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The workforms have been updated to incorporate the changes required by policy, regulatory and statutory enactments, NIH Guide Notice NOT-OD-15-080, "Notice Regarding Requirement of Grantees and Contractors to Submit Invention Disclosures, Related Reports and Documents Via iEdison," dated March 17, 2015 and FAC 2005-81 through FAC 2005-82. The updated files are dated 07/01/2015 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) (May 2015), is updated to through FAC 2005-82 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_1.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:

- 1.** Item 120, Page 50, Section C.2.a.9. Reporting on Select Agents (NIAID), is updated to correct the links within the item.
- 2.** Item 141, Page 58, Article C.3 Invention Reporting Requirement, is updated to require contractors to submit invention reports to Interagency Edison (iedison), in accordance with NIH Guide Notice "NOT-OD-15-080".
- 3.** Item 176, Page 71, Article F.8.c. Level of Effort, is revised to clarify that the article does not supersede the Limitation of Cost or Limitation of Funds clauses.
- 4.** Item 251, Page 116, Article H.23. Restriction on Abortions, is updated in accordance with the FY2015 Consolidated Appropriations and Further Continuing Appropriations Act (Public Law 113-235).
- 5.** Item 299, Page 159, Article H.60. Task Order/Delivery Order Contract Ombudsman, is updated to include Dr. Sherry Mills as the competition advocate for R&D Contracts.
- 6.** Items 378-394, Pages 214-261, Section I.1. – General Clauses
Adds NEW FAR **52.203-99 Prohibition on Contracting with Entities that Require Certain Internal Confidentiality Agreements (DEVIATION)**, as required by class deviation, dated (Feb 2015).
Updates FAR **52.222-21 Prohibition of Segregated Facilities** to (Apr 2015), in accordance with Item I of FAC 2005-81.
Updates FAR **52.222-26 Equal Opportunity** to (Apr 2015), in accordance with Item I of FAC 2005-81.
Updates FAR **52.222-27 Affirmative Action Compliance Requirements for Construction** to (Apr 2015), in accordance with Item I of FAC 2005-81.
Updates FAR **52.244-6 Subcontracts for Commercial Items** to (Apr 2015), in accordance with Item I of FAC 2005-81.
Updates FAR **52.246-25 Limitation of Liability-Services** to be included in the General Clauses for Fixed-Price and Cost-Reimbursement Research and Development SBIR Phase II Contract listings.
- 7.** Item 500, Page 284, Section I.3.43. FAR Clause **52.222-29 Notification of Visa Denial**,

is updated to (Apr 2015), in accordance with FAC 2005-81.

8. Item 574, Page 299, Section I.3.117. FAR Clause **52.246-25 Limitation of Liability-Services**, is added for use when applicable.

EXPLANATION OF CHANGES MADE TO THE RFP:

1. Item 71, Page 38, Section C.2.a.4. Reporting on Select Agents (NIAID), is updated to correct the links within the item.
2. Item 89, Page 45, Article C.3 Invention Reporting Requirement, is updated to require contractors to submit invention reports to Interagency Edison (iedison), in accordance with NIH Guide Notice "NOT-OD-15-080".
3. Item 121, Page 58, Article F.8.b. Level of Effort, is revised to clarify that the article does not supersede the Limitation of Cost or Limitation of Funds clauses.
4. Item 184, Page 99, Article H.22. Restriction on Abortions, is updated in accordance with the FY2015 Consolidated Appropriations and Further Continuing Appropriations Act (Public Law 113-235).
5. Item 231, Page 142, Article H.58. Task Order/Delivery Order Contract Ombudsman, is updated to include Dr. Sherry Mills as the competition advocate for R&D Contracts.
6. Item 426, Page 221, Section I.3.42. FAR Clause **52.222-29 Notification of Visa Denial**, is updated to (Apr 2015), in accordance with Item I of FAC 2005-81.
7. Item 499, Page 236, Section I.3.115. FAR Clause **52.246-25 Limitation of Liability-Services**, is added for use when applicable.
8. **NEW** Item 629, Page 352, Section L.2.19. General Instructions **52.203-98 Prohibition on Contracting with Entities that Require Certain Internal Confidentiality Agreements- Representation (DEVIATION)**, is added as required by class deviation (Feb 2015).

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.

- Added Item FAR ALTERNATE – **Representation by Corporations Regarding an Unpaid Delinquent Tax Liability or a Felony Conviction Under Any Federal Law**, is updated in accordance with the Consolidated and Further Appropriations Act of 2015, Public Law 113-235.

EXPLANATION OF CHANGES MADE TO THE COMMERCIAL ITEMS CLAUSES:

FAR Clause **52.212-4, Contract Terms and Conditions - Commercial Items** (May 2015) is updated in accordance with FAC 2005-82.

- Revise paragraph (v).

FAR Clause **52.212-5, Contract Terms and Conditions Required to Implement Statutes or Executive Orders-Commercial Items**, has been updated to (May 2015). The following changes are in accordance with Item I of FAC 2005-81 and Item IV of FAC 2005-82.

- Revise paragraphs (b)(27) and (28) to (April 2015).
- Delete paragraph (c)(10) and renumber accordingly.
- Add new paragraph (c)(1) **FAR 52.227-14 Nondisplacement of Qualified Workers** (May 2014)
- Add new paragraph (e)(iv) **FAR 52.227-21 Prohibition of Segregated Facilities** (Apr 2015) and renumber paragraphs accordingly.
- Revise paragraph (e)(v) to (Apr 2015).
- Add new paragraph (e)(xv) **FAR 52.222-55 Minimum Wages Under Executive Order 13658** (Dec 2014)
- Revise Alternate II to (Apr 2015).
- Revise paragraph (e)(1)(ii)(D) under Alternate II to (Apr 2015).
- Add new paragraph (e)(1)(ii)(N) **FAR 52.222-55 Minimum Wages Under Executive Order 13658** (Dec 2014) and renumber paragraphs accordingly.