

From: Best, Tish (NIH/OD) [E]
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To: List NIH1102-L
Cc: Singleton, Dennis (NIH/OD) [C]; Laycock, Gail; Gamble, Karen (NIH/OD) [E]
Subject: Workform Update

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The workforms have been updated to incorporate the changes required by FAC 2005-62, effective November 20, 2012, Amendment #1 to APM 2012-03 "Implementation of the Requirements of the FY2012 HHS Appropriations Acts and HHS Non-Discrimination Policy", the "PARTNERSHIP AGREEMENT Between the U.S. Small Business Administration And The U.S. Department of Health and Human Services," a new Item incorporating the new Financial Conflict of Interest (FCOI) reporting requirements, and other housekeeping changes. The updated files are dated 12/18/2012 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.

I. Contract

II. RFP

III. 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/rc.html>) and are only used in the rare instance where an offeror is exempt from the CCR.

IV. 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

EXPLANATION OF CHANGES MADE TO THE CONTRACT:

1. **Item 124, Page 55, Article C.2.c. Other Reports/Deliverables/Reporting of Financial Conflict of Interest (FCOI), subparagraph 1.**, has been added, to specify reporting requirements and instructions for FCOI.
2. **Item 197, Page 90, Article G.8. Invoice Submission/Contract Financing Request, subparagraph a.2.**, has been revised, to add subparagraphs g. and h. to specify invoice submission instructions.
3. **Item 198, Page 92, Article G.8. Invoice Submission/Contract Financing Request, subparagraph a.2.**, has been revised, for NCI OA use only, to add subparagraphs g. and h. to specify invoice submission instructions.
4. **Item 208, Page 99, Article G.9. Invoice Submission/Contract Financing Request and Contract Financial Report, subparagraph a.2.**, has been revised, to add subparagraphs g. and h. to specify invoice submission instructions.
5. **Item 209, Page 100, Article G.9. Invoice Submission/Contract Financing Request and Contract Financial Report, subparagraph a.2.**, has been revised, for NCI OA use only , to add subparagraphs g. and h. to specify invoice submission instructions.
6. **Item 221, Page 107, Article G.10. Letter of Credit Payment Information, subparagraph c.2**, has been revised, to add subparagraphs g. and h. to specify invoice submission instructions.
7. **Item 222, Page 108, Article G.10. Letter of Credit Payment Information, subparagraph c.2**, has been revised, for NCI OA use only , to add subparagraphs g. and h. to specify invoice submission instructions.
8. **Item 232, Page 114, Article G.11. Invoice Submission, subparagraph a.2**, has been revised, to add subparagraphs g. and h. to specify invoice submission instructions.
9. **Item 233, Page 115, Article G.11. Invoice Submission, subparagraph a.2**, has been revised, for NCI OA use only , to add subparagraphs g. and h. to specify invoice submission instructions.
10. **Item 440, Page 287, Article I.2.t. FAR Clause 52.225-3, Buy American Act—Free Trade Agreements—Israeli Trade Act**, has been revised to update the basic clause along with its Alternate III to November, 2012 in accordance with Item III of FAC 2005-62.
11. **Item 441, Page 287, Article I.2.u. FAR Clause 52.225-5, Trade Agreements**, has been revised to update the clause to November, 2012 in accordance with Item III of FAC 2005-62.
12. **Item 589, Page 321, Article I.3.a.110. FAR Clause 52.243-2 Changes—Cost Reimbursement, PRESCRIPTION ONLY** has been revised to expand applicability to include all Cost-reimbursement contracts with educational institutions.
13. **Item 613, Page 325, Article I.3.b.4. HHSAR Clause 352.231-70, Salary Rate Limitation**, has been updated to August 2012 in accordance with Amendment #1 to APM 2012-03 “Implementation of the Requirements of the FY2012 HHS Appropriations Acts and HHS’ Non-Discrimination Policy.” In addition, the prescription has been updated to define the term “extramural.”

14. **Item 638, Page 338, Article I.4.9. FAR Clause 52.225-11, Buy American Act—Construction Materials Under Trade Agreements**, has been updated to November 2012, to add Panama as a designated country in accordance with Item III of FAC 2005-62.
15. **Item 641, Page 347, Article I.4.9. FAR Clause 52.225-23, Required Use of American Iron Steel, and Manufactured Goods—Buy American Act—Construction Materials Under Trade Agreements**, has been updated to November 2012, to add Panama as a designated country in accordance with Item III of FAC 2005-62.
16. **Item 657, Page 367, Article I.5.a. FAR Clause 52.219-18, Notification of Competition Limited to Eligible 8(a) Concerns**, prescription and clause have been modified to update the term of the revised “PARTNERSHIP AGREEMENT Between the U.S. Small Business Administration And the U.S. Department of Health and Human Services” to October 23, 2012 until amended.

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 1, Page 5, 8(a) RFP cover page**, has been updated to reflect the current term, October 23, 2012 until amended, in accordance with the “PARTNERSHIP AGREEMENT Between the U.S. Small Business Administration And the U.S. Department of Health and Human Services.”
2. **Item 75, Page 43, Article C.2.c. Reporting Requirements/Other Reports/Deliverables/Reporting of Financial Conflict of Interest (FCOI) subparagraph 1.**, has been added to specify reporting requirements and instructions for FCOI.
3. **Item 143, Page 77, Article G.8. Invoice Submission/Contract Financing Request, subparagraph a.2.**, has been has been revised, to add subparagraphs g. and h. to specify invoice submission instructions.
4. **Item 144, Page 78, Article G.8. Invoice Submission/Contract Financing Request, subparagraph a.2.**, has been has been revised, for NCI OA use only, to add subparagraphs g. and h. to specify invoice submission instructions.
5. **Item 154, Page 84, Article G.9. Invoice Submission/Contract Financing Request and Contract Financial Report, subparagraph a.2.**, has been has been revised, to add subparagraphs g. and h. to specify invoice submission instructions.
6. **Item 155, Page 86, Article G.9. Invoice Submission/Contract Financing Request and Contract Financial Report, subparagraph a.2.**, has been has been revised, for NCI OA use only, to add subparagraphs g. and h. to specify invoice submission instructions.
7. **Item 167, Page 91, Article G.10. Letter of Credit Payment Information, subparagraph c.2.**, has been revised, to add subparagraphs g. and h. to specify invoice submission instructions.
8. **Item 168, Page 93, Article G.10. Letter of Credit Payment Information, subparagraph c.2.**, has been revised, for NCI OA use only , to add subparagraphs g. and h. to specify invoice submission instructions.

9. **Item 178 , Page 98**, Article G.11. Invoice Submission, subparagraph a.2, has been revised, to add subparagraphs g. and h. to specify invoice submission instructions.
10. **Item 179, Page 100**, Article G.11. Invoice Submission, subparagraph a.2, has been revised, for NCI OA use only, to add subparagraphs g. and h. to specify invoice submission instructions.
11. **Item 369, Page 220**, Article I.2.o. FAR Clause 52.225-3, Buy American Act—Free Trade Agreements—Israeli Trade Act, has been revised to update the basic clause along with its Alternate III to November, 2012 in accordance with Item III of FAC 2005-62.
12. **Item 370, Page 221**, Article I.2.p. FAR Clause 52.225-5, Trade Agreements, has been revised to update the clause to November, 2012 in accordance with Item III of FAC 2005-62.
13. **Item 515, Page 253**, Article I.3.a.108. FAR Clause 52.243-2 Changes—Cost Reimbursement, PRESCRIPTION ONLY revised to expand applicability to include all Cost-reimbursement contracts with educational institutions.
14. **Item 537, Page 257**, Article I.3.b.4. HHSAR Clause 352.231-70 Salary Rate Limitation, has been updated to August 2012 in accordance with Amendment #1 to APM 2012-03 “Implementation of the Requirements of the FY2012 HHS Appropriations Acts and HHS’ Non-Discrimination Policy.” In addition, the prescription has been updated to define the term “extramural.”
15. **Item 562, Page 269**, Article I.4.9. FAR Clause 52.225-11, Buy American Act—Construction Materials Under Trade Agreements, has been updated to November 2012, to add Panama as a designated country in accordance with Item III of FAC 2005-62.
16. **Item 565, Page 278**, Article I.4.9. FAR Clause 52.225-23, Required Use of American Iron Steel, and Manufactured Goods—Buy American Act—Construction Materials Under Trade Agreements, has been updated to November 2012, to add Panama as a designated country in accordance with Item III of FAC 2005-62.
17. **Item 581, Page 298**, Article I.5.a. FAR Clause 52.219-18, Notification of Competition Limited to Eligible 8(a) Concerns, prescription and clause have been modified to update the term of the revised “PARTNERSHIP AGREEMENT Between the U.S. Small Business Administration And the U.S. Department of Health and Human Services” to October 23, 2012 until amended.
18. **Item 710, Page 390**, Section L.2.b.9. Information and Physical Access Security, has been revised to include a drop down box to allow the Contracting Officer the discretion to determine whether the Information Security documentation should be included in the technical or business proposal.
19. **Item 732, Page 430**, Section L.2.c.6. Salary Rate Limitation in Fiscal Year 2013, has been revised to update this item to FY-13 and indicate that the identification of the P.L. is pending passage of legislation.

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 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 CCR. All other offerors/contractors will access these provisions from the ORCA when they complete their annual Online Representations & Certifications Application.*

The Individual Representations and Certifications have been revised to incorporate changes required by FAC 2005-62 as follows:

- FAR Provision **52.225-4, Buy American Act—Free Trade Agreements—Israeli Trade Act Certificate**, has been updated to November 2012 to include Panama in accordance with Item III of FAC 2005-62.

EXPLANATION OF CHANGES MADE TO THE COMMERCIAL ITEMS CLAUSES:

- FAR Clause **52.212-3, Contract Terms and Conditions – Commercial Items**, has updated to November 2012 to:
 - Update subparagraphs g(1) and g(4) to include Panama, in accordance with Item III of FAC 2005-62.
- FAR Clause **52.212-5, Contract Terms and Conditions Required to Implement Statutes or Executive Orders—Commercial Items**, has been updated to November, 2012 to:
 - Update subparagraphs b(40) and b(41) to include Panama, in accordance with Item III of FAC 2005-62.

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