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The workforms have been updated to incorporate the changes required by FAC 2005-73, 74, 75 and 76. This update also fixes various broken links and other housekeeping changes. The updated files are dated 8/22/2014 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) (July 2014), is updated to through FAC 2005-76 and is located at: <http://oamp.od.nih.gov/DGS/additional-workform-information/simplified-acquisition-clauses-attachments>.

The following is an explanation of the changes made to each workform.

I. CONTRACT

II. RFP

III. SECTION K (NIH Representations & Certifications)

(http://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 CCR.

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:

- 1. Items 125 & 126 (NCI OA) , Page 51, Article C.2.c.2., American Recovery and Reinvestment Act-Reporting Requirements**, are deleted as they are no longer applicable.
- 2. Item 273, Page 134, Article H.44. Limitations on Subcontracting-SBIR**, is revised to provide the option of total labor hours or total contract costs less profit/fee as the measurement of effort for an SBIR contract, in accordance with the SBIR PHS 2014/2015 solicitations.

3. **Items 378-394, Pages 218-269, Article I.1 General Clause Listings are revised in accordance with Item I of FAC 2005-73 as follows:**
- FAR Clause **52.203-5 Covenant Against Contingent Fees**, is updated to (May 2014).
 - FAR Clause **52.203-7 Anti-Kickback Procedures**, is updated to (May 2014).
 - FAR Clause **52.203-8 Cancellation, Rescission, and Recovery of Funds for Illegal or Improper Activity**, is updated to (May 2014).
 - FAR Clause **52.203-10 Price or Fee Adjustment for Illegal or Improper Activity**, is updated to (May 2014).
 - FAR Clause **52.219-8 Utilization of Small Business Concerns**, is updated to (May 2014).
 - FAR Clause **52.222-4 Contract Work Hours and Safety Standards-Overtime Compensation**, is updated to (May 2014) and revises the title from Contract Work Hours and Safety Standards Act-Overtime Compensation.
 - FAR Clause **52.222-6 Construction Wage Rate Requirements**, is updated to (May 2014) and to revise the title from Davis-Bacon Act.
 - FAR Clause **52.222-7 Withholding of Funds**, is updated to (May 2014).
 - FAR Clause **52.222-8 Payrolls and Basic Records** (May 2014).
 - FAR Clause **52.222-11 Subcontracts (Labor Standards)**, is updated to (May 2014).
 - FAR Clause **52.222-12 Contract Termination-Debarment**, is updated to (May 2014).
 - FAR Clause **52.222-13 Compliance with Construction Wage Rate Requirements and Related Regulations**, is updated to (May 2014) and to revise the title from Compliance with Davis-Bacon and Related Act Regulations.
 - FAR Clause **52.222-15 Certification of Eligibility** (May 2014), is added in accordance with Item I of FAC 2005-73.
 - FAR Clause **52.222-20 Contracts for Materials, Supplies, Articles and Equipment Exceeding \$15,000** is updated to (May 2014) and to revise the title from Walsh-Healey Public Contracts Act.
 - FAR Clause **52.225-1 Buy American-Supplies**, is updated to (May 2014) and to revise the title from Buy American Act—Supplies.
 - FAR Clause **52.227-20 Rights in Data-SBIR Program**, is updated to (May 2014).
 - FAR Clause **52.232-5 Payments Under Fixed-Price Construction Contracts**, is updated to (May 2014).
 - FAR Clause **52.232-17 Interest**, is updated to (May 2014).
 - FAR Clause **52.232-23 Assignment of Claims**, is updated to (May 2014).
 - FAR Clause **52.232-27 Prompt Payment for Construction Contracts**, is updated to (May 2014).
 - FAR Clause **52.233-1 Disputes**, is updated to (May 2014).
4. **Items 378-394, Page 218-269, Article I.1. FAR Clause 52.203-17 Contractor Employee Whistleblower Rights and Requirement to Inform Employees of Whistleblower Rights**, is updated to (April 2014), in accordance with Item II of FAC 2005-73.
5. **Items 378-394, Pages 218-269, Article I.1 General Clause Listings are revised in accordance with Item I of FAC 2005-76 as follows:**
- FAR Clause **52.222-35 Equal Opportunity for Veterans**, is updated to (July 2014).
 - FAR Clause **52.222-36 Equal Opportunity for Workers with Disabilities**, is updated to (July

2014) and to revise the title from Affirmative Action for Workers with Disabilities.

- FAR Clause **52.222-37 Employment Reports on Veterans**, is updated to (July 2014).
- FAR Clause **52.244-6 Subcontracts for Commercial Items**, is updated to (July 2014).

- 6. Items 416, Page , Article I.2.t.** FAR Clause **52.225-1 Buy American—Supplies** and FAR Clause **52.225-3 Buy American—Free Trade Agreements—Israeli Trade Act**, are updated to (May 2014) and to revise the titles from Buy American Act—Supplies and Buy American Act—Free Trade Agreements—Israeli Trade Act, in accordance with Item I of FAC 2005-73.
- 7. Item 417, Page , Article I.2.u.** FAR Clause **52.225-1 Buy American—Supplies**, is updated to (May 2014), in accordance with Item I of FAC 2005-73.
- 8. Items 418 & 420, Page 274, Article I.2.v. & x.** FAR Clauses **52.227-11 Patent Rights—Ownership by the Contractor** and **52.227-14 Rights in Data--General**, are updated to (May 2014), in accordance with Item I of FAC 2005-73.
- 9. Item 421 Page 274, Article I.2.y.** clauses for SBIR Phase I contracts are updated to (May 2014) as follows in accordance with Item I of FAC 2005-73:
 - **FAR Clause 52.203-5 Covenant Against Contingent Fees**
 - **FAR Clause 52.203-7 Anti-Kickback Procedures**
 - **FAR Clause 52.203-8 Cancellation, Rescission, and Recovery of Funds for Illegal or Improper Activity**
 - **FAR Clause 52.203-10 Price or Fee Adjustment for Illegal or Improper Activity**
 - **FAR Clause 52.219-8 Utilization of Small Business Concerns**
 - **FAR Clause 52.232-17 Interest**
- 10. Items 427, 428, & 451 Pages 276 & 280, Articles I.2. ee., ff., & ccc.** FAR Clause **52.232-17 Interest**, are updated to (May 2014), in accordance with Item I of FAC 2005-73.
- 11. Item 431 , Page 277, Article I.2.ii.** FAR Clause **52.232-36 Payment by Third Party**, is updated to (May 2014), in accordance with Item I of FAC 2005-73.
- 12. Item 432, Page 277, Article I.2.jj.** FAR Clause **52.233-1 Disputes**, is updated to (May 2014), in accordance with Item I of FAC 2005-73.
- 13. OLD Item 466, Page 272, Article I.3.7.** FAR Clause **52.204-11 American Recovery and Reinvestment Act—Reporting Requirements**, is deleted, in accordance with Item II of FAC 2005-74.
- 14. Item 467, Page 283, Article I.3.10.** FAR Clause **52.208-8 Required Sources for Helium and Helium Usage Data**, is updated to (April 2014), in accordance with Item II of FAC 2005-73.
- 15. Item 468, Page 284, Article I.3.11.** FAR Clause **52.208-9 Contractor Use of Mandatory Sources of Supply or Services**, is updated to (May 2014), in accordance with Item I of FAC 2005-73.
- 16. Item 499, Page 291, Article I.3.42.** FAR Clause **52.222-4 Contract Work Hours and Safety Standards-Overtime Compensation**, is updated to (May 2014), in accordance with Item I of FAC 2005-73. _

17. **Item 500, Page 291, Article I.3.43. FAR Clause 52.222-5 Construction Wage Rate Requirements—Secondary Site of the Work**, is updated to (May 2014) and to revise the title from Davis Bacon Act—Secondary Site of Work, in accordance with Item I of FAC 2005-73.
18. **Item 503, Page, 292 Article I.3.46. FAR Clause 52.222-51 Exemption from Application of the of the Service Contract Labor Standards to Contracts for Maintenance, Calibration, or Repair of Certain Equipment—Requirements**, is updated to (May 2014) in accordance with Item I of FAC 2005-73.
19. **Item 504, Page, 292 Article I.3.47. FAR Clause 52.222-53 Exemption from Application of the Service Contract Labor Standards to Contracts for Certain Services—Requirements**, is updated to (May 2014) and revises the title from Exemption from Application of the Service Contract Act to Contracts for Certain Services—Requirements, in accordance with Item I of FAC 2005-73.
20. **NEW Item 510, Page 293, Article I.3.53. FAR Clause 52.223-13 Acquisition of EPEAT® Registered Imaging Equipment**, (June 2014), is added in accordance with Item I of FAC 2005-75.
21. **NEW Item 511, Page 294, Article I.3.54. FAR Clause 52.223-14 Acquisition of EPEAT® Registered Televisions**, (June 2014), is added in accordance with Item I of FAC 2005-75.
22. **Item 513, Page 294, Article I.3.56. FAR Clause 52.223-16 Acquisition of EPEAT® Registered Computer Products**, is updated to (June 2014) and revises the title from IEEE 1680 Standard for the Environmental Assessment of Personal Computer Products, in accordance with Item I of FAC 2005-75.
23. **Items 526-531, Page 297, Articles I.3.69-74. FAR Clause 52.227-14 Rights in Data—General**, are updated to (May 2014), in accordance with Item I of FAC 2005-73.
24. **Item 536, Page 300, Article I.3.79. FAR Clause 52.227-21 Technical Data Declaration, Revision, and Withholding of Payment—Major Systems**, is updated to (May 2014), in accordance with Item I of FAC 2005-73.
25. **Item 542, Page 301, Article I.3.85. FAR Clause 52.228-12 Prospective Subcontractor Requests for Bonds**, is updated to (May 2014), in accordance with Item I of FAC 2005-73.
26. **Item 543, Page 301, Article I.3.86. FAR Clause 52.228-14 Irrevocable Letter of Credit**, is updated to (May 2014), in accordance with Item I of FAC 2005-73.
27. **Item 546, Page 301, Article I.3.89. FAR Clause 52.230-2 Cost Accounting Standards**, is updated to (May 2014), in accordance with Item I of FAC 2005-73.
28. **Item 547, Page 301, Article I.3.90. FAR Clause 52.230-3 Disclosure and Consistency of Cost Accounting Practices**, is updated to (May 2014), in accordance with Item I of FAC 2005-73.
29. **Item 548, Page 301, Article I.3.91. FAR Clause 52.230-4 Disclosure and Consistency of Cost Accounting Practices-Foreign Concerns**, is updated to (May 2014), in accordance with Item I of FAC 2005-73.
30. **Item 549, Page 302, Article I.3.92. FAR Clause 52.230-5 Cost Accounting Standards-Educational**

Institution, is updated to (May 2014), in accordance with Item I of FAC 2005-73.

31. **Item 552, Page 302, Article I.3.95. FAR Clause 52.232-36 Payment by Third Party**, is updated to (May 2014), in accordance with Item I of FAC 2005-73.
32. **Item 562, Page 304, Article I.3.105. FAR Clause 52.242-3 Penalties for Unallowable Costs**, is updated to (May 2014), in accordance with Item I of FAC 2005-73.
33. **NEW Item 613, Page 318, Article I.4.9. FAR Clause 52.222-99 Establishing a Minimum Wage for Contractors (Deviation)**, is added, in accordance with memorandum entitled, "Class Deviation-Implementation of Executive Order 13658, Establishing a Minimum Wage for Contractors," dated July 15, 2014.
34. **Item 618, Page 322, Article I.4.14. FAR Clause 52.225-9 Buy American—Construction Materials**, is updated to (May 2014) and to revise the title from Buy American Act—Construction Materials, in accordance with Item I of FAC 2005-73.
35. **Items 619 & 620, Pages 326-331, Articles I.4.15. & 16. FAR Clause 52.225-11 Buy American—Construction Materials Under Trade Agreements and Alternate I**, are updated to (May 2014) and to revise the title from Buy American Act—Construction Materials Under Trade Agreements, in accordance with Item I of FAC 2005-73.
36. **Item 621, Page 332, Article I.4.17. FAR Clause 52.225-21 Required Use of American Iron, Steel, and Manufactured Goods-Buy American Statute—Construction Materials**, is updated to (May 2014) and to revise the title from Required Use of American Iron, Steel, and Manufactured Goods-Buy American—Construction Materials, in accordance with Item I of FAC 2005-73.
37. **Items 622 & 623 , Page 336-342, Articles I.4.18. & 19. FAR Clause 52.222-23 Required Use of American Iron, Steel, and Manufactured Goods—Buy American Statute—Construction Materials Under Trade Agreements and Alternate I**, are updated to (May 2014) and to revise the title from Required Use of American Iron, Steel, and Manufactured Goods—Buy American Act—Construction Materials Under Trade Agreements, in accordance with Item I of FAC 2005-73.
38. **Item 645, Page 360, Article I.6.a. FAR Clause 52.222-17 Nondisplacement of Qualified Workers**, is updated to (May 2014), in accordance with Item I of FAC 2005-73.
39. **Item 646, Page 360, Article I.6.b. FAR Clause 52.222-41 Service Contract Labor Standards**, is updated to (May 2014) and to revise the title from the Service Contract Act of 1965, in accordance with Item I of FAC 2005-73.
40. **Item 647, Page 360, Article I.6.c. FAR Clause 52.222-42 Statement of Equivalent Rates For Federal Hires**, is updated to (May 2014), in accordance with Item I of FAC 2005-73.
41. **Item 648, Page 361, Article I.6.d. FAR Clause 52.222-43 Fair Labor Standards Act and Service Contract Labor Standards—Price Adjustment (Multiple Year and Option Contracts)**, is updated to (May 2014), in accordance with Item I of FAC 2005-73.
42. **Item 649, Page 361, Article I.6.e. FAR Clause 52.222-44 Fair Labor Standards Act and Service**

Contract Labor Standards—Price Adjustment, is updated to (May 2014) and to revise the title from Fair Labor Standards and Service Contract Act—Price Adjustment, in accordance with Item I of FAC 2005-73.

43. Item 650, Page 361, Article I.6.f. FAR Clause 52.222-49 Service Contract Labor Standards-Place of Performance Unknown, is updated to (May 2014) and to revise the title from Service Contract Act—Place of Performance Unknown, in accordance with Item I of FAC 2005-73.

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EXPLANATION OF CHANGES MADE TO THE RFP:

1. **Item 204, Page 110, Article H.42. Limitations on Subcontracting-SBIR**, is revised to provide the option of total labor hours or total contract costs less profit/fee as the measurement of effort for an SBIR contract, in accordance with the SBIR PHS 2014/2015 solicitations.
2. **Items 343, Page 198, Article I.2.o. FAR Clause 52.225-1 Buy American—Supplies and FAR Clause 52.225-3 Buy American—Free Trade Agreements—Israeli Trade Act**, are updated to (May 2014) and to revise the titles from Buy American Act—Supplies and Buy American Act—Free Trade Agreements—Israeli Trade Act, in accordance with Item I of FAC 2005-73.
3. **Item 344, Page 199, Article I.2.p. FAR Clause 52.225-1 Buy American—Supplies**, is updated to (May 2014), in accordance with Item I of FAC 2005-73.
4. **Items 345 & 347, Page 200, Article I.2.q.&s. FAR Clauses 52.227-11 Patent Rights—Ownership by the Contractor and 52.227-14 Rights in Data--General**, are updated to (May 2014), in accordance with Item I of FAC 2005-73.
5. **Item 348, Page 200, Article I.2.t. clauses for SBIR Phase I contracts are updated to (May 2014) as follows in accordance with Item I of FAC 2005-73;**
 - **FAR Clause 52.203-5 Covenant Against Contingent Fees**
 - **FAR Clause 52.203-7 Anti-Kickback Procedures**
 - **FAR Clause 52.203-8 Cancellation, Rescission, and Recovery of Funds for Illegal or Improper Activity**
 - **FAR Clause 52.203-10 Price or Fee Adjustment for Illegal or Improper Activity**
 - **FAR Clause 52.215-14 Integrity of Unit Prices**
 - **FAR Clause 52.219-8 Utilization of Small Business Concerns**
 - **FAR Clause 52.232-17 Interest**
6. **Item 353, 354 & 377 Page 201 & 206, Articles I.2.y.,z. & ww. FAR Clause 52.232-17 Interest**, are updated to (May 2014), in accordance with Item I of FAC 2005-73.
7. **Item 358, Page 202, Article I.2.dd. FAR Clause 52.233-1 Disputes**, is updated to (May 2014), in

accordance with Item I of FAC 2005-73.

8. **OLD Item 392, Page 206, Article I.3.7. FAR Clause 52.204-11 American Recovery and Reinvestment Act—Reporting Requirements**, is deleted, in accordance with Item II of FAC 2005-74.
9. **Item 393, Page 209, Article I.3.10. FAR Clause 52.208-8 Required Sources for Helium and Helium Usage Data**, is updated to (April 2014), in accordance with Item II of FAC 2005-73.
10. **Item 394, Page 209, Article I.3.11. FAR Clause 52.208-9 Contractor Use of Mandatory Sources of Supply or Services**, is updated to (May 2014), in accordance with Item I of FAC 2005-73.
11. **Item 424, Page 216, Article I.3.41. FAR Clause 52.222-4 Contract Work Hours and Safety Standards-Overtime Compensation**, is updated to (May 2014), in accordance with Item I of FAC 2005-73.
12. **Item 425, Page 216, Article I.3.42. FAR Clause 52.222-5 Construction Wage Rate Requirements—Secondary Site of the Work**, is updated to (May 2014) and to revise the title from Davis Bacon Act—Secondary Site of Work, in accordance with Item I of FAC 2005-73.
13. **Item 428, Page 217, Article I.3.45. FAR Clause 52.222-51 Exemption from Application of the of the Service Contract Labor Standards to Contracts for Maintenance, Calibration, or Repair of Certain Equipment—Requirements**, is updated to (May 2014), in accordance with Item I of FAC 2005-73.
14. **Item 429, Page 217, Article I.3.46. FAR Clause 52.222-53 Exemption from Application of the Service Contract Labor Standards to Contracts for Certain Services—Requirements**, is updated to (May 2014), and to revise the title from Exemption from Application of the Service Contract Act to Contracts for Certain Services—Requirements, in accordance with Item I of FAC 2005-73.
15. **NEW Item 435, Page 218, Article I.3.52. FAR Clause 52.223-13 Acquisition of EPEAT® Registered Imaging Equipment**, (June 2014), is added in accordance with Item I of FAC 2005-75.
16. **NEW Item 436, Page 219, Article I.3.53. FAR Clause 52.223-14 Acquisition of EPEAT® Registered Televisions**, (June 2014), is added in accordance with Item I of FAC 2005-75.
17. **Item 438, Page 219, Article I.3.55. FAR Clause 52.223-16 Acquisition of EPEAT® Registered Computer Products**, is updated to (June 2014) and revises the title from IEEE 1680 Standard for the Environmental Assessment of Personal Computer Products, in accordance with Item I of FAC 2005-75.
18. **Items 451-456, Page 222 & 223, Articles I.3.68-73. FAR Clause 52.227-14 Rights in Data—General**, are updated to (May 2014), in accordance with Item I of FAC 2005-73.
19. **Item 461, Page 225, Article I.3.78. FAR Clause 52.227-21 Technical Data Declaration, Revision, and Withholding of Payment—Major Systems**, is updated to (May 2014), in accordance with Item I of FAC 2005-73.
20. **Item 466, Page 225, Article I.3.83. FAR Clause 52.228-12 Prospective Subcontractor Requests for Bonds**, is updated to (May 2014), in accordance with Item I of FAC 2005-73.

21. **Item 467, Page 225, Article I.3.84. FAR Clause 52.228-14 Irrevocable Letter of Credit**, is updated to (May 2014), in accordance with Item I of FAC 2005-73.
22. **Item 470, Page 226, Article I.3.87. FAR Clause 52.230-2 Cost Accounting Standards**, is updated to (May 2014), in accordance with Item I of FAC 2005-73.
23. **Item 471, Page 226, Article I.3.88. FAR Clause 52.230-3 Disclosure and Consistency of Cost Accounting Practices**, is updated to (May 2014), in accordance with Item I of FAC 2005-73.
24. **Item 472, Page 226, Article I.3.89. FAR Clause 52.230-4 Disclosure and Consistency of Cost Account Practices—Foreign Concerns**, is updated to (May 2014), in accordance with Item I of FAC 2005-73.
25. **Item 473, Page 226, Article I.3.90. FAR Clause 52.230-5 Cost Accounting Standards-Educational Institution**, is updated to (May 2014), in accordance with Item I of FAC 2005-73.
26. **Item 476, Page 227, Article I.3.93. FAR Clause 52.232-36 Payment by Third Party**, is updated to (May 2014), in accordance with Item I of FAC 2005-73.
27. **Item 486, Page 229, Article I.3.103. FAR Clause 52.242-3 Penalties for Unallowable Costs**, is updated to (May 2014), in accordance with Item I of FAC 2005-73.
28. **NEW Item 535, Page 243, Article I.4.9. FAR Clause 52.222-99 Establishing a Minimum Wage for Contractors (Deviation)**, is added, in accordance with memorandum entitled, “Class Deviation-Implementation of Executive Order 13658, Establishing a Minimum Wage for Contractors, dated July 15, 2014.
29. **Item 540, Page 247, Article I.4.14. FAR Clause 52.225-9 Buy American—Construction Materials**, is updated to (May 2014) and to revise the title from Buy American Act—Construction Materials, in accordance with Item I of FAC 2005-73.
30. **Item 541, Page 251, Article I.4.15. FAR Clause 52.225-11 Buy American—Construction Materials Under Trade Agreements**, is updated to (May 2014) and to revise the title from Buy American Act—Construction Materials Under Trade Agreements, in accordance with Item I of FAC 2005-73.
31. **Item 542, Page 256, Article I.4.16. Alternate I of FAR Clause 52.225-11 Buy American—Construction Materials Under Trade Agreements**, is updated to (May 2014) and to revise the title from Buy American Act—Construction Materials Under Trade Agreements, in accordance with Item I of FAC 2005-73.
32. **Item 543, Page 257, Article I.4.17. FAR Clause 52.225-21 Required Use of American Iron, Steel, and Manufactured Goods-Buy American Statute—Construction Materials**, is updated to (May 2014) and to revise the title from Required Use of American Iron, Steel, and Manufactured Goods-Buy American—Construction Materials, in accordance with Item I of FAC 2005-73.
33. **Items 544 & 545, Page 260-267, Articles I.4.18. & 19. FAR Clause 52.225-23 Required Use of American Iron, Steel, and Manufactured Goods—Buy American Statute—Construction Materials Under Trade Agreements and Alternate I**, are updated to (May 2014) and to revise the title from

Required Use of American Iron, Steel, and Manufactured Goods—Buy American Act—Construction Materials Under Trade Agreements, in accordance with Item I of FAC 2005-73.

34. **Item 566, Page 283, Article I.6.a. FAR Clause 52.222-17 Nondisplacement of Qualified Workers**, is updated to (May 2014), in accordance with Item I of FAC 2005-73.
35. **Item 567, Page 283, Article I.6.b. FAR Clause 52.222-41 Service Contract Labor Standards**, is updated to (May 2014) and to revise the title from the Service Contract Act of 1965, in accordance with Item I of FAC 2005-73.
36. **Item 568, Page 283, Article I.6.c. FAR Clause 52.222-42 Statement of Equivalent Rates For Federal Hires**, is updated to (May 2014), in accordance with Item I of FAC 2005-73.
37. **Item 569, Page 284, Article I.6.d. FAR Clause 52.222-43 Fair Labor Standards Act and Service Contract Labor Standards—Price Adjustment (Multiple Year and Option Contracts)**, is updated to (May 2014), in accordance with Item I of FAC 2005-73.
38. **Item 570, Page 284, Article I.6.e. FAR Clause 52.222-44 Fair Labor Standards Act and Service Contract Labor Standards—Price Adjustment**, is updated to (May 2014) and to revise the title from Fair Labor Standards and Service Contract Act—Price Adjustment, in accordance with Item I of FAC 2005-73.
39. **Item 571, Page 284, Article I.6. FAR Clause 52.222-49 Service Contract Labor Standards-Place of Performance Unknown**, is updated to (May 2014) and to revise the title from Service Contract Act—Place of Performance Unknown, in accordance with Item I of FAC 2005-73.
40. **Items 628 & 629, Page 326 & 327, Section L.2.a.21. FAR Clause 52.225-10 Notice of Buy American Requirement—Construction Materials and Alternate I**, are updated to (May 2014) and to revise the title from Notice of Buy American Act Requirement-Construction Materials, in accordance with Item I of FAC 2005-73.
41. **Items 630-632, Page 327-330, Section L.2.a.22. FAR Clause 52.225-12 Notice of Buy American Requirement—Construction Materials Under Trade Agreements and Alternate I**, are updated to (May 2014) and to revise the title from Notice of Buy American Act Requirement—Construction Materials Under Trade Agreements, in accordance with Item I of FAC 2005-73.
42. **Items 633 & 634, Page 330-332, Section L.2.a.23. FAR Clause 52.225-22 Notice of Required Use of American Iron, Steel, and Manufactured Goods—Buy American Statute—Construction Materials and Alternate I**, are updated to (May 2014) and to revise the title from Notice of Required Use of American Iron, Steel, and Manufactured Goods-Buy American Act—Construction Materials, in accordance with Item I of FAC 2005-73.
43. **Items 635-637, Page 332-335, Section L.2.a.24. FAR Clause 52.225-24 Notice of Required Use of American Iron, Steel, and Manufactured Goods—Buy American Statute—Construction Materials Under Trade Agreements and Alternate I**, are updated to (May 2014) and to revise the title from Notice of Required Use of American Iron, Steel, and Manufactured Goods—Buy American Act—Construction Materials Under Trade Agreements, in accordance with Item I of FAC 2005-73.

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

- **Part 1, Pages 1-4, Annual Representations and Certifications, FAR 52.204-8,** is updated to (May 2014) and revised to:
 - Update paragraphs (c)(1)(xvi) and (xvii) to remove “Act” from the title of the FAR Provisions **52.225-2 Buy American Certificate** and **52.225-4 Buy American-Free Trade Agreements-Israeli Trade Act Certificate**, in accordance with Item I of FAC 2005-73.
 - Update paragraphs (c)(2)(iii) and (iv) as follows:
 - FAR Clause **52.222-48 Exemption from Application of the Service Contract Labor Standards to Contracts for Maintenance, Calibration, or Repair of Certain Equipment-Certification.**
 - FAR Provision **52.222-52 Exemption from Application of the Service Contract Labor Standards to Contracts for Certain Services-Certification.**

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.*

- All references to Service Contract Act are replaced with **Service Contract Labor Standards**, in accordance with Item I of FAC 2005-73.
- All references to Buy American Act are replaced with **Buy American or Buy American statute**, in accordance with Item I of FAC 2005-73.
- FAR Clause **52.222-48 Exemption From Application of the Service Contract Labor Standards to Contracts or Maintenance, Calibration, or Repair of Certain Equipment Certification**, is updated to (May 2014), in accordance with Item I of FAC 2005-73.
- FAR Provision **52.222-52 Exemption from Application of the Service Contract Labor Standards to Contracts for Certain Services—Certification**, is updated to (May 2014), in accordance with Item I of FAC 2005-73.
- FAR Provision **52.225-2 Buy American Certificate**, is updated to (May 2014), in accordance with Item I of FAC 2005-73.
- FAR Provision **52.225-4 Buy American—Free Trade Agreements—Israeli Trade Act Certificate and Alternates I, II and III**, are updated to (May 2014), in accordance with Item I of FAC 2005-73.
- FAR Provision **52.225-6 Trade Agreements Certificate**, is updated to (May 2014), in accordance with Item I of FAC 2005-73.

EXPLANATION OF CHANGES MADE TO THE COMMERCIAL ITEMS CLAUSES:

- FAR Clause **52.212-1, Instructions to Offerors-Commercial Items**, has been updated to (April

2014) to:

- Update subparagraphs (i)(2)(i), (ii) and (i)(3)(i) to correct the URLs, in accordance with Item II of FAC 2005-73.
- FAR Clause **52.212-3, Offeror Representations and Certifications—Commercial Items**, is updated to (May 2014) in accordance with Item I of FAC 2005-73:
 - Update subparagraphs (f) and (f)(1) to **Buy American Certificate and Buy American--Supplies** removing “Act” from the titles.
 - Update subparagraphs (g)(1), (g)(1)(i), (ii) and (iii) to **Buy American—Free Trade Agreements—Israeli Trade Act Certificate** removing “Act” from the title.
 - Update (g)(2), (g)(3) Alternates I, II and III and (g)(4) of the above item removing “Act” from the titles.
 - Update subparagraph (g)(5)(iii) to remove “Buy American Act” and replace with “Buy American Statute.”
 - Update subparagraphs (k) and (k)(3)(i) to remove “Service Contract Act” and replace with “Service Contract Labor Standards.”
- FAR Clause **52.212-4, Contract Terms and Conditions-Commercial Items**, has been updated to (May 2014), in accordance with Item I of FAC 2005-73:
 - Update paragraph (d), in accordance with Item I of FAC 2005-73.
 - Update paragraph (i)(6)(i), in accordance with Item I of FAC 2005-73.
 - Update paragraph (r), in accordance with Item I of FAC 2005-73.
 - Update Alternate I to (May 2014) and paragraph (i)(6)(i), in accordance with Item I of FAC 2005-73.
- FAR Clause **52.212-5, Contract Terms and Conditions Required to Implement Statutes or Executive Orders-Commercial Items**, has been updated to (July 2014) to:
 - Update subparagraph (a)(3), in accordance with Item I of FAC 2005-73.
 - Update subparagraph (b)(1), (2), and (16), in accordance with Item I of FAC 2005-73.
 - Remove subparagraph (b)(5) **52.204-11, American Recovery and Reinvestment Act-Reporting Requirements**, in accordance with Item II of FAC 2005-74.
 - Add the following new subparagraphs, in accordance with Item II of FAC 2005-75;
 - (b)(38) **52.223-13 Acquisition of EPEAT®-Registered Imaging Equipment** (June 2014) and Alternate I (June 2014).
 - (b)(39) **52.223-14 Acquisition of EPEAT®-Registered Televisions** (June 2014) and Alternate I (June 2014).
 - (b)(41) **52.223-16 Acquisition of EPEAT®-Registered Personal Computer Products** (June 2014) and Alternate I (June 2014).
 - Update subparagraph (b)(43) to **52.225-1 Buy American—Supplies** (May 2014), in accordance with Item I of FAC 2005-73.
 - Update subparagraph (b)(44) to **52.225-3 Buy American—Free Trade Agreements—Israeli Trade Act and Alternates I, II and III** to (May 2014), in accordance with Item I of FAC 2005-73.
 - Update subparagraphs (b)(50), (51), and (54), in accordance with Item I of FAC 2005-73.
 - Update subparagraph (c)(1) to **52.222-41 Service Contract Labor Standards** (May 2014), in accordance with Item I of FAC 2005-73.
 - Update subparagraph (c)(2), in accordance with Item I of FAC 2005-73.
 - Update subparagraph (c)(3) to **52.222-43 Fair Labor Standards Act and Service Contract Labor Standards—Price Adjustment** (Multiple Year and Option Contracts) (May 2014),

in accordance with Item I of FAC 2005-73.

- Update subparagraph (c)(4) to **52.222-44 Fair Labor Standards Act and Service Contract Labor Standards—Price Adjustment** (May 2014), in accordance with Item I of FAC 2005-73.
- Update subparagraph (c)(5) to **52.222-51 Exemption from Application of the Service Contract Labor Standards to Contracts for Maintenance, Calibration, or Repair of Certain Equipment—Requirements** (May 2014), in accordance with Item I of FAC 2005-73.
- Update subparagraph (c)(6) to **52.222-53 Exemption from Application of the Service Contract Labor Standards to Contracts for Certain Services—Requirements** (May 2014), in accordance with Item I of FAC 2005-73.
- Update subparagraph (c)(7) and (8), in accordance with Item I of FAC 2005-73.
- Update subparagraph (e)(1)(i), (ii), (iii), in accordance with Item I of FAC 2005-73.
- Update subparagraph (e)(1)(v), in accordance with Item I of FAC 2005-76.
- Update subparagraph (e)(1)(vi), to **52.222-36 Equal Opportunity for Workers with Disabilities** (July 2014), in accordance with Item I of FAC 2005-76.
- Add NEW subparagraph (e)(1)(vii), **52.222-37 Employment Reports on Veterans** (July 2014), in accordance with Item I of FAC 2005-76.
- Update subparagraph (e)(1)(ix) to **52.222-41 Service Contract Labor Standards** (May 2014), in accordance with Item I of FAC 2005-73.
- Update subparagraph (e)(1)(xi) to **52.222-51 Exemption from Application of the Service Contract Labor Standards to Contracts for Maintenance, Calibration, or Repair of Certain Equipment—Requirements** (May 2014), in accordance with Item I of FAC 2005-73.
- Update subparagraph (e)(1)(xii) **52.222-53 Exemption from Application of the Service Contract Labor Standards to Contracts for Certain Services—Requirements** (May 2014), in accordance with Item I of FAC 2005-73.
- Update subparagraph (e)(1)(xv), in accordance with Item I of FAC 2005-73.
- Update Alternate II to (July 2014), in accordance with Item I of FAC 2005-76 and subparagraphs (e)(1)(ii)(A) and (C) of Alternate II, in accordance with Item I of FAC 2005-73.
- Update Alternate II subparagraph (e)(1)(ii)(E) **52.222-35 Equal Opportunity for Veterans** to (July 2014), in accordance with Item I of FAC 2005-76.
- Update Alternate II subparagraph (e)(1)(ii)(F) **52.222-36 Equal Opportunity for Workers with Disabilities** (July 2014), in accordance with Item I of FAC 2005-76.
- Update Alternate II subparagraph (e)(1)(ii)(H) to **52.222-41 Service Contract Labor Standards** (May 2014), in accordance with Item I of FAC 2005-73.
- Update Alternate II subparagraph (e)(1)(ii)(J) to **52.222-51 Exemption from Application of the Service Contract Labor Standards to Contracts for Maintenance, Calibration, or Repair of Certain Equipment-Requirements** (May 2014), in accordance with Item I of FAC 2005-73.
- Update Alternate II subparagraph (e)(1)(ii)(K) to **52.222-53 Exemption from Application of the Service Contract Labor Standards to Contracts for Certain Services—Requirements** (May 2014), in accordance with Item I of FAC 2005-73.
- Update Alternate II subparagraph (e)(1)(ii)(M) **52.226-6 Promoting Excess food Donation to Nonprofit Organizations**, in accordance with Item I of FAC 2005-73.

Andrea L. Spinelli

Procurement Analyst
Office of Acquisition Management and Policy, NIH
6100 Executive Blvd./Room 6E01Q
Phone: 301-451-9845
FAX: 301-480-2506
e-mail: spinella@mail.nih.gov