270-13 (Dec 2015), is added and replaces former items *Restriction on Abortions* and *Continued Ban on Human Embryo Research*.
16. Item 257, Page 117, Section H.28. Privacy Act, HHSAR 352.224-70, is updated to (Dec 2015).
17. Item 259, Page 117, Section H.30. Care of Live Vertebrate Animals, HHSAR 352.270-5(b), is updated to (Dec 2015).
18. Item 265, Page 120, Article H.36. OMB Clearance, is revised to change the HHSAR clause number referenced in the item from HHSAR 352.201-70, Paperwork Reduction Act to HHSAR 352.211-3, Paperwork Reduction Act.
19. Item 276, Page 132, Article H.45.B Information and Physical Access Security: the Standard for Security Configurations, is updated to remove the HHSAR 352.239-70 reference.
20. Item 277, Page 133, Article H.45.C. Information and Physical Access Security: the Standard for Encryption Language, is updated to remove the HHSAR 352.239-71 reference.
21. Item 278, Page 134, Article H.45.D. Information and Physical Access Security: the Security Requirements for Federal Information Technology Resources, is updated to remove the HHSAR 352.239-72 reference.
22. Item 281, Page 138, Article H.45.E.2. Information Security Training is updated to remove the HHSAR 352.239-72.
23. Item 282, Page 139, Article H.45.E.3. Personnel Security Responsibilities is updated to remove the HHSAR 352.239-72 reference.
24. Item 285, Page 141, Article H.46. Electronic and Information Technology Accessibility, HHSAR 352.239-74, is updated to (Dec 2015) and revises title from HHSAR 352.270-73(b).
25. Item 290, Page 144, Article H.51. Full Earned Value Management System is updated to remove the HHSAR 352.234-3 reference.
26. Item 291, Page 145, Article H.52. Full Earned Value Management System is updated to remove the HHSAR 352.234-3 with Alternate I reference.
27. Item 292, Page 146, Article H.53. Partial Earned Value Management System is updated to remove the HHSAR 352.234-4 reference.
28. Item 293, Page 147, Article H.54. Partial Earned Value Management System is updated to remove the HHSAR 352.234-4 with Alternate I reference.
29. Items 376-392, Pages 206-257, Section I.1. – General Clauses,

Update HHSAR **352.203-70 Anti-Lobbying** to (Dec 2015).

Update HHSAR **352.222-70 Contractor Cooperation in Equal Employment Opportunity Investigations** to (Dec 2015).

Update HHSAR **352.227-70 Publications and Publicity** to (Dec 2015).

Update HHSAR **352.233-71 Litigation and Claims** to (Dec 2015).

Update HHSAR **352.237-75 Key Personnel** to (Dec 2015) (Formerly 352.242-70).

Remove HHSAR **352.202-1 Definitions**

Remove HHSAR **352.228-7 Insurance-Liability to Third Persons**

Remove HHSAR **352.231-71 Pricing of Adjustments**

Remove HHSAR **352.242-73 Withholding of Contract Payments**

Update FAR **52.222-19 Child Labor Cooperation with Authorities and Remedies** to (Jan 2016), in accordance with Item IV of FAC 2005-86.

30. Item 491, Page 278, Section I.3.39. FAR Clause 52.219-29 Notice of Set-Aside for, or Sole Source Award to, Economically Disadvantaged Women-Owned Small Business Concerns, is updated to (Dec 2015) and title is revised to add “or Sole Source Award to”, in accordance with Item II of FAC 2005-86.
31. Item 492, Page 278, Section I.3.40. FAR Clause 52.219-30 Notice of Set-Aside, for or Sole Source Award to, Women-Owned Small Business Concerns Eligible Under the Women-Owned Small Business Program, is updated to (Dec 2015) and title is revised to add “or Sole Source Award to”, in accordance with Item II of FAC 2005-86.
32. NEW Item 580, Page 297, Section I.3.b.1 HHSAR Clause 352.208-70, Printing and Duplication (Dec 2015), is added.
33. Item 581, Page 297, Section I.3.b.2 HHSAR Clause 352.211-2, Conference Sponsorship Request and Conference Materials Disclaimer, (formerly HHSAR 352.270-7), is updated to (Dec 2015).
34. Item 582, Page 297, Section I.3.b.3 HHSAR Clause 352.211-3, Paperwork Reduction Act the clause number is revised and the date is updated to (Dec 2015).
35. Item 583, Page 297, Section I.3.b.4 HHSAR Clause 352.216-70, Additional Cost Principles for Hospitals (Profit or Non-Profit) (formerly *Additional Cost Principles*) is updated to (Dec 2015).
36. Item 584, Page 297, Section I.3.b.5 HHSAR Clause 352.219-71, Mentor Protégé Program Reporting Requirements is updated to (Dec 2015).
37. Item 585, Page 297, Section I.3.b.6 HHSAR Clause 352.223-70 Safety and Health, is updated to (Dec 2015).
38. Item 586, Page 297, Section I.3.b.7 HHSAR Clause 352.231-70 Salary Rate Limitation, is updated to (Dec 2015).
39. Item 587, Page 298, Section I.3.b.8 HHSAR Clause 352.233-70, Choice of Law (Overseas), is updated to (Dec 2015).
40. NEW Item 588, Page 298, Section I.3.b.9 HHSAR Clause 352.236-70 Design-Build Contracts (Dec 2015), is added.

41. Item 589, Page 298, Section I.3.b.10 HHSAR Clause 352.237-70, Pro-Children Act of 1994, is updated to (Dec 2015).
42. Item 590, Page 298, Section I.3.b.11 HHSAR Clause 352.237-71 Crime Control Act of 1990-Reporting of Child Abuse, is updated to (Dec 2015).
43. Item 591, Page 298, Section I.3.b.12 HHSAR Clause 352.237-72, Crime Control Action – Requirements for Background Checks, is updated to (Dec 2015).
44. Item 626, Page 342, Section I.4.b.1. HHSAR Clause 352.204-70, Prevention and Public Health Fund Reporting Requirements, the clause number is revised (*formerly HHSAR 352.204-16*) and the date is updated to (Dec 2015).
45. Item 629, Page 360, Section I.4.b.4. HHSAR Clause 352.237-74, Non-Discrimination in Service Delivery, the clause number is revised (*formerly HHSAR 352.237-73*) and the date is updated to (Dec 2015)
46. Item 645, Page 366, Section I.6.g. FAR 52.222-55, Minimum Wages Under Executive Order, is updated to (Dec 2015) in accordance with FAC 2005-85.

EXPLANATION OF CHANGES MADE TO THE RFP:

1. Item 15, Page 10, Article B.4. Estimated Cost – Cost Sharing is revised (PRESCRIPTION ONLY) to remove reference to HHSAR 352.232-71 - Incrementally Funded Contract
2. Item 17, Page 11, Article B.5. Estimated Cost – Option is revised (PRESCRIPTION ONLY) to remove reference to HHSAR 352.232-71 - Incrementally Funded Contract
3. Item 19, Page 12, Article B.6. Estimated Cost – Award Term is revised (PRESCRIPTION ONLY) to remove reference to HHSAR 352.232-71 - Incrementally Funded Contract
4. Item 21, Page 13, Article B.7. Estimated Cost – Plus Award Fee is revised (PRESCRIPTION ONLY) to remove reference to HHSAR 352.232-71 - Incrementally Funded Contract
5. Item 23, Page 15, Article B.8. Estimated Cost – Incrementally Funded Contract is revised (PRESCRIPTION ONLY) to remove reference to HHSAR 352.232-71 - Incrementally Funded Contract.
6. Item 25, Page 18, Article B.8. Estimated Cost Incrementally Funded Contract, is revised (Title Only) to remove reference to HHSAR 352.232-71 - Incrementally Funded Contract.
7. Item 80, Page 41, Section C.4.b. IT Security Plan, is revised to remove the reference to HHSAR 352.239-72 – Security Requirements For Federal Information Technology Resources.
8. Item 81, Page 42, Section C.4.c. IT Risk Assessment, is revised to remove the reference to HHSAR 352.239-72 – Security Requirements For Federal Information Technology Resources.
9. Item 82, Page 42, Section C.4.d. FIPS 199 Assessment, is revised to remove the reference to HHSAR 352.239-72 – Security Requirements For Federal Information Technology Resources.

10. Item 83, Page 42, Section C.4.e. IT Security Certification and Accreditation (IT-SC&A) is revised to remove the reference to HHSAR 352.239-72 – Security Requirements For Federal Information Technology Resources.
11. Item 130, Page 60, Article G.2. Key Personnel, HHSAR 352.237-75 (formerly 352.242-70), is updated to (Dec 2015).
12. Item 164, Page 87, Article H.1. Protection of Human Subjects, HHSAR 352.270-4(b) is updated to (Dec 2015).
13. NEW Item 184, Page 99, Article H.21. Needle Exchange, HHSAR 352.270-12 (Dec 2015), is added and replaces former item *Needle Distribution*.
14. NEW Item 186, Page 99, Article H.23. Continued Ban on Funding Abortion and Continued Ban on Funding of Human Embryo Research HHSAR 352.270-13, (Dec 2015), is added and replaces former items *Restriction on Abortions* and *Continued Ban on Human Embryo Research*.
15. Item 190, Page 101, Article H.27. Privacy Act, HHSAR 352.224-70, is updated to (Dec 2015).
16. Item 192, Page 102, Article H.29. Care of Live Vertebrate Animals, HHSAR 352.270-5(b) is updated to (Dec 2015).
17. Item 197, Page 104, Article H.34. OMB Clearance, is revised to update the HHSAR clause number from HHSAR 352.201-70, Paperwork Reduction Act to HHSAR 352.211-3, Paperwork Reduction Act.
18. Item 208, Page 115, Article H.43.B. Information and Physical Access Security: the Standard for Security Configurations, is updated to remove the HHSAR 352.239-70 reference.
19. Item 209, Page 116, Article H.43.C. Information and Physical Access Security: the Standard for Encryption Language, is updated to remove the HHSAR 352.239-71 reference.
20. Item 210, Page 117, Article H.43.D. Information and Physical Access Security: Security Requirements for Federal Information Technology Resources, is updated to remove the HHSAR 352.239-72 reference.
21. Item 213, Page 121, Article H.43.E.2. Additional NIH Requirements: Information Security Training, is updated to remove the HHSAR 352.239-72 and HHSAR 304.1300(a)(4) references.
22. Item 214, Page 122, Article H.43.E.3. Additional NIH Requirements: Personnel Security Responsibilities is updated to remove the HHSAR 352.239-72 reference.
23. Item 415, Page 206, Section I.3.38. FAR Clause 52.219-29 Notice of Set-Aside for, or Sole Source Award to, Economically Disadvantaged Women-Owned Small Business Concerns, is updated to (Dec 2015) and title is revised to add “or Sole Source Award to”, in accordance with Item II of FAC 2005-86.
24. Item 416, Page 206, Section I.3.39. FAR Clause 52.219-30 Notice of Set-Aside, for or Sole Source Award to, Women-Owned Small Business Concerns Eligible Under the Women-Owned Small Business Program, is updated to (Dec 2015) and title is revised

to add “or Sole Source Award to”, in accordance with Item II of FAC 2005-86.

25. NEW Item 501, Page 223, Section I.3.b.1 HHSAR Clause 352.208-70, Printing and Duplication, is updated to (Dec 2015).
26. Item 502, Page 223, Section I.3.b.2 HHSAR Clause 352.211-2, Conference Sponsorship Request and Conference Materials Disclaimer, (*formerly HHSAR 352.270-7*), is updated to (Dec 2015) (Dec 2015).
27. Item 503, Page 223, Section I.3.b.3 HHSAR Clause 352.211-3 Paperwork Reduction Act, (*formerly HHSAR 352.201-70*) is updated to (Dec 2015).
28. Item 504, Page 224, Section I.3.b.4 HHSAR Clause 352.216-70, Additional Cost Principles for Hospitals (Profit or Non-Profit) (*formerly Additional Cost Principles*) is updated to (Dec 2015).
29. Item 505, Page 224, Section I.3.b.5 HHSAR Clause 352.219-71, Mentor Protégé Program Reporting Requirements, is updated to (Dec 2015)
30. Item 506, Page 224, Section I.3.b.6 HHSAR Clause 352.223-70 Safety and Health, is updated to (Dec 2015)
31. Item 507, Page 224, Section I.3.b.7 HHSAR Clause 352.231-70 Salary Rate Limitation, is updated to (Dec 2015)
32. Item 508, Page 224, Section I.3.b.8 HHSAR Clause 352.233-70, Choice of Law (Overseas), is updated to (Dec 2015)
33. NEW ITEM 509, Page 224, Section I.3.b.9 HHSAR Clause 352.236-70 Design-Build Contracts, (Dec 2015) is added.
34. Item 510, Page 225, Section I.3.b.10 HHSAR Clause 352.237-70, Pro-Children Act of 1994, is updated to (Dec 2015).
35. Item 511, Page 225, Section I.3.b.11 HHSAR Clause 352.237-71 Crime Control Act of 1990 – Reporting of Child Abuse, is updated to (Dec 2015).
36. Item 512, Page 225, Section I.3.b.12 HHSAR Clause 352.237-72, Crime Control Action – Requirements for Background Checks is updated to (Dec 2015).
37. Item 548, Page 270, Section I.4.b.1 HHSAR Clause 352.204-70, Prevention and Public Health Fund Reporting Requirements, the clause number is revised (*formerly HHSAR 352.204-16* is updated to (Dec 2015).
38. Item 551, Page 289, Section I.4.b.4 HHSAR Clause 352.237-74, Non-Discrimination in Service Delivery, the clause number is revised (*formerly HHSAR 352.237-73*) is updated to (Dec 2015).
39. Item 566, Page 293, Section I.6.g. FAR 52.222-55, Minimum Wages Under Executive Order, is updated to (Dec 2015) in accordance with FAC 2005-85
40. Item 569.4, Page 300, Section J Attachment 32 Safety and Health, the attachment is updated from (1/06), 1 page to (12/15), 2 pages
41. Item 599, Page 323, Section L.1.v. Late Proposals and Revisions, HHSAR 352.215-70, is updated to (Dec 2015).
37. NEW Item 601, Page 324, Section L.1.x. Use of Non-Government Personnel For Technical Proposal Evaluation, is added for NCI users.

38. Item 615, Page 328, Section L.2.a.12. Non-discrimination for Conscience, HHSAR 352.270-9, is updated to (Dec 2015).
39. Item 640, Page 351, Section L.2.a.28.B. Standard for Security Configurations, title is updated to remove the HHSAR 352.239-70 reference.
40. Item 641, Page 352, Section L.2.a.28.C. Standard for Encryption Language title is updated to remove the HHSAR 352.239-71 reference.
41. Item 642, Page 353, Section L.2.a.28.D. the Security Requirements for Federal Information Technology Resources title is updated to remove the HHSAR 352.239-72 reference.
42. Item 645, Page 358, Section L.2.E.2. Information Security Training is updated to remove the HHSAR 352.239-72 and HHSAR 304.1300(a)(4) references.
43. NEW Item 649, Page 361, Section L.2.E.29. Electronic and Information Technology Accessibility Notice, HHSAR 352.239-73 (Dec 2015), is added.
44. Item 684, Page 373, Section L.2.b.4.a Notice to Offerors of Requirements, Protection of Human Subjects, HHSAR 352.270-4(a) and Alternate I, are updated to (Dec 2015).
45. Item 697, Page 396, Section L.2.b.5 Notice to Offerors of Requirement for Compliance with the Public Health Service Policy on Humane Care and Use of Laboratory Animals, HHSAR 352.270-5(a), is updated to (Dec 2015).
46. NEW Item 708, Page 406, Section L.2.b.11. Instructions to Offerors-Sustainable Acquisition, HHSAR Provision 352.223-71 (Dec 2015) is added.
47. Item 718, Page 417, Section L.2.c.6 Salary Rate Limitation the PRESCRIPTION is revised to remove “all extramural solicitations” and replace with “all solicitations” and the language is revised to remove the reference to P.L. 113-235.
48. Item 722, Page 423, Section L.2.10. Mentor Protégé Program HHSAR 352.219-70 is updated to (Dec 2015)
49. Item 725, Page 426, Section L.2.13. Notice of Earned Value Management System – Pre-Award IBR, the title is revised to remove the reference to HHSAR 352.234-1
50. Item 726, Page 427, Section L.2.14. Notice of Earned Value Management System – Post Award IBR, the title is revised to remove the reference to HHSAR 352.234-2
51. Item 738, Page 432, Section L.2.15.f. Incremental Funding HHSAR 352.232-70, is updated to (Dec 2015)

EXPLANATION OF CHANGES MADE TO THE SECTION K (NIH Representations & Certifications)

- Update FAR Provision **52.204-8 Annual Representations and Certifications** to (January 2016), in accordance with Item VI of FAC 2005-86.

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 (January 2016). The following changes are in accordance with Item VI of FAC 2005-85 & 86.

- Revise paragraphs (b)(8), to (Dec 2015).
- Revise Alternate II paragraphs (e)(1)(N) to (Dec 2015).

FAR Clause **52.213-4, Terms and Conditions – Simplified Acquisitions (Other Than Commercial Items)** has been updated to (December 2015). The following changes are in accordance with Item VI of FAC 2005-85.

- Revise paragraph (2)(viii) to (Dec 2015).
- Revise paragraph (b)(1)(ix) to (Dec 2015)

Thank you,

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