Department of Health and Human Services
National Institutes of Health
National Institute of Allergy and Infectious Diseases (NIAID)

OMB No. 0990-0115

Request for Proposals and Applications
BAA-NIH-NIAID-NCRR-DMID-03-36
SECTION A – SOLICITATION/CONTRACT FORM

OFFERORS ARE RESPONSIBLE FOR ROUTINELY CHECKING THE CMB WEBSITE http://www.niaid.nih.gov/contract/default.htm FOR ANY POSSIBLE SOLICITATION AMENDMENTS THAT MAY BE ISSUED. NO ADDITIONAL NOTIFICATION OF ANY AMENDMENTS WILL BE PROVIDED BY THIS OFFICE.

Purchase Authority: Public Law 92-218, as amended.

NOTE: The issuance of this solicitation does not commit the government to an award. Awards under this Program are contingent on availability of appropriated funds and NIAID appropriations authority provided at the discretion of Congress.

Just In Time: [ ] Yes [X] No	**Small Bus. Set-Aside:** [ ]Yes [X]No **8(a) Set-Aside:** [ ]Yes [X]No **NAICS Code:** 541710 **Size Standard:** 500 employees	**Level of Effort:** [ ] Yes [X] No **Total Effort:** [N/A]

TITLE:
REGIONAL BIOCONTAINMENT LABORATORIES (RBLS) and NATIONAL BIOCONTAINMENT LABORATORIES (NBLS)

[Only Domestic (U.S.), Non-Federal, Public or Private Non-Profit Organizations that Support Biomedical Research are eligible to apply.]

Issue Date: October 15, 2002 **Revised: November 5, 2002** **(pgs 5, 8, 10, 13, 15, Attach 4)**	**Due Date: February 10, 2003** **Time: 4:00 PM, EST**	**Technical Proposal Page Limits:** [X] Yes **(See Project Plan, Page 22)**

ISSUED BY:
Barbara A. Shadrick
Contracting Officer
Contract Management Branch, DEA
NIH, NIAID
6700-B Rockledge Drive
Room 2230, MSC 7612
Bethesda, MD 20892-7612

[X] ***We reserve the right to make awards without discussion.***

NO. OF AWARDS: [ ] Only 1 Award [X] Multiple Awards	PERIOD OF PERFORMANCE: 5 years beginning on or about 09/29/2003

Offers will be valid for 120 days unless a different period is specified by the Offeror on the form entitled "Proposal Summary and Data Record, NIH-2043" (See SECTION J - Attachments)

The Official Point of Receipt for the purpose of determining timely delivery is the Contract Management Branch as stated above. The paper copy with original signatures is the official copy for recording timely receipt. If the paper copy of your proposal is not received by the Contracting Officer or Designee at the place and time specified, then it will be considered late and handled in accordance with HHSAR 352.215-70 entitled "Late Proposals and Revisions" located in this Solicitation. FACSIMILE SUBMISSION OF PROPOSALS IS NOT ACCEPTABLE.

COLLECT CALLS WILL NOT BE ACCEPTED

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SECTION 1

INFORMATION APPLICABLE TO APPLICANTS/OFFERORS APPLYING TO BOTH RBLs and NBLs

BACKGROUND

The Department of Health and Human Services (DHHS), National Institutes of Health (NIH), National Center for Research Resources (NCRR) and the National Institute of Allergy and Infectious Diseases (NIAID) are collaborating on the subject Broad Agency Announcement. The NCRR and NIAID encourages the submission of grant applications and contract proposals for the establishment of Biocontainment Laboratories in order to further the research capabilities of the Division of Microbiology and Infectious Diseases (DMID), NIAID, to conduct research on pathogens that are considered to be of significant research importance for biodefense.

In order to focus attention on those agents that pose the greatest risks to civilian populations in the event of a bioterrorist attack, the NIAID compiled a list of Category A, B, and C priority pathogens (http://www.niaid.nih.gov/dmid/bioterrorism/bandc_priority.htm). In February 2002, NIAID developed a strategic plan for biodefense research in consultation with a Blue Ribbon Panel to accomplish short- and long-term goals aimed at protection of the United States and the world population against attacks by these agents. The NIAID strategic plan emphasizes both basic research and the application of that basic research to the development of products such as diagnostics, therapeutics, and vaccines.

The NIAID Blue Ribbon Panel further identified a critical need to expand the availability of research resources to support implementation of the Biodefense Research Agenda of NIAID (http://www.niaid.nih.gov/dmid/bioterrorism/). Since one of the major challenges in meeting the goals of the Agenda is the serious shortage of high-level biocontainment laboratories, NIAID has established a comprehensive approach that includes both grants and contract awards to help provide the facilities needed. Important components of NIAID's Biodefense plans are a network consisting of: 1) Regional Centers of Excellence for Biodefense and Emerging Infectious Diseases Research (RCEs); 2) Regional Biocontainment Laboratories (RBLs); and 3) National Biocontainment Laboratories (NBLs).

The overall goal of the RCE Program, which is currently being solicited via a grant mechanism (RFA-AI-02-031 is located at http://grants.nih.gov/grants/guide/rfa-files/RFA-AI-02-031.html), is to develop and maintain strong infrastructure and multi-faceted research and development activities that will provide the scientific information and translational research capacity to make the next generation of therapeutics, vaccines and diagnostics against the NIAID Category A, B, and C Agents, with particular emphasis on Category A.

NIAID and NCRR are currently soliciting by this BAA proposals/applications for the construction of Regional and National Biocontainment Laboratories. The RBL Program (Part A of this BAA), which will be funded through a grant mechanism, will provide support for building and/or renovating Biosafety Level 3 (BSL-3) facilities and the necessary associated BSL-2 laboratories, animal facilities, and research support space. The NBL Program (Part B of this BAA), which we anticipate will be funded through a contract mechanism, will provide support for constructing state-of-the-art, comprehensive facilities, including Biosafety Level 3 and 4 containment (BSL-3/4) capabilities plus other required facilities. NBL and RBL operations and management activities are not a subject of this BAA. Awards under this program are contingent on availability of appropriated funds and NIAID appropriations authority provided at the discretion of Congress.

PURPOSE OF THIS BAA

With this BROAD AGENCY ANNOUNCEMENT (BAA), NIAID and NCRR invite offerors/applicants to submit proposals/applications for the planning, design, and construction (including large-scale alteration, modernization and renovation activities) of high-level biocontainment research facilities. The facilities must be used for biomedical research and research training, with the specific goal of supporting the NIAID Biodefense Research Agenda.

This BAA consists of the following two parts:

Part A -- Regional Biocontainment Laboratories (RBLs)

The overall objective of the RBL construction program is to provide funding to design, construct, renovate, commission, and install and certify fixed equipment into state-of-the-art BSL-3 biocontainment laboratories and the necessary associated BSL-2 labs, animal facilities, and research support space. RBLs must preferentially support the research activities of NIAID Regional Centers of Excellence for Biodefense and Emerging Infectious Diseases Research (RCE), as well as other NIAID funded biodefense and emerging infectious diseases research. RBLs will be part of the NIAID RCE Biodefense Network and will serve as a regional resource for research institutions in the area. In addition, RBLs must be available and prepared to assist national, state, and local public health efforts in the event of a bioterrorism emergency.

Part B -- National Biocontainment Laboratories (NBLs)

The overall objective of the NBL construction program is to provide funding to design, construct, renovate (if needed) and commission and install and certify fixed equipment into comprehensive, state-of-the-art BSL-4 biocontainment laboratories and the necessary associated BSL-3 labs, BSL-2 labs, animal facilities, insectary facilities, clinical facilities and research support space. NBLs will serve as a national resource for efforts in conducting clinical and laboratory (*in vitro* and *in vivo*) research and testing on hazardous biological agents in support of the NIAID's Biodefense Agenda. NBLs must preferentially support the research activities of NIAID Regional Centers of Excellence for Biodefense and Emerging Infectious Diseases Research (RCE), as well as other NIAID funded biodefense research. NBLs will be part of the NIAID RCE Biodefense Network and will serve as a national resource. In addition, NBLs must be available and prepared to assist national, state, and local public health efforts in the event of a bioterrorism emergency.

Offerors/applicants may submit Proposals for Part A and/or Part B. Part A and B offerors/applicants must be associated with or linked to existing or planned Regional Centers of Excellence (RCE) in order to be eligible for an award.

Part A and Part B have both common and specific objectives (see below). If an offeror/applicant plans to respond to both Parts A and B, then a separate proposal/application should be submitted for each part to allow for separate reviews.

The NIAID plans to fund 1-2 NBLs and commit approximately $100 million of FY03 funds and approximately $175 million of FY04 funds. The NIAID plans to commit approximately $50 million to fund approximately 4-6 RBLs in FY03 and an additional approximately $50 million for approximately 4-6 more RBLs in FY04. The nature and scope of the activities proposed in response to this BAA may vary; it is anticipated that the size of awards will vary.

The length of time for which funding is requested should be consistent with the nature and complexity of the proposed construction project. The maximum period acceptable is five (5) years. No facilities and administrative (F&A) costs will be awarded for grants. Awards are expected to be made between the months of September and November, 2003. All funds must be obligated within 5 years from the date of award. Funds may not be used for the acquisition of land, for building "shell space" or for off-site improvements.

Facility construction that may be supported under this program includes construction of new facilities, additions to existing buildings, completion of previously-built uninhabitable "shell" space in new or existing buildings, and major alterations and renovations. The acquisition and installation of fixed equipment such as casework, fume hoods, large autoclaves, or biological safety systems is allowed. Large equipment essential for basic functions of the building may also be requested.

Since this award is not renewable, it is assumed that recipients of RBL awards will have or acquire other support for research conducted in the RBL facilities and for on-going management and operations expenses. Users of the facilities may be charged appropriate fees. Recipients of NBL awards may compete for anticipated operations contracts to support on-going costs. Awards pursuant to this BAA are contingent upon the availability of funds and the receipt of a sufficient number of meritorious applications.

The NIAID anticipates making award decisions based on technical merit of proposals, available funding and programmatic balance and priorities. In addition, other considerations for award include: the needs of the institution, with special consideration given to institutions or consortia designated as RCEs; the commitment of matching funds by the institution; program objectives; achieving desired scope of facilities at a national level; availability of facilities to conduct the desired scope of biodefense research at the national level; national geographic distribution; and the expectation that facilities will be finished and available for use as rapidly as possible.

ELIGIBILITY REQUIREMENTS

The following requirements/assurances apply to both Parts A and B and must be met and agreed to by the offeror/applicant in order to be considered eligible for an award under this BAA:

1. Only domestic (U.S.), non-Federal, public or private non-profit organizations that support biomedical research are eligible to apply.

2. A description of the anticipated sources of the non-Federal funding for the project (both matching funds and funds needed to complete the total project) must be provided with the application/proposal. A letter from an appropriate institutional official authorized to commit funds at the institution describing and committing the matching funds and assuring that they are "in-hand" must be provided prior to an award. The minimum match requirement will be $1 (awardee) to $3 (federal). Only applications proposing a federal share of $1.5 to 40 million for Part A and up to $150 million for Part B will be accepted. Organizations may contribute more than the required matching funds to allow for larger projects. It is anticipated that award sizes will vary. Smaller renovations and alterations may be funded through other initiatives. http://www.niaid.nih.gov/ncn/newsletters/nl092602/nl092602.htm#n04

3. The Offeror/Applicant must be associated with or have planned linkages to one or more institutions or consortia that are applying for NIAID Regional Centers of Excellence (RCE) Biodefense and Emerging Infectious Diseases Research grant awards. In addition to any such proposed arrangements, awardees may be required to link to one or more RCEs or other research institutions as determined by NIAID staff who are managing the program and network. A consortium of institutions, with one applicant institution, may apply for awards under this BAA.

4. Biocontainment facilities must be used for research and research training, with the specific goal of supporting the NIAID Biodefense Research Agenda and research identified by the NIAID as important to program goals. Proposals should document a research base of currently funded and/or planned biodefense research that will make use of the proposed biocontainment facilities.

5. RBLs and NBLs must be ready and available to provide facilities and scientific support to first-line responders and be available and prepared to support public health efforts in the event of a national biodefense emergency.

6. The facility must be utilized for biomedical research purposes as determined by NIAID program needs for at least 20 years beginning 90 days following completion of the construction project. Any lease agreement must cover a time period sufficient for the usage requirement and be a minimum of 20 years in length from the completion of the facility. Federal interest in the facility must be acknowledged as a condition of this award. An annual progress report is required for 20 years and must include a list of publications "originating from the use" of this project facility. This list should be limited to those scientific papers acknowledging NIAID support including grant and/or contract numbers. Failure to comply with the 20-year utilization requirement will result in recovery of the Federal share of the value of the facility in accordance with Federal Regulations at 45 CFR 74.32.

SPECIFIC PROJECT REQUIREMENTS AND GOALS -- (STATEMENT OF WORK)
[applies to both PART A - RBLs and PART B - NBLs]

PART A - Regional Biocontainment Laboratories (RBL) Construction

Design and construct a state-of-the-art biocontainment facility complex, including BSL-3 and BSL-2 laboratory space as well as associated animal facilities, and research support space. The facilities should fulfill current research needs and incorporate innovative design features that allow maximum flexibility to efficiently address future biocontainment research needs. The facility must be designed to allow for research on many known infectious diseases, including most of those on the NIAID Category A-C priority pathogens list.

PART B – National Biocontainment Laboratories (NBL) Construction

Design and construct a state-of-the-art biocontainment facility complex, including BSL-4, BSL-3, and BSL-2 laboratory space as well as associated animal facilities, insectary facilities, clinical facilities and research support space. The facilities should fulfill current research needs and incorporate innovative design features that allow maximum flexibility to efficiently address future biocontainment research needs. The facility must be designed to allow for research on any number of known infectious diseases, including the entire NIAID A-C priority pathogens list, as well as emerging and new diseases in the future.

A. THE FOLLOWING GOALS MUST BE MET (applies to both RBLs and NBLs):

1. Design biocontainment facilities and associated research laboratories and support spaces to maximize safety in the work space and surroundings; and create a high-quality, state-of-the-art work environment that is appropriate for biomedical and microbial research.

2. Design biocontainment facilities and associated research laboratories and support spaces that maximize operational effectiveness, efficiency and space utilization, that are reliable, and that are sufficiently flexible to accommodate changing future research needs.

3. Create a safe, reliable, efficient, flexible, and adaptable facility that will best serve the unique user requirements related to biocontainment.

4. Design biomedical research laboratories and shared spaces to increase interaction among scientists and promote a collaborative work environment, as well as to ensure a high quality of work life for staff that will help attract and retain world-class researchers.

5. Design defined public, laboratory, vivarium (small animal facilities at a minimum), clinical (if applicable), and support zones including appropriate research computer capabilities and administrative support space.

6. Minimize the disruption caused by the construction and renovation project to ongoing research functions in adjacent and nearby facilities.

7. Assess and evaluate existing utilities infrastructure to ensure reliability in functioning of the proposed facility in carrying out it mission; provide emergency power and standby power and 100% redundant mechanical, electrical, and plumbing systems to the buildings to meet the safety needs of the occupants and the surrounding community.

8. Provide stringent security and access control; coordinate new security and access control systems for this building with existing security system infrastructure and operations.

9. Incorporate design features to meet: current codes (local, state, Federal); current certification standards; standards in the latest version of the NIH Design Policy and Guidelines (http://des.od.nih.gov/eWeb/planning/html/nihpol.htm); biosafety requirements and standards/procedures found in the CDC/NIH Biosafety in Microbiological and Biomedical Laboratories, most current Edition (http://bmbl.od.nih.gov/); and the requirements resulting from the Select Agent Rule and related issues (http://www.niaid.nih.gov/dmid/select_agent/default.htm). Plans must provide facilities that will allow for adherence to the most stringent interpretation of the BSL-3 biosafety requirements in the BMBL. The design must allow for work with radioactive isotopes in accordance with applicable rules and standards.

10. The facility shall be commissioned in accordance with the NIH Model Commissioning Guide: http://des.od.nih.gov/eWeb/research/farhad2/Commissioning/nih_cx_guide/ComGuideTitle.htm

11. Work effectively, efficiently and in a cooperative manner with government personnel, government contractors such as an NIAID quality management contractor and all necessary subcontractors (e.g., architect/engineers, designers, general contractors, consultants, construction managers) involved in development, planning, design, construction and commissioning activities. Assist in the design, construction and/or relocation efforts of affected areas to enable the construction contractors to complete the project on an aggressive schedule, as approved by NIAID/NIH.

12. Consistent with applicable laws and award terms, complete the project at the most reasonable cost to the government by bringing the best available commercial practices to the project in a collaboration with NIAID (although this relationship is not a partnership in the traditional legal sense).

13. Employ the most technically competent team of design and construction professionals with the required relevant experience.

14. Be pro-active in maintaining positive relations with the research community, the institution/organization's community, surrounding communities, and the general public.

B. ADDITIONAL REQUIREMENTS AND GOALS THAT MUST BE MET (applies to Part B – NBLs only):

1. Facilities must be suitable for work on dangerous or exotic agents that pose a high or yet to be determined risk of life threatening disease and that are capable of aerosol transmission. The facility must be suitable for: safely and securely transporting, receiving, working with, and storing or housing all NIAID Category A, B and C priority pathogens and other emerging infectious agents as well as animals and humans exposed to and/or infected with such agents; and performing research directed at the prevention, detection, diagnosis and treatment of diseases these agents cause.

2. The most stringent interpretation of the BSL-4 biosafety requirements found in the CDC/NIH Biosafety in Microbiological and Biomedical Laboratories, most current Edition, (http://bmbl.od.nih.gov/) are to be the basis for design and construction.

3. BSL-4 laboratories that consist of both Cabinet Laboratory space where all handling of the agent is performed in a Class III Biological Safety Cabinet, and Suit Laboratory space where personnel wear a protective suit are required. BSL-4 facilities should be comprehensive and have the ability to support animal work and isolation chambers/wards for clinical research.

4. At a minimum, the facility shall contain 121,450 gross square feet (GSF), with at least 58,800 net square feet (NSF). The specific allocation of square footage for proposed functions is at the discretion of the contractor; however, the following minimum square footage requirements must be met:

Required Function	NSF	GSF
BSL-4 Laboratories	4,000	12,000
BSL-4 Animal laboratories	5,000	15,000
BSL-3/4 Clinical space	3000	6000
BSL-3 Animal laboratories	4,000	12,000
BSL-3 Laboratories	9,000	18,000
BSL-2 Laboratories	12,000	24000
Animal support space	12,000	20,000
Building Entry	2,000	3,000
Offices & Office Support	4,000	6000
Lunch Room	500	750
Conference Room (2)	800	1200
Storage	1500	2,000
Building Support and Loading	1,000	1,500
Total	58,800	121,450

5. At a minimum the facilities must provide/support the following functions:

   a. High-level biocontainment laboratory facilities including BSL-4, BSL-3 and BSL-2 laboratory space for conducting a variety of *in vitro* research activities (microbiology, biochemistry, cell biology, molecular biology, etc.).

   b. High-level biocontainment animal facilities including BSL-4, BSL-3, and BSL-2 space for conducting research in multiple species of animals, including non-human primates. Procedures rooms for work with both infected and uninfected animals, surgical suites and pathology laboratory space are required, as are housing areas for many types of animals ranging from rodents to non-human primates. Suitable animal space to allow for work on vector borne diseases shall be included.

   c. High-level biocontainment insectary facilities including BSL-4, BSL-3, BSL-2 space for housing and conducting research with arthropod vectors.

   d. High-level containment clinical facilities consisting of BSL-3/4 isolation units for evaluation and treatment of infected individuals, and for conducting small-scale, Phase I/II human clinical trials.

e. Systems for monitoring and controlling all facilities including safety and security systems that are redundant and highly secure; integral computer systems; integral decontamination systems; environmental controls; space for scientific, technical, safety and maintenance support personnel who will provide core services for the facilities.

C. SPECIAL REQUIREMENTS (applies to both PART A - RBLs and PART B - NBLs)

1. Environmental Impact of Assistance

The National Environmental Policy Act (NEPA) requires Federal agencies to assess the probable environmental consequences of any major Federal action, including construction projects supported in whole or in part through Federal contracts, grants, subsidies, loans, or other forms of funding assistance. If the project has a significant environmental impact, a full Environmental Impact Statement must be prepared and released by the Federal Government before the grant award. In those cases where the environmental impact is less significant, the Government will prepare a statement which will become part of the grant file.

The National Institutes of Health (NIH) will assess the level of environmental impact of proposed projects using the information submitted as described in ATTACHMENT 1 of these instructions. All applications must be accompanied by an analysis; applicants may use the suggested sample format as shown in ATTACHMENT 1. The analysis is intended to convey available environmental information with the initial grant application and does not require expenditure of funds for extensive consultant services prior to a grant award. Therefore, the hiring of special consultants for developing detailed data and elaborate presentations is discouraged.

The analysis should be accompanied by a current listing of all relevant licenses, permits, or other approvals required. Copies of all such documents, if issued, should be submitted with the environmental analysis. This would include, but not be limited to, the state and local air, water quality, and zoning board reports. Also, indicate the state, local, and regional planning authorities contacted or consulted regarding the proposal and briefly discuss the proposed facility with respect to regional development plans.

2. Intergovernmental Review -- Executive Order 12372

Applicants are required to comply with Executive Order (E.O.) 12372 as supplemented by DHHS 45 CFR Part 100, Intergovernmental Review of Department of Health and Human Services Programs and Activities. E.O. 12372 sets up a system for State and local government review of proposed Federal assistance applications. Applicants (other than federally-recognized Indian tribal governments) should contact their State Single Point of Contact (SPOCs) as early as possible to alert them to the prospective applications and receive any necessary instructions on the State process. The SPOCs can be accessed through the following link, http://www.whitehouse.gov/omb/grants/spoc.html. For proposed projects serving more than one State, the applicant is advised to contact the SPOC of each affected State. The SPOC must be given at least 60 days to review a construction grant application.

Applicants are to provide the SPOC with a copy of the application NOT LATER THAN the time the application is submitted to the NIH. Include, as appendix material to the application, all comments received from the SPOC during pre-application coordination. Applications submitted to NIH in response to this solicitation must contain either SPOC comments or documentation indicating the date on which the application was submitted to the SPOC for review.

The SPOC comment period ends 60 days after the application receipt date. The granting agency does not guarantee to "accommodate or explain" for State process recommendations it receives after that date. All SPOC comments must be forwarded to both the applicant and to the NCRR fiscal contact given in the BAA. If comments are provided by the SPOC, the applicant may wish to submit to the NIH a statement of its reaction to the comments and any appropriate changes to its application. If no response is received from the SPOC by the end of the 60 days allotted for review of the application, the applicant must notify the NIH that no response was received.

3. Public Disclosure

Applicants must also make a public disclosure of the project by publication and describe its environmental impact at the time the SPOC is notified. It is suggested that the notice be published in a large-circulation newspaper in the area. This public disclosure is required by Section 102 of the National Environmental Policy Act (NEPA) of 1969 and by Federal Executive Order 11514.

One example of a suitable disclosure statement follows:

"PUBLIC NOTICE"

"Notice is hereby given that the Uptown Medical School proposes to construct additional space, partially utilizing Federal funds. The proposed construction project is the addition of 2,700 square feet connected to the existing Allen Building, which is located at 5333 Main Street, Downtown, Ohio.

"The Medical School has evaluated the environmental and community impact of the proposed construction. There will be construction noise and increased construction traffic during the construction period. No significant permanent environmental impacts are foreseen. All building permits and zoning approvals have been obtained.

"In accordance with Federal Executive Order 11514, which implements the NEPA of 1969, any individual or group may comment on, or request information concerning, the environmental implications of the proposed project. Communications should be addressed to the Office of Planning, Uptown Medical School, and be received by (date). The Federal grant application may be reviewed at the Office of the Dean, School of Medicine, 5333 Main Street, during working hours."

[END OF SPECIFIC PROJECT REQUIREMENTS AND GOALS]

GENERAL NOTES TO OFFERORS/APPLICANTS

NOTE #1 – Site Visits - The NIH reserves the right to conduct site visits when deemed essential. This may include site visits during the application/proposal evaluation process and/or visits to the contractor's facilities during grant/contract performance. Such site visits may include other PHS officials or contractors representing NIH.

NOTE #2: Subcontracting - Subcontracting agreements are allowable and encouraged to accomplish the work outlined in this solicitation. The proposal must describe in detail the research plan and contribution to the overall proposal, complete description of facilities, professional background of personnel, and cost.

NOTE #3 – Staffing - Principal Investigator - It is advisable that the Principal Investigator be a highly placed institutional official, at the level of Dean or equivalent, who has responsibility and authority for research activities at the applicant organization, as well as the authority to commit institutional funds and resources.

NOTE #4 - Allowable Costs Pertaining to Grant and Contract Awards

a) Facility construction that may be supported under this program includes construction of new facilities, additions to existing buildings, completion of uninhabitable "shell" space in new or existing buildings, and major alterations and renovations. The acquisition and installation of fixed equipment such as casework, fume hoods, large autoclaves, or biological safety cabinets are allowed. Certain large, multi-user equipment essential to the research needs may also be requested.

b) Grant or contract funds may not be used for the acquisition of land, for building "shell space" or for off-site improvements.

c) No facilities and administrative (F&A) costs or continuation costs will be awarded under the grant mechanism.

NOTE #5 – Design Approval Process - The awardee will begin a process of design approval with NIAID program staff and other designated NIH personnel or contractors after award notification. This consists of three stages of submission of design documents. Four sets each of Schematic Design, Design Development and Final Construction Design documents will be submitted at Stages 1, 2, and 3, respectively. The documents will include detailed cost estimates and are required for final review and approval by NIAID staff before bids and proposals can be solicited by the awardee for the construction activities of the contract. Advertisement for construction bids and construction may be initiated only after receipt of approval of the working drawings and specifications by NIAID staff.

Additional post-award submission requirements for NBLs include:

1. programming, conceptual design (15%) and basis of design documentation
2. schematic design (35%)
3. design development (75%)
4. final design (100%)
5. electronic copy of NIAID approved construction design documentation

Early in the design process, applicants are encouraged to review the "NIH Grants Policy Statement," which is available on-line at http://grants.nih.gov/grants/policy/nihgps/policy_stmt.htm. The sections related to public policy requirements and construction (i.e., Part III) are particularly relevant. NO REQUESTS TO INITIATE CONSTRUCTION, CONSISTENT WITH NIH POLICY, WILL BE ENTERTAINED PRIOR TO RECEIPT OF A CONSTRUCTION AWARD FROM NIH AND SUBSEQUENT APPROVAL OF WORKING DRAWINGS AND SPECIFICATIONS BY NIAID STAFF.

NOTE #6 – FACILITY USE -- The facility must be utilized for biomedical research purposes as specified by NIAID program needs for at least 20 years beginning 90 days following completion of the construction project. Any lease agreement must cover a time period sufficient for the usage requirement and be a minimum of 20 years in length from the completion of the facility. Federal interest in the facility must be acknowledged as a condition of this award and must include a list of publications "originating from the use" of this project facility. An annual progress report is required for 20 years. This list should be limited to those scientific papers acknowledging NIAID support including grant and/or contract numbers. Failure to comply with the 20-year utilization requirement will result in recovery of the Federal share of the value of the facility in accordance with Federal Regulations at 45 CFR 74.32.

NOTE #7 – GRANT vs. CONTRACT AWARDS

As noted earlier, the Government anticipates awarding all Part A projects as grants and Part B projects as contracts. There are numerous differences between the two mechanisms that have been described in this document. For further clarification contact the NIAID Contracting Officer/Grants Specialist listed in the RFP. Additional information concerning allowable and unallowable costs for grant applications or proposed costs to be negotiated for contract awards are included under http://odoerdb2.od.nih.gov/gmac/nihgps_2001/part_iib_1.htm.

REFERENCES / GLOSSARY / INQUIRIES / LETTERS OF INTENT

REFERENCES (applicable to both Part A and Part B unless otherwise noted)

- NIH Grants Policy Statement (03/01/01) Part II- Subpart B (construction grants) http://grants1.nih.gov/grants/policy/nihgps_2001/part_iib_1.htm
- NIH Design and Policy Guidelines, http://des.od.nih.gov/eWeb/planning/html/nihpol.htm
- Biosafety in Microbiological and Biomedical Laboratories, CDC/NIH, 4th Edition, http://bmbl.od.nih.gov/
- Primary Containment for Biohazards: Selection, Installation and Use of Biological Safety Cabinets, CDC/NIH, Appendix A of the BMBL: http://bmbl.od.nih.gov
- Guide for the Care and Use of Laboratory Animals, National Research Council, National Academy Press, Washington, D.C.: http://oacu.od.nih.gov/regs.guide/guidex.htm
- Information about the Select Agent Rule and related matters. http://www.niaid.nih.gov/dmid/select_agent/default.htm
- NIH Model Commissioning Guide http://des.od.nih.gov/eWeb/research/farhad2/Commissioning/nih_cx_guide/ComGuideTitle.htm

GLOSSARY

Matching Funds or Cost Sharing — The value of third-party in-kind contributions and the portion of the costs of a federally assisted project or program not borne by the Federal Government. Matching or cost sharing may be required by law, regulation, or administrative decision of an NIH Institute or Center. Costs used to satisfy matching or cost sharing requirements are subject to the same policies governing allowability as other costs under the approved budget.

Facilities and Administrative Costs — Costs that are incurred by a grantee for common or joint objectives and that, therefore, cannot be identified specifically with a particular project or program. These costs were previously known as "indirect costs," and, in most instances, will be referred to in this document as "F&A costs."

Total Project Costs — The total allowable costs (both direct costs and facilities and administrative costs) incurred by the grantee to carry out a grant-supported project or activity. Total project costs include costs charged to the NIH grant and costs borne by the grantee to satisfy a matching or cost sharing requirement.

Construction — Means the construction of new buildings or the modernization of, or completion of shell space in existing buildings (including the installation of fixed equipment, but excluding the cost of land acquisition and off-site improvements).

Modernization — Means the alteration, renovation, remodeling, improvement, expansion, and repair of existing buildings and the provision of equipment necessary to make a building suitable for use for the purposes of a particular program.

NIAID Biodefense Network — In order to meet the goals of the NIAID Biodefense Agenda, close interaction between NIAID staff and awardees for cooperation, planning and sharing information is essential. This will be accomplished by regular business meetings, reports, and research conferences between and among 1) RCEs, 2) RBLs, 3) NBLs, 4)NIAID staff, and 5) other scientists or experts as needed. Participation in this network and its activities is a requirement for RBL and NBL awardees.

LETTERS OF INTENT

Prospective applicants are asked to submit a letter of intent that includes the following information:

- Number and title of this BAA
- Name, address, and telephone number and e-mail of the Principal Investigator
- Names of other institutions that may be participating in the application
- Names of other key personnel

Although a letter of intent is not required, is not binding, and does not enter into the review of subsequent applications, the information that it contains allows NIAID and NCRR staff to estimate the potential review workload and plan the review.

See forms, below, for submitting Letters of Intent for RBL Applications and NBL Proposals

FOR GRANT APPLICANTS (RBLs): INTENT TO SUBMIT A GRANT APPLICATION

BAA-NIH-NIAID-NCRR-DMID-03-36
RFP Title: Regional Biocontainment Laboratories (RBLs) and National Biocontainment Laboratories (NBLs)

Please review the attached Request for Proposal. Furnish the information requested below and return this page by **January 10, 2003**. Your expression of intent is not binding but will greatly assist us in planning for proposal evaluation.

[ ] DO INTEND TO SUBMIT A GRANT APPLICATION
[ ] DO NOT INTEND TO SUBMIT A GRANT APPLICATION FOR THE FOLLOWING REASONS:

Company/Institution Name (print): _____
Address (print): _____
_____
_____
_____

Project Director's Name (print): _____
Title (print): _____
Signature/Date: _____
Telephone Number and E-mail Address (print clearly):
_____
_____

Names of Collaborating Institutions and Investigators (include Subcontractors and Consultants) (print):

_____
_____
_____
_____

(Continue list on a separate page if necessary)

RETURN VIA FAX OR E-MAIL TO:
SRP, NIAID, NIH
Room 2154
6700-B Rockledge Drive, MSC 7616
Bethesda, MD 20892-7616
Attn: Peter R. Jackson, Ph.D.
BAA-NIH-NIAID-NCRR-DMID-03-36
FAX# (301) 402-2638
Email : pj8v@nih.gov

FOR CONTRACT PROPOSALS (NBLs): INTENT TO SUBMIT A PROPOSAL

BAA-NIH-NIAID-NCRR-DMID-03-36
RFP Title: Regional Biocontainment Laboratories (RBLs) and National Biocontainment Laboratories (NBLs)

Please review the attached Request for Proposal. Furnish the information requested below and return this page by **January 10, 2003**. Your expression of intent is not binding but will greatly assist us in planning for proposal evaluation.

[ ] DO INTEND TO SUBMIT A PROPOSAL
[ ] DO NOT INTEND TO SUBMIT A PROPOSAL FOR THE FOLLOWING REASONS:

Company/Institution Name (print): _____
Address (print): _____
_____
_____
_____

Project Director's Name (print): _____
Title (print): _____
Signature/Date: _____
Telephone Number and E-mail Address (print clearly):
_____
_____

Names of Collaborating Institutions and Investigators (include Subcontractors and Consultants) (print):

_____
_____
_____
_____

(Continue list on a separate page if necessary)

RETURN VIA FAX OR E-MAIL TO:
CMB, NIAID, NIH
Room 2230
6700-B Rockledge Drive, MSC 7612
Bethesda, MD 20892-7612
Attn: Barbara A. Shadrick
BAA-NIH-NIAID-NCRR-DMID-03-36
FAX# (301) 480-5253
Email : bs92y@nih.gov

INFORMATION FOR SUBMITTING AN APPLICATION and/or PROPOSAL

Applications/Proposals submitted for Part A or Part B must follow these instructions:

A. General Information

1. The application format specified in this document is to be used to apply for Part A or Part B. The application will consist of certain forms as well as narrative sections and other information to be prepared or furnished by the applicant. Complete information about application content and preparation follows.

2. Prepare the application, single sided and single spaced, and stay within the margin limitations indicated on the form. Continuation pages should not exceed 8-1/2x11 inches in dimension, and should observe 3/4 inch margins. Use standard size (10 to 12 point, no more than 15 cpi) black type that can be photocopied; do not use photoreduction. All drawn graphs, diagrams, tables, and charts should be in black ink. Do not include photographs, oversized documents, or materials that cannot be photocopied in the body of the application; submit them in the Appendix.

3. Do not insert tabs in the application materials. Number pages consecutively, at the bottom, throughout the application. Do not use suffixes such as 5a, 5b. Type the name of the Principal Investigator at the top of each printed page and each continuation page. Do not bind or staple either the application or the appendix material, but secure the material in sets with rubber bands.

4. All applications and proposals for NIH funding must be self-contained within specified page limitations. Unless otherwise specified in an NIH solicitation, Internet addresses (URLs) should not be used to provide information necessary to the review because reviewers are under no obligation to view the Internet sites. Furthermore, we caution reviewers that their anonymity may be compromised when they directly access an Internet site.

5. The application must be sent in sufficient time to reach the indicated person by the firm deadline date of **February 10, 2003**. Applications received after that date will not be accepted for review in this competition, and will be returned to the applicant.

6. **For RBLs (Part A):** Mail or otherwise send the complete and signed typewritten original of the application and all five of the signed, exact, clear, single-sided photocopies, as well as all six sets of appendix material, in one package to:

   Peter R. Jackson, Ph.D.
   SRP, DEA, NIAID
   6700-B Rockledge Drive, Room 2154, MSC 7616
   Bethesda, MD 20892-7616
   FedEx Zip: 20817-7616

7. **For NBL's (Part B)**: PAPER SUBMISSION: ***The paper copy is the official copy for recording timely receipt of proposals.*** You are required to submit one original paper copy of your proposal along with the number of extra copies required below. CD-Rom or ZipDisk SUBMISSION: In addition to the paper submission, you are requested to submit your proposal on a CD-Rom or ZipDisk We can then upload your proposal into our electronic system. You must certify that both the original paper and electronic versions of the proposal are identical.

8. SUBMISSION OF APPLICATIONS/PROPOSALS BY FACSIMILE IS NOT ACCEPTABLE.

9. **For NBLs (Part B)**: Mail or otherwise send the complete and signed typewritten original of the Technical Proposal, Business Proposals and all five of the signed, exact, clear, single-sided photocopies, as well as all six sets of appendix material, in one package. Shipment and marking of paper copies shall be as indicated below:

   EXTERNAL PACKAGE MARKING:

   "BAA-NIH-NIAID-NCRR-DMID-03-36"
   TO BE OPENED BY AUTHORIZED GOVERNMENT PERSONNEL ONLY

If Hand Delivery or Express Service	If using U.S. Postal Service
Barbara A. Shadrick Senior Contracting Officer Contract Management Branch, DEA NIAID, NIH 6700-B Rockledge Drive, Room 2230 Bethesda, Maryland 20817	Barbara A. Shadrick Senior Contracting Officer Contract Management Branch, DEA NIAID, NIH 6700-B Rockledge Drive, Room 2230, MSC 7612 Bethesda, Maryland 20892-7612

NOTE: All material sent to this office by Federal Express should be sent to the Hand Carried Address.

NOTE: The U.S. Postal Service's "Express Mail" does not deliver to the hand delivered (20817 zip code) address. Any package sent to this address via this service will be held at a local post office for pick-up. THE GOVERNMENT IS NOT RESPONSIBLE FOR PICKING UP ANY MAIL AT A LOCAL POST OFFICE. If a proposal is not received at the place, date, and time specified herein, it will be considered a "late proposal," in accordance with HHSAR 352.215-70, Late Proposals and Revisions (NOV 1986).

B. Specific Information About What to Submit with the Grant Application

The following instructions should be used to prepare the application using Standard Form (SF) 424 and 424C, as well as continuation pages and other forms and materials included herein as attachments. Complete the application following the instructions included with the 424 application form except as noted below. The sections of the application should be presented and numbered in the following order:

1. SF 424 FACESHEET (page 1 of the application) (ATTACHMENT 3)

Item 5. Person to be contacted - Identify the Principal Investigator. The Principal Investigator should be an institutional official, at the level of Dean or equivalent, who has the responsibility for allocation of space and resources for the project addressed in this application, and can provide the necessary assurances and commitments. In addition, an institutional business official contact should also be provided, as described in Section 5, below, of these instructions, "Budget (Additional information required)."

Item 9. Enter "National Institutes of Health."

Item 10. Program - The CFDA number for this program is 93.389; Type "NIH Construction" as the title.

Item 11. Descriptive Title of Applicant's Project - Beginning on line 1, enter " BAA-NIH-NIAID-NCRR-DMID-03-036". Subsequent lines should be used to briefly describe the proposed project. Indicate the type of award, either Regional Biocontainment Laboratory (RBL) or National Biocontainment Laboratory (NBL), being sought. Do not attach continuation sheets for this item.

Item 13. Enter 9/29/2003 through 9/29/2008.

Item 15. Estimated Funding –

a. Enter the amount from item 17 on application page SF 424C. Requests proposing a Federal share of less $1,500,000 or more than $40,000,000 for RBLs or more than $150,000,000 for NBLs will not be accepted.
b. Applicant: Use this line to indicate the difference between item 15a. above and 15g. below.
g. TOTAL: Enter the amount shown on line 16, column "a" on page SF 424C.

Item 16. The research facilities construction programs of the NIH are subject to Executive Order 12372.

2. SF 424C, BUDGET INFORMATION (Page 2 of the application) (ATTACHMENT 3)

Note that costs associated with purchase of land or offsite improvements are not eligible for Federal funding nor may these costs be used to satisfy matching requirements under this BAA initiative.

Line 10. Equipment -Enter the total cost of only fixed equipment such as cabinets, sinks, fume hoods, and other built in equipment items which are essential to this project. (Amounts required for scientific equipment, instrumentation, and other movable equipment essential to basic operations of the facilities should be listed in Columns a. and b., Line 11.

Line 11. Miscellaneous -Enter the amount requested for all other costs in the appropriate columns.

Line 13. Contingencies - The PHS allowable contingency is limited to 5 percent of the eligible project costs as defined above. The contingency fund is established to provide for unforeseen problems. Following the award of the construction contract by the grantee institution, the PHS funded contingency is reduced to 2 percent of the eligible project costs.

Line 17. Federal Assistance Requested. The Federal percentage share is up to 75 percent for all applications submitted in response to this BAA. However, the amount of Federal assistance requested may not be less than $1,500,000 or exceed the maximums specified above.

3. **TABLE OF CONTENTS** (page 3 of the application)

See ATTACHMENT 4 for sample.

4. **PROGRAM OVERVIEW** (page 4 of the application.)

Provide a concise (250 words or less) overview description of the proposed project stating long-term objectives and specific aims.

5. **BUDGET** (additional information required)

Use a blank continuation sheet(s) to provide the following information which should be numbered beginning as Page 5 of the application.

Indicate the composition of costs shown in Item 15.b. on the SF 424 facesheet as follows:

15.b. Applicant - List (1) bonds authorized but not yet sold; (2) net amount of cash available free from claims; (3) cash value of pledges already made but unpaid (i.e., the face value) and the amount for which the pledges can be discounted by a bank or lending agency (i.e., the discounted value). A statement from the bank or lending agency should be attached giving the bank's estimate of the discounted value of the pledges; (4) total amount of contingent gifts and bequests with a description of the contingency; and (5) other proposed methods of applicant financing.

This section should sufficiently detail the source(s) of non-federal funding for the project (both matching funds and those funds which are necessary to complete the total project). An applicant must provide an assurance that required matching funds are available, and that additional funds have been secured to meet project costs in excess of the Federal award and non-Federal matching amounts before an award may be made.

Provide an itemized listing of the costs included on Line 11, Miscellaneous, on Form Page SF424C.

Include a detailed justification of the cost of the construction, providing precise cost estimates and vendor quotes when available.

6. **PROJECT PLAN** (a maximum of 40 pages)

This section must clearly describe the rationale and justification for the proposed facilities. It has the purpose of providing NIAID staff and the reviewers with the information necessary to judge the overall scope and scientific and technical merit of research activities that would make use of the facility, and the appropriateness of the proposed facility for supporting those activities.

The major sections of the narrative must address:

1) How the facility would contribute to the availability of biodefense research resources at the institution(s) and in the region/nation.

2) Provide succinct descriptions of specific funded or planned research activities/projects that will benefit from the proposed construction. Do not provide a description of global research activities at the institution or consortium. (A limit of 15 lines per activity/project described applies to this section).

3) How the facility would contribute to the NIAID biodefense agenda. Describe relationships that have been established with planned RCEs and other regional interactions that have been developed.

4) How the facility will develop plans for and serve as a regional and/or national resource and be prepared to respond in the event of a national bioterrorism emergency; how maximum use of the facility will be promoted and implemented.

Sufficient supporting documentation should be provided in the form of tables that list current and pending biodefense-related research grants/contracts, including the name of the principal investigator, the title, and the source, amount of funding, and start and end dates. For funded projects also include the grant/contract number.

7. COMMUNITY RELATIONS PLAN

A suitable community relations plan and assurance of acceptance of the intended research activities to be conducted at the RBL or NBL must be addressed in the proposal, and documentation of community acceptance must be provided to the NIAID before award/construction can occur.

8. BIOGRAPHICAL SKETCHES

Provide PHS398 biographical sketches (2 pages) for the Principal Investigator and key personnel for this project. Do not provide biosketches for anticipated users of the facilities.

9. DESCRIPTION OF FACILITIES PLANS

a) The schematic line drawings that are a required part of the application must be easy to read. Drawings must clearly indicate all construction and renovations. Safety aspects must be incorporated in the design. The facility location must be identified with regard to related research facilities. The drawings must indicate egress routes and the relationship of rooms. All related specialized facilities and the location of major equipment must be shown. The schematics must be supported by sufficient descriptions and information to allow evaluation of plans regarding: the BSL-4 design (if applicable), BSL-3 design, animal facility design, clinical facility design (if applicable), architectural, mechanical, plumbing, electrical, fire safety, research computer, security/surveillance and building automation systems.

b) The appropriateness of the proposed physical location and layout of the new facility will be evaluated by both scientific and technical reviewers. Do not submit detailed architect's design development documents and drawings; line drawings or schematic drawings of the space layout must be provided for technical review.

c) The following data on facility design must be included:

(1) A functional layout of the proposed facility, such as a line drawing or series of line drawings to show: location of proposed facility in relation to existing buildings. (Indicate all building names and addresses.); layout of each laboratory, clinic, office, animal room, or other space including building involved, entries and exits, clearances and location of fixed equipment items such as hoods and autoclaves. Generic laboratory descriptions are not sufficient for technical evaluation; indicate utilization of space by name or by specific function, e.g., instrument room. The line or schematic drawing(s) must be no larger than 8-l/2"xll" and reproducible by photocopy or similar process. Scales must be clearly indicated on all line drawings. Legibility of the drawings is important.

(2) A table showing the net square feet in the proposed facility with breakdown where possible by program assignments, by principal investigator or by function (see sample table included as ATTACHMENT 5). The format encourages the identification of space in relation to the science and the program activity. Where this is not possible, space may be identified as clinical or animal research areas (examination rooms, etc.), equipment areas, or centralized/core facilities. (Applicants should pay particular attention to the footnotes on the sample table regarding those cost items to be included in the unit and total cost amounts.)

(3) A table showing gross square feet in the new facility.

(4) A table showing a summary of proposed use of vacated research space, if applicable (see sample table included as ATTACHMENT 6)

(5) A tabulation of space by room type (basic research, clinical research, administrative support space, etc.).

(6) An itemized listing of fixed equipment including cost.

(7) Architect's design development documents and drawings will be requested ONLY if a decision is made to fund the project. They should NOT be submitted with the application.

(8) Applicants must include an opinion from acceptable title counsel describing the interest the applicant organization has in the site and the building and certifying that the estate or interest is legal and valid. If there is a lease, the legal opinion must provide evidence of the existence of a lease agreement which covers a time period sufficient for the usage requirement (20 years beyond completion or occupancy of the project) and that a Federal interest in the building will be recorded for the period of the usage requirement. (Refer also to assurances.)

10. DESIGN PLAN JUSTIFICATION

Include written statements that provide justification for the space allocations and descriptions of design features for each type of laboratory space/area included for the project (BSL-4 facilities (if applicable), BSL-3 facilities, BSL-2 facilities, animal facilities, and any others).

11. PROJECTED TIME LINE

Provide a proposed timetable for construction, i.e., target dates for bid advertisement, contract award, construction completion, and occupancy including a detailed plan for the scheduling and phasing of activities. Please note that advertisement for construction bids and construction can be initiated only after receipt of the construction grant award and subsequent approval of the working drawings and specifications by NIH staff; such approval generally requires at least 90 days.

12. CERTIFICATION

Provide a written certification that the facility will be utilized exclusively for the specific purpose for which it was constructed for at least 20 years, beginning 90 days following completion of the construction project. Staff of the NIH will review usage periodically to assure that the space continues to be used for the approved purposes. The NCRR or NIAID will initiate recovery actions in accordance with 45 CFR 74.32 if the grantee fails to comply with the usage requirement.

13. ORGANIZATIONAL CHART

Provide an organizational chart of the institution and description that defines the administrative authority of the applicant organization as related to the conduct of this construction project and subsequent operations of the facility.

14. APPLICATION CHECKLIST

(See ATTACHMENT 8)

15. PERSONAL DATA ON PRINCIPAL INVESTIGATOR

Complete and submit the Personal Data form page for the Principal Investigator (see Attachment 9), following the instructions on the form page except for the following. The Social Security Number (SSN) along with the Principal Investigator's name should be provided at the top of the Personal Data form page only; the SSN should not be listed on any pages of the application. In accordance with the instructions provided on the form page, do not attach copies of the Personal Data form page to the duplicated copies of the application. Upon receipt of the application by NIH, this page is separated from the application and the data, including the SSN, are encrypted in the NIH database. A partially completed Personal Data form page is acceptable to NIH, i.e., applicants may elect to provide some items but not all. (The Social Security Number is requested for the purpose of accurate identification, referral, and review of applications and for efficient management of PHS grant programs. Provision of the Social Security Number is voluntary. No individual will be denied any right, benefit, or privilege provided by law because of refusal to disclose his or her Social Security Number.)

16. **APPENDIX MATERIALS**

Photographs, oversized documents, or materials that cannot be photocopied in the body of the application may be submitted as appendices.

17. **ASSURANCES, ADDITIONAL ASSURANCES, AND CERTIFICATIONS**

In signing the application, the applicant assures compliance with each of the assurances and certifications which form a part of the application. The Form SF424D, Assurances – Construction Programs, and the pages entitled "Additional Assurances" which immediately follow the form SF424D in ATTACHMENT 7, must be submitted with the application (see also Checklist).

The following provides information regarding certain of these assurances and certifications. Questions may be addressed to the fiscal contact named in the BAA.

DEBARMENT AND SUSPENSION.

Executive Order 12549, "Debarment and Suspension," mandated development of a Government wide debarment and suspension system for nonprocurement transactions with Federal agencies. Nonprocurement transactions include grants, cooperative agreements, and fellowships. DHHS regulations implementing Executive Order 12549 are provided at 45 CFR 76, "Government wide Debarment and Suspension (Nonprocurement) and Government wide Requirements for Drug- Free Workplace (Grants)." Accordingly, before an award can be made, the applicant organization must make the following certification (Appendix A of the DHHS regulations):

"(1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals (including research personnel):

"(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

"(b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making falsestatements, or receiving stolen property;

"(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

"(d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

"(2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal."

Grantees are required to obtain a similar certification from most subawardees, called "lower tier participants." (See 45 CFR 76, Appendices A and B.) The applicant agrees by submitting this proposal that it will include, without modification, the clause titled "Certification Regarding Debarment, Suspension, Ineligibililty, and Voluntary Exclusion - Lower Tier Covered Transaction" (Appendix B to 45 CFR Part 76) in all lower tier covered transactions (i.e., transactions with subgrantees and/or contractors) and in all solicitations for lower tier covered transactions.

DELINQUENT FEDERAL DEBT.

In accordance with OMB Memorandum M-87-32, "Certification of Nondelinquency by Applicants for Federal Assistance," the applicant organization must certify that it is not delinquent on the repayment of any Federal debt before a grant award can be made. The certification applies to the applicant organization, not to the person signing the application as the authorized representative nor to the principal investigator.

Where the applicant discloses delinquency on debt to the Federal Government, the PHS shall (1) take such information into account when determining whether the prospective grantee organization is responsible with respect to that grant, and (2) consider not making the grant until payment is made or satisfactory arrangements are made with the agency to whom the debt is owed. Therefore, it may be necessary for the PHS to contact the applicant before a grant can be made to confirm the status of the debt and ascertain the payment arrangements for its liquidation. Applicants who fail to liquidate indebtedness to the Federal Government in a business-like manner place themselves at risk of not receiving financial assistance from the PHS.

Federal debt collection provisions contained in Section 3201 (e) of the Federal Debt Collection Procedures Act also apply to individuals. PHS will disallow costs charged to awards that provide funds to individuals who are in violation of the Act.

DRUG-FREE WORKPLACE.

The Drug-Free Workplace Act of 1988 (Public Law 100-690, Title V, Subtitle D) requires that all grantees receiving grants from any Federal agency certify to that agency that they will maintain a drug-free workplace. DHHS regulations implementing the Act are provided in 45 CFR 76, "Governmentwide Debarment and Suspension (Nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants)." Accordingly, before a grant award can be made, the applicant organization must make the certification set forth below (Appendix C of the DHHS regulations). The certification is a material representation of fact upon which reliance will be placed by the PHS awarding component. False certification or violation of the certification shall be grounds for suspension of payments, suspension or termination of grants, or Governmentwide suspension or debarment.

The applicant organization certifies "that it will continue to provide a drug-free workplace by:

"(a) Publishing a statement notifying employees that the unlawful manufacture, distribution,dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employee for violation of such prohibition;

"(b)Establishing an ongoing drug-free awareness program to inform employees about:

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

"(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

"(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will:

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than 5 calendar days after such conviction;

"(e) Notifying the agency in writing within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

"(f) Taking one of the following actions within 30 calendar days of receiving notice undersubparagraph (d)(2), with respect to any employee who is so convicted:

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Actof 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

"(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f)."

For purposes of paragraph (e) regarding agency notification of criminal drug convictions, the DHHS has designated the following central point for receipt of such notices:

Division of Grants Management and Oversight
Office of Management and Acquisition
Department of Health and Human Services
Room 517-D
200 Independence Avenue, S.W.
Washington, DC 20201

FINANCIAL CONFLICT OF INTEREST

Each institution that applies for a research, research training, or research-related grant or cooperative agreement under the Public Health Service Act must certify that the institution has established administrative policies as required by the Final Rule, 42 CFR Part 50, Subpart F, "Responsibility of Applicants for Promoting Objectivity in Research for which PHS Funding is sought." The signature of the official signing for the applicant institution on the Face Page of theapplication serves as certification that:

(a) There is in effect at that institution an administrative process to identify and resolve conflicting financial interests of the type described in Subpart 50.605(a) with respect to all research projects for which funding is sought from the PHS;

(b) The institution agrees to make information available to the PHS regarding all conflicting financial interests identified by the institution of the type described in Subpart 50.605 and how these interests have been resolved to protect the research from bias.

(c) The institution will otherwise comply with 42 CFR Part 50, Subpart F.

Significant Financial Interests means anything of monetary value, including but not limited to, salary or other payments for services (e.g., consulting fees or honoraria); equity interests (e.g., stocks, stock options or other ownership interests); and intellectual property rights (e.g., patents, copyrights and royalties from such rights). The term does not include:

(i) Salary, royalties, or other remuneration from the institution;

(ii) Any ownership interests in the institution, if the institution is an applicant under the SBIR Program;

(iii) Income from seminars, lectures, or teaching engagements sponsored by public or nonprofit entities;

(iv) Income from service on advisory committees or review panels for public or nonprofit entities;

(v) An equity interest which meets both of the following tests: does not exceed $10,000 in value as determined through reference to public prices or other reasonable measures of fair value market when aggregated for the investigator and the investigator's spouse and dependent children; or constitute more than a five percent ownership interest in any single entity when aggregated in the same manner; or

(vi) Salary, royalties or other payments that are not reasonably expected to exceed $10,000per annum from any single entity when aggregated for the investigator and the investigator's spouse and children.

However, the exclusions in paragraphs (i), (v), and (vi) shall not apply if the compensation or transfer of an equity interest is conditioned upon a particular outcome in the PHS-funded research.

LOBBYING.

Title 31, United States Code, Section 1352, entitled "Limitation on Use of Appropriated Funds to Influence Certain Federal Contracting and Financial Transactions," generally prohibits recipients of Federal grants and cooperative agreements from using Federal (appropriated) funds for lobbying the Executive or Legislative Branches of the Federal Government in connection with a specific grant or cooperative agreement. Section 1352 also requires that each person who requests or receives a Federal grant or cooperative agreement must disclose lobbying undertaken with non-Federal (nonappropriated) funds. These requirements apply to grants and cooperative agreements ***exceeding*** *$100,000 in total costs. DHHS regulations implementing Section 1352 are provided in 45 CFR Part 93, "New Restrictions on Lobbying."*

The complete Certification Regarding Lobbying is provided below.

"The undersigned (authorized official signing for the applicant organization) certifies, to the best of his or her knowledge and belief, that:

"(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

"(2) Of any funds other than Federally appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure of Lobbying Activities," in accordance with its instructions. (ATTACHMENT 10)

"(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

"This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, U.S. Code. Any person who fails to file the required certification shall be subject to civil penalty of not less than $10,000 and not more than $100,000 for each such failure."

PROGRAM FRAUD CIVIL REMEDIES ACT (PFCRA)

The undersigned (authorized official signing for the applicant organization) certifies, to the best of his or her knowledge and belief, that the statements herein are true, accurate, and complete, and agrees to comply with the Public Health Service terms and conditions if an award is issued as a result of this application. Willful provision of false information is a criminal offense (Title 18, U.S. Code, Section 1001). Any person making any false, fictitious, or fraudulent statement may, in addition to other remedies available to the Government, be subject to civil penalties under the Program Fraud Civil Remedies Act of 1986 (45 CFR Part 79).

RESEARCH MISCONDUCT

Each institution that receives or applies for a research, research training, or research-related grant or cooperative agreement under the Public Health Service Act must certify that the institution has established administrative policies as required by the Final Rule, 42 CFR 50, Subpart A,"Responsibilities for PHS Awardee and Applicant Institutions for Dealing with and Reporting Possible Misconduct in Science and that it will comply with those policies and the requirements of the Final Rule.

The signature of the official signing for the applicant organization on the face page of the application serves as certification that:

(a) The institution will comply with the requirements of the PHS regulations on responsibilities of awardee and applicant institutions for dealing with and reporting possible research misconduct, in 42 CFR Part 50, Subpart A;

(b) The institution has established policies and procedures incorporating the provisions set forth in 42 CFR, Subpart A;

(c) The institution will provide its policies and procedures to the Office of Research Integrity upon request; and

(d) At the end of each calendar year, all institutions with research, research training, or research-related grants or cooperative agreements will make a submission (PHS Form 6349) comprising an aggregate report on their allegations, inquiries and investigations handled in the previous year. Form 349 will be sent automatically to all PHS awardees by the Office of Research Integrity at the end of each calendar year.

Research Misconduct is defined by the Public Health Service as fabrication, falsification, plagiarism or other practices that seriously deviate from those that are commonly accepted within the research community for proposing, conducting or reporting research. It does not include honest error or honest differences in interpretation or judgements of data.

Falsification, fabrication, or plagiarism in the grant application is considered per se research misconduct unless the principal investigator or other responsible person shows, following the exercise of due care, that the falsification, fabrication or plagiarism was due to honest error or honest differences in interpretation or judgements of data.

For further information, contact the Office of Research Integrity, Division of Policy and Education, Rockwall II, Suite 700, 5515 Security Lane, Rockville, MD 20852. Telephone: (301) 443-5300.

(END OF WHAT TO SUBMIT)

APPLICATION AND PROPOSAL FORMS AND ATTACHMENTS:

THE RFP FORMS/ATTACHMENTS LISTED BELOW ARE AVAILABLE IN A VARIETY OF FORMATS AND MAY BE VIEWED OR DOWNLOADED DIRECTLY FROM THIS SITE:
http://www.niaid.nih.gov/contract/ref.htm

RBLs and NBLs: APPLICABLE TO BOTH SUBMISSIONS:

- **Attachment 1 - Environmental Analysis Sample Suggested Format (Attached to BAA)**
- **Attachment 2 - State Single Point of Contact list (Attached to BAA)**
- **Attachment 3 - Standard Form 424 (Attached to BAA)**
  Standard Form 424C (Form can be accessed at:
  http://www.whitehouse.gov/omb/grants/sf424c.pdf
- **Attachment 4 - Sample Table of Contents (Attached to BAA)**
- **Attachment 5 - Sample Summary Page of Requested Research Space (Attached to BAA)**
- **Attachment 6 - Sample Summary Page of Use of Vacated Research Space (Attached to BAA)**
- **Attachment 7 - Standard Form 424D (Assurances - Construction Programs) and Additional Assurances (Attached to BAA)**
- **Attachment 8 – Checklist for NIH Research Facility Construction Grant Application (Attached to BAA)**
- **Attachment 9 - Personal Data on Principal Investigator (Attached to BAA)**
- **Attachment 10 - Disclosure of Lobbying Activities (Standard Form - LLL)**
  (Form can be accessed at: http://www.niaid.nih.gov/contract/ref.htm)

For the forms listed below for (NBLs) refer to this weblink: http://www.niaid.nih.gov/contract/ref.htm

NBLs: IN ADDITION TO THE ABOVE, INCLUDE THESE DOCUMENTS/FORMS WITH YOUR TECHNICAL PROPOSAL):

- **Technical Proposal Cover Sheet**
- **Technical Proposal Cost Information**
- **Summary of Related Activities**
- **Government Notice for Handling Proposals**

NBLs: IN ADDITION TO THE ABOVE, INCLUDE THESE DOCUMENTS/FORMS WITH YOUR BUSINESS PROPOSAL):

- **NIH-2043, Proposal Summary and Data Record**
- **Small Business Subcontracting Plan Format *[if applicable]***
- **Breakdown of Proposed Estimated Cost (plus fee) and Labor Hours**
- **Offeror's Points of Contact**

NBLs: TO BECOME CONTRACT ATTACHMENTS (INFORMATION ONLY):

- **NIH(RC)-1: Invoice/Financing Request Instructions for NIH Cost-Reimbursement Type Contracts**
- **NIH-2706: Financial Report of Individual Project Contract**
- **Instructions for Completing Form NIH-2706**
- **NIH(RC)-7: Procurement of Certain Equipment, (OMB Bulletin 81-16)**
- **Safety and Health, HHSAR Clause 352.223-70**
- **Report of Government Owned, Contractor Held Property**

TECHNICAL EVALUATION – PART A and PART B

A. EVALUATION OF RBL (Part A) Applications.

1. Peer Review Process

Upon receipt, applications will be reviewed for completeness and responsiveness by the NIAID. Incomplete or non-responsive applications will be returned to the applicant without further consideration.
Applications that are complete and responsive will be evaluated for scientific and technical merit by the Scientific and Technical Review Board on Biomedical and Behavioral Research Facilities convened by the NCRR, in accordance with the evaluation criteria stated below. As part of the initial merit review, all applications will receive a written critique and receive a second level of review by the NIAID Advisory Board

The NIH reserves the right to conduct site visits when deemed essential. Such site visits may include other PHS officials or contractors representing NIH.

2. Evaluation Criteria

a) Science and Technical Merit

1) Adequacy, feasibility, and scientific/technical merit of the extent to which the proposed project will meet current and future local, regional and national needs for research, research training, and/or research support facilities that advance the NIAID Biodefense Agenda.

2) Adequacy, feasibility, and scientific/technical merit of the proposed plans for the facility to function as a regional resource and as part of a national response in the event of a biodefense emergency.

3) The impact of the proposed construction on existing and future NIAID supported, research training and /or research support activities

b) Approach and Methods

1) Adequacy, feasibility and technical merit of the proposed approaches and methods for the design, planning, construction and commission of the proposed biocontainment facilities.

2) Adequacy, appropriateness and suitability of the approaches and methods for ensuring safety, security and biohazard control at the proposed biocontainment facilities.

3) The technical merit and appropriateness of the proposed physical location, design and layout of the new facility in relation to existing facilities.

4) Appropriateness and technical merit of plans to modify existing facilities to be included in the proposed biocontainment facilities. Address the specific deficiencies in existing research facilities that are to be remedied and the appropriateness and technical merit of the proposed changes with respect to current and future Biodefense research acitivities.

5) Adequacy and feasibility of the plans for the offeror / applicant to provide high level containment facilities in a timely manner including the reasonableness of the proposed time-course and sequence for the construction.

6) As appropriate, the scientific and technical merit, feasibility and appropriateness of plans for the design, planning, construction and commission of animal biocontainment facilities. Include the plans for safety, security, isolation, biohazard and waste management, and animal well-being associated with the proposed animal facilities.

7) As appropriate, the scientific and technical merit, feasibility and appropriateness of plans for the design, planning, construction and commission of proposed insectary facilities. Include the plans for safety, security, isolation, biohazard and waste management associated with the proposed insectary facilities.

8) As appropriate, the scientific and technical merit, feasibility and appropriateness of plans for the design, planning, construction and certification of proposed clinical facilities. Include the adequacy, feasibility and merit of plans for safety, security, clinical isolation, biohazard and waste management.

c) Organizational Environment, Arrangements and Capabilities

1) Adequacy, feasibility and scientific/technical merit of the proposed changes to the existing research environment that will facilitate the applicant institution and its partners in conducting, expanding, improving or maintaining research that advances the NIAID Biodefense Agenda.

2) Adequacy, feasibility and merit of the proposed administrative structure, administrative arrangements, organizational plans, and financial resources to maintain program integrity and meet the objectives of the project.

3) Adequacy and merit of the provided institutional and regional commitments to use the proposed facilities for biodefense research, research training, and /or research support.

4) Adequacy and merit of the provided institutional and regional commitments to use the proposed facilities as a regional biodefense resource and as part of a national response in the event of a biodefense emergency.

5) Adequacy and merit of the provided documentation of the Offeror to work with the Construction Quality Management contractor identified by the NIAID.

6) Adequacy and merit of the proposed community relations plan.

d) Personnel

Adequacy and suitability of the position, training, capabilities and experience of the Principal Investigator and other proposed key personnel for the management and administration of the design, construction, and certification of the proposed biocontainment research facility, including all clinical, veterinary and insectary facilities.

THIS IS THE END OF THE PART THAT APPLIES TO THE GRANT APPLICATIONS FOR THE RBLs

B. EVALUATION OF NBL PROPOSALS (PART B) – CONTRACT PROPOSALS

Also identified as Section M of the Uniform Contract Format

1. GENERAL

The major evaluation factors for this solicitation include technical, cost/price factors and Small Disadvantaged Business (SDB) participation. For this solicitation, the technical proposal shall receive paramount consideration in the selection of the contractor(s). The evaluation will be based on the demonstrated capabilities of the prospective offerors in relation to the needs of the project as set forth herein. The merits of each proposal will be evaluated carefully. Each proposal must document the feasibility of successful implementation of the requirements of the RFP.

The estimated cost of an offer must be reasonable for the tasks to be performed, and, in accordance with FAR 15.305, will be subject to a cost realism analysis by the Government.

All technical proposals will undergo evaluation by the Scientific and Technical Review Board on Biomedical and Behavioral Research Facilities convened by the NCRR in accordance with the evaluation criteria stated below.

2. EXTENT OF SMALL DISADVANTAGED BUSINESS PARTICIPATION

SDB participation will not be scored, but the Government's conclusions about overall commitment and realism of the offeror's SDB Participation targets will be used in determining the relative merits of the offeror's proposal and in selecting the offeror whose proposal is considered to offer the best value to the Government.

The extent of the offeror's Small Disadvantaged Business Participation Targets will be evaluated before determination of the competitive range. Evaluation of SDB participation will be assessed based on consideration of the information presented in the offeror's proposal. The Government is seeking to determine whether the offeror has demonstrated a commitment to use SDB concerns for the work that it intends to perform.

Offers will be evaluated on the following sub-factors:

(a) Extent of commitment to use SDB concerns
(b) Complexity and variety of the work SDB concerns are to perform
(c) Extent of participation of SDB concerns in terms of the value of the total acquisition.

3. TECHNICAL EVALUATION CRITERIA (FOR NBLs)

Proposals shall be evaluated in accordance with the following technical evaluation criteria, which are weighted in the order of their relative importance, with a maximum total score of 100 points. Proposals will be judged solely on the written material provided by the offeror.

CRITERIA	WEIGHT
a) Science and Technical Merit	**35**

1) Adequacy, feasibility and scientific/technical merit of the extent to which the proposed project will meet current and future local, regional and national needs for research, research training, and/or research support facilities that advance the NIAID Biodefense Agenda.

2) Adequacy, feasibility, and scientific/technical merit of the proposed plans for the facility to function as a regional resource and as part of a national response in the event of a biodefense emergency.

3) The impact of the proposed construction on existing and future NIAID supported, research training and /or research support activities

b) Approach and Methods **35**

1) Adequacy, feasibility and technical merit of the proposed approaches and methods for the design, planning, construction and commission of the proposed biocontainment facilities.

2) Adequacy, appropriateness and suitability of the approaches and methods for ensuring safety, security and biohazard control at the proposed biocontainment facilities.

3) The technical merit and appropriateness of the proposed physical location, design and layout of the new facility in relation to existing facilities.

4) Appropriateness and technical merit of plans to modify existing facilities to be included in the proposed biocontainment facilities. Address the specific deficiencies in existing research facilities that are to be remedied and the appropriateness and technical merit of the proposed changes with respect to current and future Biodefense research acitivities.

5) Adequacy and feasibility of the plans for the offeror / applicant to provide high level containment facilities in a timely manner including the reasonableness of the proposed time-course and sequence for the construction.

6) As appropriate, the scientific and technical merit, feasibility and appropriateness of plans for the design, planning, construction and commission of animal biocontainment facilities. Include the plans for safety, security, isolation, biohazard and waste management, and animal well-being associated with the proposed animal facilities.

7) As appropriate, the scientific and technical merit, feasibility and appropriateness of plans for the design, planning, construction and commission of proposed insectary facilities. Include the plans for safety, security, isolation, biohazard and waste management associated with the proposed insectary facilities.

8) As appropriate, the scientific and technical merit, feasibility and appropriateness of plans for the design, planning, construction and certification of proposed clinical facilities. Include the adequacy, feasibility and merit of plans for safety, security, clinical isolation, biohazard and waste management.

c) Organizational Environment, Arrangements and Capabilities **20**

1) Adequacy, feasibility and scientific/technical merit of the proposed changes to the existing research environment that will facilitate the applicant institution and its partners in conducting, expanding, improving or maintaining research that advances the NIAID Biodefense Agenda.

2) Adequacy, feasibility and merit of the proposed administrative structure, administrative arrangements, organizational plans, and financial resources to maintain program integrity and meet the objectives of the project.

3) Adequacy and merit of the provided institutional and regional commitments to use the proposed facilities for biodefense research, research training, and /or research support.

4) Adequacy and merit of the provided institutional and regional commitments to use the proposed facilities as a regional biodefense resource and as part of a national response in the event of a biodefense emergency.

5) Adequacy and merit of the provided documentation of the Offeror to work with the Quality Contract Management contractor identified by the NIAID.

6) Adequacy and merit of the proposed community relations plan.

d) Personnel **10**

Adequacy and suitability of the position, training, capabilities and experience of the Principal Investigator and other proposed key personnel for the management and administration of the design, construction, and certification of the proposed biocontainment research facility, including all clinical, veterinary and insectary facilities.

TOTAL ……100

[END OF EVALUATION CRITERIA FOR PART B – NBLs]

SECTION 2

CONTRACT PROPOSAL SUBMISSION

SPECIFIC CLAUSES, PROVISIONS and INSTRUCTIONS APPLICABLE TO THE NBLs

REPORTING REQUIREMENTS AND DELIVERABLES – (for Part B, NBLs)

The Contractor shall submit to the Contracting Officer and to the Project Officer technical progress reports covering the work accomplished during each reporting period. These reports are subject to the technical inspection and request for clarification by the Project Officer. The reports shall be brief and factual and prepared in accordance with the following format:

A. Technical Reports

The Contractor shall prepare and submit the following reports in the manner stated below:

1. Monthly Technical Progress Reports

The Contractor shall submit three (3) copies of a Monthly Technical Progress Report comprising of two (2) copies to the Project Officer and one (1) copy to the Contracting Officer. Each report will be due the 15th of the month following each monthly reporting period. A monthly report will not be required for the period when an annual or the final report is due. Such reports shall include the following specific information:

a. A cover page that lists the contract number and title, the period of performance being reported, the contractor's name and address, the author(s), and the date of submission;

b. SECTION I – An brief introduction covering the progress achieved,

c. SECTION II – The report shall detail the results of work done during the period covered. These reports shall be in sufficient detail to explain comprehensively the results achieved. The description shall include pertinent information in sufficient detail to explain any significant results achieved. Also to be included in the report is a summary of work proposed for the next reporting period.

d. SECTION III – A description of current technical and substantive performance and any problems encountered and/or which may exist along with proposed corrective actions. An explanation of any difference between planned progress and actual progress, why differences have occurred, and if behind progress what corrective steps are planned.

2. Annual Technical Progress Report

The Contractor shall submit three (3) copies of a comprehensive Annual Report, formatted as stated above, comprising of two (2) copies to the Project Officer and one (1) copy to the Contracting Officer. This report is due the 30th of the month following each anniversary date of the contract. An annual report will not be required for the period when the final report is due. This annual report shall detail, document and summarize the work and results achieved during the 12-month reporting period. This report shall be in sufficient detail to explain comprehensively the results achieved. Specific requirements are set forth in the Statement of Work.

3. Final Report and Summary of Salient Results

The Contractor shall submit four (4) copies of a comprehensive Final Report, formatted as stated above, comprising of three (3) copies to the Project Officer and one (1) copy to the Contracting Officer. This final report is due on/before the completion date of the contract. This report shall detail, document and summarize the work and results achieved during-the entire contract period of performance and shall be in sufficient detail to explain comprehensively the results achieved. The Contractor shall submit, with the Final Report, a summary (not to exceed 200 words) of salient results achieved during the performance of the contract.

B. Technical Report Distribution

1. Copies of the technical reports shall be submitted as follows:

Type of Report	No. of Copies	Due Dates
Monthly Report	2 – Project Officer 1 – Contracting Officer	Monthly – The 15th of the month following each reporting period.
Annual Report	2 – Project Officer 1 – Contracting Officer	Annually – The 30th of the month following each reporting period.
Final Report	2 – Project Officer 1 – Contracting Officer	On/before the completion date of the contract
Summary of Salient Results	2 – Project Officer 1 – Contracting Officer	With the Final Report

2. Addressees:

Project Officer (PO)
DMID/NIAID/NIH
6700-B Rockledge Drive, MSC 7630
Room ___
Bethesda, Maryland 20892-7630

Contracting Officer (CO)
CMB/NIAID/NIH
6700-B Rockledge Dr., MSC 7612
Room 2230
Bethesda, Maryland 20892-7612

PART I - THE SCHEDULE

SECTIONS B - H -- UNIFORM CONTRACT FORMAT - GENERAL

A Sample Uniform Contract Format may be found at the following website:

http://www4.od.nih.gov/ocm/contracts/rfps/sampkt.htm

The following ADVANCE UNDERSTANDINGS will be included in any resultant contract:

1. All subcontracts to be negotiated under this contract must comply with the requirements of FAR Part 44 and any applicable Sections of FAR Part 36 including all applicable flow-down provisions and clauses.

2. The following amounts are to be set aside for subcontracts related to any construction activities required under this contract. Prior written approval by the Contracting Officer will be required before the expenditure of any of these funds.

   $_____
   $_____

PART II – CONTRACT CLAUSES

SECTION I - CONTRACT CLAUSES

THE FOLLOWING IS A LISTING(S) OF GENERAL CLAUSES WHICH WILL BE APPLICABLE TO MOST CONTRACTS RESULTING FROM THIS RFP. HOWEVER, THE ORGANIZATIONAL STRUCTURE OF THE SUCCESSFUL OFFEROR(S) WILL DETERMINE THE SPECIFIC GENERAL CLAUSES LISTING TO BE CONTAINED IN THE CONTRACT(S) AWARDED FROM THIS RFP.

ARTICLE I.1. GENERAL CLAUSES FOR A NEGOTIATED COST-REIMBURSEMENT CONTRACT WITH EDUCATIONAL INSTITUTIONS - FAR 52.252-2, CLAUSES INCORPORATED BY REFERENCE (FEBRUARY 1998)

This contract incorporates the following clauses by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. Also, the full text of a clause may be accessed electronically at this address: http://www.arnet.gov/far/.

a. FEDERAL ACQUISITION REGULATION (FAR) (48 CHAPTER 1) CLAUSES

FAR Clause No.	Date	Title
52.202-1	Dec 2001	Definitions
52.203-3	Apr 1984	Gratuities (Over $100,000)
52.203-5	Apr 1984	Covenant Against Contingent Fees (Over $100,000)
52.203-6	Jul 1995	Covenant Against Contingent Fees (Over $100,000)
52.203-7	Jul 1995	Anti-Kickback Procedures (Over $100,000)
52.203-8	Jan 1997	Cancellation, Rescission, and Recovery of Funds for Illegal or Improper Activity (Over $100,000)
52.203-10	Jan 1997	Price or Fee Adjustment for Illegal or Improper Activity (Over $100,000)
52.203-12	Jun 1997	Limitation on Payments to Influence Certain Federal Transactions (Over $100,000)
52.204-4	Aug 2000	Printing/Copying Double-Sided on Recycled Paper (Over $100,000)
52.209-6	Jul 1995	Protecting the Governments Interests When Subcontracting With Contractors Debarred, Suspended, or Proposed for Debarment (Over $25,000)
52.215-2	Jun 1999	Audit and Records - Negotiation (Over $100,000), Alternate II (Apr 1998)
52.215-8	Oct 1997	Order of Precedence – Uniform Contract Format
52.215-10	Oct 1997	Price Reduction for Defective Cost or Pricing Data
52.215-12	Oct 1997	Subcontractor Cost or Pricing Data (Over $500,000)
52.215-14	Oct 1997	Integrity of Unit Prices (Over $100,000)
52.215-15	Dec 1998	Pension Adjustments and Asset Reversions

52.215-18	Oct 1997	Reversion or Adjustment of Plans for Post-Retirement Benefits (PRB) Other Than Pensions
52.215-19	Oct 1997	Notification of Ownership Changes
52.215-21	Oct 1997	Requirements for Cost or Pricing Data or Information Other Than Cost or Pricing Data - Modifications
52.216-7	Feb 2002	Allowable Cost and Payment (Paragraph (a) is modified to delete the words Subpart 31.2 and to add the words Subpart 31.3)
52.216-11	Apr 1984	Cost Contract - No Fee
52.219-8	Oct 2000	Utilization of Small Business Concerns (Over $100,000)
52.219-9	Jan 2002	Small Business Subcontracting Plan (Over $500,000)
52.219-16	Jan 1999	Liquidated Damages - Subcontracting Plan (Over $500,000)
52.222-2	Jul 1990	Payment for Overtime Premium (Over $100,000) (NOTE: The dollar amount in paragraph (a) of this clause is $0 unless otherwise specified in the contract.)
52.222-3	Aug 1996	Convict Labor
52.222-26	Apr 2002	Equal Opportunity
52.222-35	Dec 2001	Equal Opportunity for Special Disabled Veterans, Veterans of the Vietnam Era, and Other Eligible Veterans
52.222-36	Jun 1998	Affirmative Action for Workers with Disabilities
52.222-37	Dec 2001	Employment Reports on Special Disabled Veterans, Veterans of the Vietnam Era, and Other Eligible Veterans
52.223-6	May 2001	Drug-Free Workplace
52.223-14	Oct 2000	Toxic Chemical Release Reporting
52.225-1	May 2002	Buy American Act - Supplies
52.225-13	Jul 2000	Restrictions on Certain Foreign Purchases
52.227-1	Jul 1995	Authorization and Consent, Alternate I (Apr 1984)
52.227-2	Aug 1996	Notice and Assistance Regarding Patent and Copyright Infringement (Over $100,000)
52.227-11	Jun 1997	Patent Rights - Retention by the Contractor (Short Form) (NOTE: In accordance with FAR 27.303 (a) (2), paragraph (f) is modified to include the requirements in FAR 27.303 (a) (2) (i) through (iv). The frequency of reporting in (i) is annual.
52.227-14	Jun 1987	Rights in Data - General, Alternate IV (Jun 1987)
52-232-9	Apr 1984	Limitation on Withholding of Payments
52.232-20	Apr 1984	Limitation of Cost
52.232-23	Jan 1986	Assignment of Claims

52.232-25	Feb 2002	Prompt Payment
52.232-34	May 1999	Payment by Electronic Funds Transfer--Other Than Central Contractor Registration
52.233-1	Dec 1998	Disputes
52.233-3	Aug 1996	Protest After Award, Alternate I (Jun 1985)
52.242-1	Apr 1984	Notice of Intent to Disallow Costs
52.242-4	Jan 1997	Certification of Final Indirect Costs
52.242-13	Jul 1995	Bankruptcy (Over $100,000)
52.244-2	Aug 1998	Subcontracts, Alternate II (Aug 1998) *If written consent to subcontract is required, the identified subcontracts are listed in ARTICLE B., Advance Understandings.
52.244-5	Dec 1996	Competition in Subcontracting (Over $100,000)
52.245-5	Jan 1986	Government Property (Cost-Reimbursement, Time and Material, or Labor-Hour Contract), Alternate I (Jul 1985)
52.246-23	Feb 1997	Limitation of Liability (Over $100,000)
52.249-5	Sep 1996	Termination for Convenience of the Government (Educational and Other Nonprofit Institutions)
52.253-1	Jan 1991	Computer Generated Forms

b. DEPARTMENT OF HEALTH AND HUMAN SERVICES ACQUISITION REGULATION (HHSAR) (48 CFR CHAPTER 3) CLAUSES

HHSAR Clause No.	Date	Title
352.202-1	Jan 2001	Definitions - with Alternate paragraph (h) (Jan 2001)
352.228-7	Dec 1991	Insurance - Liability to Third Persons
352.232-9	Apr 1984	Withholding of Contract Payments
352.233-70	Apr 1984	Litigation and Claims
352.242-71	Apr 1984	Final Decisions on Audit Findings
352.249-14	Apr 1984	Excusable Delays
352.270-5	Apr 1984	Key Personnel
352.270-6	Jul 1991	Publication and Publicity
352.270-7	Jan 2001	Paperwork Reduction Act

[END OF GENERAL CLAUSES FOR A NEGOTIATED COST-REIMBURSEMENT CONTRACT WITH EDUCATIONAL INSTITUTIONS – Rev. 05/2002]

ARTICLE I.2. AUTHORIZED SUBSTITUTIONS OF CLAUSES

Any authorized substitutions and/or modifications other than the General Clauses which will be based on the type of contract/Contractor will be determined during negotiations.

It is expected that the following clause(s) will be made part of the resultant contract:

Insert applicable clauses

ARTICLE I.3. ADDITIONAL CONTRACT CLAUSES

Additional clauses other than those listed below which are based on the type of contract/Contractor shall be determined during negotiations. Any contract awarded from this solicitation will contain the following:

This contract incorporates the following clauses by reference, (unless otherwise noted), with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available.

a. FEDERAL ACQUISITION REGULATION (FAR) (48 CFR CHAPTER 1) CLAUSES

Insert applicable clauses

b. DEPARTMENT OF HEALTH AND HUMAN SERVICES ACQUISITION REGULATION/PUBLIC HEALTH SERVICE ACQUISITION REGULATION (HHSAR)/(PHSAR) (48 CHAPTER 3) CLAUSES:

Insert applicable clauses

c. NATIONAL INSTITUTES OF HEALTH (NIH) RESEARCH CONTRACTING (RC) CLAUSES:

The following clauses are attached and made a part of this contract:

NIH (RC)-7, Procurement of Certain Equipment (APRIL 1984) (OMB Bulletin 81-16).

Insert applicable clauses

ARTICLE I.4. ADDITIONAL FAR CONTRACT CLAUSES INCLUDED IN FULL TEXT

Additional clauses other than those listed below which are based on the type of contract/Contractor shall be determined during negotiations. Any contract awarded from this solicitation will contain the following:

This contract incorporates the following clauses in full text.

FEDERAL ACQUISITION REGULATION (FAR)(48 CFR CHAPTER 1) CLAUSES:

FAR Clause 52.244-6, SUBCONTRACTS FOR COMMERCIAL ITEMS (MAY 2002)

(a) **Definitions**. As used in this clause--

Commercial item, has the meaning contained in the clause at 52.202-1, Definitions.

Subcontract, includes a transfer of commercial items between divisions, subsidiaries, or affiliates of the Contractor or subcontractor at any tier.

(b) To the maximum extent practicable, the Contractor shall incorporate, and require its subcontractors at all tiers to incorporate, commercial items or non-developmental items as components of items to be supplied under this contract.

(c) (1) The Contractor shall insert the following clauses in subcontracts for commercial items:

(i) 52.219-8, Utilization of Small Business Concerns (OCT 2000) (15 U.S.C. 637(d)(2) and (3)), in all subcontracts that offer further subcontracting opportunities. If the subcontract (except subcontracts to small business concerns) exceeds $500,000 ($1,000,000 for construction of any public facility), the subcontractor must include 52.219-8 in lower tier subcontracts that offer subcontracting opportunities.
(ii) 52.222-26, Equal Opportunity (APR 2002) (E.O. 11246).
(iii) 52.222-35, Equal Opportunity for Special Disabled Veterans, Veterans of the Vietnam Era, and Other Eligible Veterans (DEC 2001) (38 U.S.C. 4212(a)).
(iv) 52.222-36, Affirmative Action for Workers with Disabilities (JUN 1998) (29 U.S.C. 793).
(v) 52.247-64, Preference for Privately Owned U.S.-Flag Commercial Vessels (JUN 2000) (46 U.S.C. Appx 1241) (flowdown not required for subcontracts awarded beginning May 1, 1996).

(2) While not required, the Contractor may flow down to subcontracts for commercial items a minimal number of additional clauses necessary to satisfy its contractual obligations.

(d) The Contractor shall include the terms of this clause, including this paragraph (d), in subcontracts awarded under this contract.

PART IV – REPRESENTATIONS AND INSTRUCTIONS

SECTION K - REPRESENTATIONS, CERTIFICATIONS AND OTHER STATEMENTS OF OFFERORS

Representations, Certifications, and Other Statements of Offerors or Quoters (Negotiated).

1. REPRESENTATIONS AND CERTIFICATIONS

The Representations and Certifications required by this particular acquisition can be accessed electronically from the INTERNET at the following address:

http://rcb.cancer.gov/rcb-internet/forms/rcneg.pdf

If you are unable to access this document electronically, you may request a copy from the Contracting Officer identified on the cover page of this solicitation.

IF YOU INTEND TO SUBMIT A PROPOSAL, YOU MUST COMPLETE THE REPRESENTATIONS AND CERTIFICATIONS AND SUBMIT THEM AS PART OF YOUR BUSINESS PROPOSAL.

SECTION L - INSTRUCTIONS, CONDITIONS, AND NOTICES TO OFFERORS

1. GENERAL INFORMATION

a. **INSTRUCTIONS TO OFFERORS--COMPETITIVE ACQUISITION** [FAR Clause 52.215-1 (May 2001)]

(a) *Definitions*. As used in this provision--

Discussions are negotiations that occur after establishment of the competitive range that may, at the Contracting Officer's discretion, result in the offeror being allowed to revise its proposal.

"*In writing*", "writing", or "*written*" any worded or numbered expression that can be read, reproduced, and later communicated, and includes electronically transmitted and stored information.

"*Proposal modification*" is a change made to a proposal before the solicitation's closing date and time, or made in response to an amendment, or made to correct a mistake at any time before award.

"*Proposal revision*" is a change to a proposal made after the solicitation closing date, at the request of or as allowed by a Contracting Officer as the result of negotiations.

"*Time,*" if stated as a number of days, is calculated using calendar days, unless otherwise specified, and will include Saturdays, Sundays, and legal holidays. However, if the last day falls on a Saturday, Sunday, or legal holiday, then the period shall include the next working day.

(b) *Amendments to solicitations*. If this solicitation is amended, all terms and conditions that are not amended remain unchanged. Offerors shall acknowledge receipt of any amendment to this solicitation by the date and time specified in the amendment(s).

(c) *Submission, modification, revision, and withdrawal of proposals*. (1) Unless other methods (*e.g.*, electronic commerce or facsimile) are permitted in the solicitation, proposals and modifications to proposals shall be submitted in paper media in sealed envelopes or packages (i) addressed to the office specified in the solicitation, and (ii) showing the time and date specified for receipt, the solicitation number, and the name and address of the offeror. Offerors using commercial carriers should ensure that the proposal is marked on the outermost wrapper with the information in paragraphs (c)(1)(i) and (c)(1)(ii) of this provision.

(2) The first page of the proposal must show--

(i) The solicitation number;
(ii) The name, address, and telephone and facsimile numbers of the offeror (and electronic address if available);
(iii) A statement specifying the extent of agreement with all terms, conditions, and provisions included in the solicitation and agreement to furnish any or all items upon which prices are offered at the price set opposite each item;
(iv) Names, titles, and telephone and facsimile numbers (and electronic addresses if available) of persons authorized to negotiate on the offeror's behalf with the Government in connection with this solicitation; and
(v) Name, title, and signature of person authorized to sign the proposal. Proposals signed by an agent shall be accompanied by evidence of that agent's authority, unless that evidence has been previously furnished to the issuing office.

(3) *Submission, modification, revision, and withdrawal of proposals.* (i) Offerors are responsible for submitting proposals, and any modifications or revisions, so as to reach the Government office designated in the solicitation by the time specified in the solicitation. If no time is specified in the solicitation, the time for receipt is 4:30 p.m., local time, for the designated Government office on the date that proposal or revision is due.

(ii) (A) Any proposal, modification, or revision received at the Government office designated in the solicitation after the exact time specified for receipt of offers is "late" and will not be considered unless it is received before award is made, the Contracting Officer determines that accepting the late offer would not unduly delay the acquisition; and--

(1) If it was transmitted through an electronic commerce method authorized by the solicitation, it was received at the initial point of entry to the Government infrastructure not later than 5:00 p.m. one working day prior to the date specified for receipt of proposals; or

(2) There is acceptable evidence to establish that it was received at the Government installation designated for receipt of offers and was under the Government's control prior to the time set for receipt of offers; or

(3) It is the only proposal received.

(B) However, a late modification of an otherwise successful proposal that makes its terms more favorable to the Government, will be considered at any time it is received and may be accepted.

(iii) Acceptable evidence to establish the time of receipt at the Government installation includes the time/date stamp of that installation on the proposal wrapper, other documentary evidence of receipt maintained by the installation, or oral testimony or statements of Government personnel.

(iv) If an emergency or unanticipated event interrupts normal Government processes so that proposals cannot be received at the office designated for receipt of proposals by the exact time specified in the solicitation, and urgent Government requirements preclude amendment of the solicitation, the time specified for receipt of proposals will be deemed to be extended to the same time of day specified in the solicitation on the first work day on which normal Government processes resume.

(v) Proposals may be withdrawn by written notice received at any time before award. Oral proposals in response to oral solicitations may be withdrawn orally. If the solicitation authorizes facsimile proposals, proposals may be withdrawn via facsimile received at any time before award, subject to the conditions specified in the provision at 52.215-5, Facsimile Proposals. Proposals may be withdrawn in person by an offeror or an authorized representative, if the identity of the person requesting withdrawal is established and the person signs a receipt for the proposal before award.

(4) Unless otherwise specified in the solicitation, the offeror may propose to provide any item or combination of items.

(5) Offerors shall submit proposals in response to this solicitation in English, unless otherwise permitted by the solicitation, and in U.S. dollars, unless the provision at FAR 52.225-17, Evaluation of Foreign Currency Offers, is included in the solicitation.

(6) Offerors may submit modifications to their proposals at any time before the solicitation closing date and time, and may submit modifications in response to an amendment, or to correct a mistake at any time before award.

(7) Offerors may submit revised proposals only if requested or allowed by the Contracting Officer.

(8) Proposals may be withdrawn at any time before award. Withdrawals are effective upon receipt of notice by the Contracting Officer.

(d) *Offer expiration date*. Proposals in response to this solicitation will be valid for the number of days specified on the solicitation cover sheet (unless a different period is proposed by the offeror).

[Note: In accordance with HHSAR 352.215-1, the following paragraph (e) is substituted for the subparagraph (e) of the provision at FAR 52.215-1.]

(e) *Restriction on disclosure and use of data*. (1) The proposal submitted in response to this request may contain data (trade secrets; business data, e.g., commercial information, financial information, and cost and pricing data; and technical data) which the offeror, including its prospective subcontractor(s), does not want used or disclosed for any purpose other than for evaluation of the proposal. The use and disclosure of any data may be so restricted; provided, that the Government determines that the data is not required to be disclosed under the Freedom of Information Act, 5 U.S.C. 552, as amended, and the offeror marks the cover sheet of the proposal with the following legend, specifying the particular portions of the proposal which are to be restricted in accordance with the conditions of the legend. The Government's determination to withhold or disclose a record will be based upon the particular circumstances involving the record in question and whether the record may be exempted from disclosure under the Freedom of Information Act. The legend reads:

> Unless disclosure is required by the Freedom of Information Act, 5 U.S.C. 552, as amended, (the Act) as determined by Freedom of Information (FOI) officials of the Department of Health and Human Services, data contained in the portions of this proposal which have been specifically identified by page number, paragraph, etc. by the offeror as containing restricted information shall not be used or disclosed except for evaluation purposes.
>
> The offeror acknowledges that the Department may not be able to withhold a record (data, document, etc.) nor deny access to a record requested pursuant to the Act and that the Department's FOI officials must make that determination. The offeror hereby agrees that the Government is not liable for disclosure if the Department has determined that disclosure is required by the Act.
>
> If a contract is awarded to the offeror as a result of, or in connection with, the submission of this proposal, the Government shall have right to use or disclose the data to the extent provided in the contract. Proposals not resulting in a contract remain subject to the Act.
>
> The offeror also agrees that the Government is not liable for disclosure or use of unmarked data and may use or disclose the data for any purpose, including the release of the information pursuant to requests under the Act. The data subject to this restriction are contained in pages (insert page numbers, paragraph designations, etc. or other identification).

(2) In addition, the offeror should mark each page of data it wishes to restrict with the following statement:

> "Use or disclosure of data contained on this page is subject to the restriction on the cover sheet of this proposal or quotation."

(3) Offerors are cautioned that proposals submitted with restrictive legends or statements differing in substance from the above legend may not be considered for award. The Government reserves the right to reject any proposal submitted with a nonconforming legend.

(f) *Contract award*. (1) The Government intends to award a contract or contracts resulting from this solicitation to the responsible offeror(s) whose proposal(s) represents the best value after evaluation in accordance with the factors and subfactors in the solicitation.

(2) The Government may reject any or all proposals if such action is in the Government's interest.

(3) The Government may waive informalities and minor irregularities in proposals received.

(4) The Government reserves the right to evaluate proposals and award a contract without discussions with offerors (except clarifications as described in FAR 15.306(a)). Therefore, the offeror's initial proposal should contain the offeror's best terms from a cost or price and technical standpoint. The Government reserves the right to conduct discussions if the Contracting Officer later determines them to be necessary. If the Contracting Officer determines that the number of proposals that would otherwise be in the competitive range exceeds the number at which an efficient competition can be conducted, the Contracting Officer may limit the number of proposals in the competitive range to the greatest number that will permit an efficient competition among the most highly rated proposals.

(5) The Government reserves the right to make an award on any item for a quantity less than the quantity offered, at the unit cost or prices offered, unless the offeror specifies otherwise in the proposal.

(6) The Government reserves the right to make multiple awards if, after considering the additional administrative costs, it is in the Government's best interest to do so.

(7) Exchanges with offerors after receipt of a proposal do not constitute a rejection or counteroffer by the Government.

(8) The Government may determine that a proposal is unacceptable if the prices proposed are materially unbalanced between line items or subline items. Unbalanced pricing exists when, despite an acceptable total evaluated price, the price of one or more contract line items is significantly overstated or understated as indicated by the application of cost or price analysis techniques. A proposal may be rejected if the Contracting Officer determines that the lack of balance poses an unacceptable risk to the Government.

(9) If a cost realism analysis is performed, cost realism may be considered by the source selection authority in evaluating performance or schedule risk.

(10) A written award or acceptance of proposal mailed or otherwise furnished to the successful offeror within the time specified in the proposal shall result in a binding contract without further action by either party.

(11) The Government may disclose the following information in postaward debriefings to other offerors:

(i) The overall evaluated cost or price and technical rating of the successful offeror;
(ii) The overall ranking of all offerors, when any ranking was developed by the agency during source selection;
(iii) A summary of the rationale for award; and
(iv) For acquisitions of commercial items, the make and model of the item to be delivered by the successful offeror.

(End of Provision)

b. **NAICS CODE AND SIZE STANDARD**

Note: The following information is to be used by the offeror in preparing its Representations and Certifications (See Section K of this RFP), specifically in completing the provision entitled, SMALL BUSINESS PROGRAM REPRESENTATION, FAR Clause 52.219-1.

(1) The North American Industry Classification System (NAICS) code for this acquisition is 541710 .
(2) The small business size standard is 500 employees .

THIS REQUIREMENT IS NOT SET-ASIDE FOR SMALL BUSINESS. However, the Federal Acquisition Regulation (FAR) requires in every solicitation, (except for foreign acquisitions) the inclusion of the North American Industry Classification System (NAICS) Code and corresponding size standard which best describes the nature of the requirement in the solicitation.

c. **NOTICE OF PRICE EVALUATION ADJUSTMENT FOR SMALL DISADVANTAGED BUSINESS CONCERNS**

In accordance with FAR Clause 52.219-23, Notice of Price Evaluation Adjustment for Small Disadvantaged Business Concerns, incorporated in Section I.3., offerors will be evaluated by adding a factor of 10 percent to the price of all offers, except offers from small disadvantaged business concerns that have not waived the adjustment. (Note: A listing of other offerors who are excepted and will not have this evaluation factor added to their offer may be found in subparagraph (b) of FAR Clause 52.219-23.

A small disadvantaged business concern may elect to waive the adjustment, in which case the factor will be added to its offer for evaluation purposes. The agreements in paragraph (d) of FAR Clause 52.219-23 do not apply to offerors that waive the adjustment.

AN OFFEROR WHO ELECTS TO WAIVE THIS EVALUATION ADJUSTMENT MUST SPECIFICALLY INDICATE WITH A STATEMENT TO THIS EFFECT ON THE COVER PAGE OF ITS BUSINESS PROPOSAL.

d. **TYPE OF CONTRACT AND NUMBER OF AWARD(S)**

It is anticipated that MULTIPLE AWARDS will be made from this solicitation and that the awards will be made on/about September 29, 2003 .

It is anticipated that the award(s) from this solicitation will be a multiple-year COST-REIMBURSEMENT, COMPLETION TYPE contract with a PERIOD OF PERFORMANCE OF 5 YEARS, and that incremental funding will be used.

e. **COMMITMENT OF PUBLIC FUNDS**

The Contracting Officer is the only individual who can legally commit the Government to the expenditure of public funds in connection with the proposed procurement. Any other commitment, either explicit or implied, is invalid.

f. **COMMUNICATIONS PRIOR TO CONTRACT AWARD**

Offerors shall direct all communications to the attention of the Contract Specialist or Contracting Officer cited on the face page of this RFP. Communications with other officials may compromise the competitiveness of this acquisition and result in cancellation of the requirement.

g. **RELEASE OF INFORMATION**

Contract selection and award information will be disclosed to offerors in accordance with regulations applicable to negotiated acquisition. Prompt written notice will be given to unsuccessful offerors as they are eliminated from the competition, and to all offerors following award.

h. **COMPARATIVE IMPORTANCE OF PROPOSALS**

You are advised that paramount consideration shall be given to the evaluation of technical proposals. All evaluation factors other than cost or price, when combined, are significantly more important than cost or price. The relative importance of the evaluation factors is specified in SECTION M of this solicitation. However, the Government reserves the right to make an award to the best advantage of the Government, cost and other factors considered.

i. **PREPARATION COSTS**

This RFP does not commit the Government to pay for the preparation and submission of a proposal.

j. **SERVICE OF PROTEST** (AUGUST 1996) - FAR 52.233-2

(a) Protests, as defined in section 33.101 of the Federal Acquisition Regulation, that are filed directly with an agency, and copies of any protests that are filed with the General Accounting Office (GAO), shall be served on the Contracting Officer (addressed as follows) by obtaining written and dated acknowledgment of receipt from:

Brenda J. Velez
Contracting Officer
Contract Management Branch, DEA
National Institute of Allergy and Infectious Diseases
6700-B Rockledge Drive, Room 2230, MSC 7612
BETHESDA MD 20892-7612

(b) The copy of any protest shall be received in the office designated above within one day of filing a protest with the GAO.

(End of Provision)

k. **LATE PROPOSALS AND REVISIONS**, HHSAR 352.215-70

Notwithstanding the procedures contained in FAR 52.215-1(c)(3) of the provision of this solicitation entitled Instructions to Offerors—Competitive Acquisition, a proposal received after the date specified for receipt may be considered if it offers significant cost or technical advantages to the Government; and it was received before proposals were distributed for evaluation, or within five calendar days after the exact time specified for receipt, whichever is earlier.

(End of provision)

l. **USE OF INTERNET WEB SITE ADDRESSES (URLs) IN PROPOSALS**

Unless otherwise specified or required in NIAID solicitations, internet Web Site addresses (URLs) may not be used to provide information necessary to the conduct of the review of the proposal. Direct access to an internet site by a Reviewer who is examining and reviewing the proposal on behalf of the NIAID could compromise their anonymity during the review process. If a URL contains information pertinent to the proposal content, the offeror must provide access to the website via a temporary website portal which allow reviewers the capability to view and interact with the site.

The proposal must clearly identify the URLs to be accessed and the procedure for accessing the temporary website portal. Access must not require the identity of the individual.

2. INSTRUCTIONS TO OFFERORS

a. GENERAL INSTRUCTIONS

INTRODUCTION

The following instructions will establish the acceptable minimum requirements for the format and contents of proposals. Special attention is directed to the requirements for technical and business proposals to be submitted in accordance with these instructions.

(1) **Contract Type and General Clauses**

It is contemplated that a cost-reimbursement completion type contract will be awarded. (See General Information) Any resultant contract shall include the clauses applicable to the selected offeror's organization and type of contract awarded as required by Public Law, Executive Order, or acquisition regulations in effect at the time of execution of the proposed contract.

(2) **Authorized Official and Submission of Proposal**

The proposal must be signed by an official authorized to bind your organization and must stipulate that it is predicated upon all the terms and conditions of this RFP. Your proposal shall be submitted in the number of copies, to the addressees, and marked as indicated in the Attachment entitled, PACKAGING AND DELIVERY OF PROPOSAL, Part III, Section J hereof. Proposals will be typewritten, paginated, reproduced on letter size paper and will be legible in all required copies. To expedite the proposal evaluation, all documents required for responding to the RFP should be placed in the following order:

I. COVER PAGE

Include RFP title, number, name of organization, identification of the proposal part, and indicate whether the proposal is an original or a copy.

a. Project Objectives, NIH-1688-1

The Offeror shall insert a completed NIH Form 1688-1, Project Objective, as provided in Section J, Attachments, behind the Title Page of each copy of the proposal, along with the "Government Notice for Handling Proposals." The NIH Form 1688-1 is to be completed as follows:

- **For an Institution of Higher Education: The form MUST be completed in its entirety.**
- **For OTHER than an Institution of Higher Education: The starred items (Department, Service, Laboratory or Equivalent, and Major Subdivision) should be left blank.**

The information required under the "Summary of Objectives" portion of the form MUST meet the requirements set forth in the section of the form entitled, "INSTRUCTIONS:"

II. TECHNICAL PROPOSAL

It is recommended that the technical proposal consist of a cover page, a table of contents, and the information requested in the Technical Proposal Instructions and as specified in SECTION J, List of Attachments.

III. BUSINESS PROPOSAL .

It is recommended that the business proposal consist of a cover page, a table of contents, and the information requested in the Business Proposal Instructions and as specified in SECTION J, List of Attachments.

(3) **Proposal Summary and Data Record (NIH-2043)**

The Offeror must complete the Form NIH-2043, attached, with particular attention to the length of time the proposal is firm and the designation of those personnel authorized to conduct negotiations. (See Section J, Attachment entitled, PROPOSAL SUMMARY AND DATA RECORD).

(4) **Separation of Technical and Business Proposals**

The proposal must be prepared in two parts: a "Technical Proposal" and a "Business Proposal." Each of the parts shall be separate and complete in itself so that evaluation of one may be accomplished independently of, and concurrently with, evaluation of the other. The technical proposal must include direct cost and resources information, such as labor-hours and categories and applicable rates, materials, subcontracts, travel, etc., and associated costs so that the offeror's understanding of the project may be evaluated (See Attachment entitled, TECHNICAL PROPOSAL COST INFORMATION/SUMMARY OF LABOR AND DIRECT COSTS).) However, the technical proposal should **not** include pricing data relating to individual salary information, indirect cost rates or amounts, fee amounts (if any)., and total costs. The technical proposal should disclose your technical approach in as much detail as possible, including, but not limited to, the requirements of the technical proposal instructions.

(5) **Alternate Proposals**

You may, at your discretion, submit alternate proposals, or proposals which deviate from the requirements; provided, that you also submit a proposal for performance of the work as specified in the statement of work. Such proposals may be considered if overall performance would be improved or not compromised and if they are in the best interests of the Government. Alternative proposals, or deviations from any requirements of this RFP, shall be clearly identified.

(6) **Evaluation of Proposals**

The Government will evaluate technical proposals in accordance with the criteria set forth in Page 35, SECTION M of this RFP.

(7) **Use of the Metric System of Measurement**

It is the policy of the Department of Health and Human Services to support the Federal transition to the metric system and to use the metric system of measurement in all procurements, grants, and other business related activities unless such use is impracticable or is likely to cause significant inefficiencies.

The offeror is encouraged to prepare their proposal using either "Hard Metric," "Soft Metric," or "Dual Systems" of measurement. The following definitions are provided for your information:

Hard Metric - The replacement of a standard inch-pound size with an accepted metric size for a particular purpose. An example of size substitution might be: selling or packaging liquids by the liter instead of by the pint or quart (as for soft drinks), or instead of by the gallon (as for gasoline).

Soft Metric - The result of a mathematical conversion of inch-pound measurements to metric equivalents for a particular purpose. The physical characteristics are not changed.

Dual Systems - The use of both inch-pound and metric systems. For example, an item is designed, produced, and described in inch-pound values with soft metric values also shown for information or comparison purposes.

(8) **Obtaining and Disseminating Biomedical Research Resources**

As a public sponsor of biomedical research, the National Institutes of Health (NIH) has a dual interest in accelerating scientific discovery and facilitating product development. Intellectual property restrictions can stifle the broad dissemination of new discoveries and limit future avenues of research and product development. At the same time, reasonable restrictions on the dissemination of research tools are sometimes necessary to protect legitimate proprietary interests and to preserve incentives for commercial development. To assist NIH contractors achieve an appropriate balance, the NIH has provided guidance in the form of a two-part document, consisting of Principles setting forth the fundamental concepts and Guidelines that provide specific information to patent and license professionals and sponsored research administrators for implementation.

The purpose of these Principles and Guidelines is to assist NIH funding recipients in determining: 1) Reasonable terms and conditions for making NIH-funded research resources available to scientists in other institutions in the public and private sectors (disseminating research tools); and 2) Restrictions to accept as a conditions of receiving access to research tools for use in NIH-funded research (acquiring research tools). The intent is to help recipients ensure that the conditions they impose and accept on the transfer of research tools will facilitate further biomedical research, consistent with the requirements of the Bayh-Dole Act and NIH funding policy.

This policy, entitled, "Sharing Biomedical Research Resources: Principles and Guidelines for Recipients of NIH Research Grants and Contracts," (Federal Register Notice, December 23, 1999 [64 FR 72090] will be included in any contract awarded from this solicitation. It can be found at the following website: http://ott.od.nih.gov/NewPages/64FR72090.pdf.

(9) **Privacy Act (Treatment of Proposal Information)**

The Privacy Act of 1974 (P.L. 93-579) requires that a Federal agency advise each individual whom it asks to supply information, the authority which authorizes the solicitation, whether disclosure is voluntary or mandatory, the principal purpose or purposes for which the information is intended to be used, the uses outside the agency which may be made of the information, and the effects on the individual, if any, of not providing all or any part of the requested information.

The NIH is requesting the information called for in this RFP pursuant to the authority provided by Sec. 301(a)(7) of the Public Health Service Act, as amended, and P.L. 92-218, as amended.

Providing the information requested is entirely voluntary. The collection of this information is for the purpose of conducting an accurate, fair, and adequate review prior to a discussion as to whether to award a contract.

Failure to provide any or all of the requested information may result in a less than adequate review.

In addition, the Privacy Act of 1974 (P.L. 93-579, Section 7) requires that the following information be provided when individuals are requested to disclose their social security number.

Provision of the social security number is voluntary. Social security numbers are requested for the purpose of accurate and efficient identification, referral, review and management of NIH contracting programs. Authority for requesting this information is provided by Section 301 and Title IV of the PHS Act, as amended.

The information provided by you may be routinely disclosed for the following purposes:

- to the cognizant audit agency and the General Accounting Office for auditing.
- to the Department of Justice as required for litigation.
- to respond to congressional inquiries.
- to qualified experts, not within the definition of Department employees, for opinions as a part of the review process.

(10) **Selection of Offerors**

a) The acceptability of the scientific and technical portion of each research contract proposal will be evaluated by a technical review committee. The committee will evaluate each proposal in strict conformity with the evaluation criteria of the RFP, utilizing point scores and written critiques. The committee may suggest that the Contracting Officer request clarifying information from an offeror.

b) The business portion of each contract proposal will be subjected to a cost and price analysis, management analysis, etc.

c) If award will be made without conducting discussions, offerors may be given the opportunity to clarify certain aspects of their proposal (e.g., the relevance of an offeror's past performance information and adverse past performance information to which the offeror has not previously had an opportunity to respond) or to resolve minor or clerical errors.

d) If the Government intends to conduct discussions prior to awarding a contract-

(1) Communications will be held with offerors whose past performance information is the determining factor preventing them from being placed within the competitive range. Such communications shall address adverse past performance information to which an offeror has not had a prior opportunity to respond. Also, communications may be held with any other offerors whose exclusion from, or inclusion in, the competitive range is uncertain.

Such communications shall not be used to cure proposal deficiencies or omissions that alter the technical or cost elements of the proposal, and/or otherwise revise the proposal, but may be considered in rating proposals for the purpose of establishing the competitive range.

(2) The Contracting Officer will, in concert with program staff, decide which proposals are in the competitive range. The competitive range will be comprised of all of the most highly rated proposals. Oral or written discussions will be conducted with all offerors in the competitive range.

While it is this Institute's policy to conduct discussions with all offerors in the competitive range, the Institute reserves the right, in special circumstances, to limit the number of proposals included in the competitive range to the greatest number that will permit an efficient competition. All aspects of the proposals are subject to discussions, including cost, technical approach, past performance, and contractual terms and conditions. At the conclusion of discussions, each offeror still in the competitive range shall be given an opportunity to submit a written Final Proposal Revision (FPR) with the reservation of the right to conduct finalization of details with the selected sources in accordance with HHSAR 315.370.

e) The process described in FAR 15.101-1 will be employed, which permits the Government to make tradeoffs among cost or price and non-cost factors and to consider award to other than the lowest price offeror or other than the highest technically rated offeror. This process will take into consideration the results of the technical evaluation, the past performance evaluation (if applicable) and the cost analysis.

f) The Institute reserves the right to make a single award, multiple awards, or no award at all to the RFP. In addition, the RFP may be amended or canceled as necessary to meet the Institute's requirements. Synopses of awards exceeding $25,000 will be published in the FedBizOpps.

(11) **Small Business Subcontracting Plan**

If the proposed contract exceeds a total estimated cost of $500,000 for the entire period of performance, the offeror shall be required to submit an acceptable subcontracting plan in accordance with the terms of the clause entitled "Small Business Subcontracting Plan," FAR Clause No. 52.219-9, incorporated herein by reference in the Solicitation, See SECTION J, Attachments, to this RFP for an example of such a plan.

a) THIS PROVISION DOES NOT APPLY TO SMALL BUSINESS CONCERNS.

b) The term "subcontract" means any agreement (other than one involving an employer-employee relationship) entered into by a Federal Government prime Contractor or subcontractor calling for supplies or services required for the performance of the original contract or subcontract. This includes, but is not limited to, agreements/purchase orders for supplies and services such as equipment purchase, copying services, and travel services.

c) The offeror understands that:

(1) No contract will be awarded unless and until an acceptable plan is negotiated with the Contracting Officer which plan will be incorporated into the contract, as a material part thereof.

(2) An acceptable plan must, in the determination of the Contracting Officer, provide the maximum practicable opportunity for Small Businesses, Small Disadvantaged Businesses, Women-Owned Small businesses, HubZone Small Businesses, Veteran-Owned Small Businesses, and Service Disabled Veteran-Owned Small Businesses to participate in the performance of the contract.

(3) If a subcontracting plan acceptable to the Contracting Officer is not negotiated within the time limits prescribed by the contracting activity and such failure arises out of causes within the control and with the fault or negligence of the offeror, the offeror shall be ineligible for an award. The Contracting Officer shall notify the Contractor in writing of the reasons for determining a subcontracting plan unacceptable early enough in the negotiation process to allow the Contractor to modify the plan within the time limits prescribed.

(4) Prior compliance of the offeror with other such subcontracting plans under previous contracts will be considered by the Contracting Officer in determining the responsibility of the offeror for award of the contract.

(5) It is the offeror's responsibility to develop a satisfactory subcontracting plan with respect to Small Business Concerns, Small Disadvantaged Business Concerns, Women-Owned Small Business Concerns, HubZone Small Business Concerns, Veteran-Owned Small Business Concerns, and Service Disabled Veteran-Owned Small Business Concerns that each such aspect of the offeror's plan will be judged independent of the other.

(6) The offeror will submit, as required by the Contracting Officer, subcontracting reports in accordance with the instructions thereon, and as further directed by the Contracting Officer. Subcontractors will also submit these reports to the Government's Contracting Officer or as otherwise directed, with a copy to the prime Contractor's designated small and disadvantaged business liaison.

d) Each plan must contain the following:

(1) Goals, expressed in terms of percentages of total planned subcontracting dollars, for the use of Small, Small Disadvantaged, Women-Owned, HUBZone, Veteran-Owned, and Service Disabled Veteran-Owned Small Business Concerns as subcontractors.

(2) A statement of total dollars planned to be subcontracted. A statement of total dollars to be subcontracted to each of the following type of small business concerns: Small, Small Disadvantaged, Women-Owned, HUBZone, Veteran-Owned, and Service Disabled Veteran-Owned Small Businesses.

(3) A description of the principal types of supplies and services to be subcontracted with an identification of which supplies and services are expected to be subcontracted to Small, Small Disadvantaged, Women-Owned, HUBZone, Veteran-Owned and/or Service Disabled Veteran-Owned Small Business Concerns.

(4) A description of the method used to develop the subcontracting goals.

(5) A description of the method used to identify potential sources for solicitation purposes.

(6) A statement as to whether or not indirect costs were included in establishing subcontracting goals. If they were, a description of the method used to determine the proportionate share of indirect costs to be incurred with Small, Small Disadvantaged, Women-Owned, HUBZone, Veteran-Owned, and Service Disabled Veteran-Owned Small Businesses.

(7) The name of the individual employed by the offeror who will administer the offeror's subcontracting program and a description of his/her duties.

(8) A description of the efforts the offeror will make to assure that Small, Small Disadvantaged, Women-Owned, HUBZone, Veteran-Owned, and Service Disabled Veteran-Owned Small Businesses have an equitable chance to compete for subcontracts.

(9) Assurances that the offeror will include in all subcontracts the contract clause "Utilization of Small Business Concerns." Assure that all subcontractors, other than small businesses, in excess of $500,000 adopt a plan similar to the plan agreed upon by the offeror.

(10) Assurances that the offeror (and any required subcontractors) will cooperate in studies or surveys as required and submit required reports (SF 294 and SF 295) to the Government.

(11) List the types of records the offeror will maintain to demonstrate procedures that have been adopted to comply with the requirement and goals in the plan, including establishing source lists. Also, the offeror shall describe its efforts to locate Small, Small Disadvantaged, Women-Owned, HUBZone, Veteran-Owned, and Service Disabled Veteran-Owned Small Businesses and award subcontracts to them.

For additional information about each of the above elements required to be contained the subcontracting plan, see FAR Clause 52.219-9, Small Business Subcontracting Plan, and the Sample Subcontracting Plan which is provided as an attachment to this RFP in SECTION J.

(12) **HUBZone Small Business Concerns**

Small Business offerors located in underutilized business zones, called "HUBZones," will be evaluated in accordance with FAR Clause 52.219-4, NOTICE OF PRICE EVALUATION PREFERENCE FOR HUBZONE SMALL BUSINESS CONCERNS, which is incorporated by reference in ARTICLE I.3. of this solicitation. Qualified HUBZone firms are identified in the Small Business Administration website at: http://www.sba.gov/hubzone.

(13) **Extent of Small Disadvantaged Business Participation**

In accordance with FAR Subpart 15.304(c)(4), the extent of participation of Small Disadvantaged Business (SDB) concerns in performance of the contract in the authorized NAICS Industry Subsectors shall be evaluated in unrestricted competitive acquisitions expected to exceed $500,000 ($1,000,000 for construction) subject to certain limitations (see FAR 19.1202-1 and 19.1202-2(b). The dollar amounts cited above include any option years/option quantities that may be included in this solicitation. The definition of a "small disadvantaged business" is cited in FAR 19.001.

The factor entitled “Extent of Small Disadvantaged Business Participation” as set forth under the Evaluation Criteria in Section M shall be used for evaluation purposes. Credit under this evaluation factor is not available to SDB concerns that receive a Price Evaluation Adjustment (PEA) under FAR 19.11. Therefore, an SDB will be evaluated on this factor only if that SDB concern waives the PEA. **Waiver of the price evaluation adjustment shall be clearly stated in the proposal.**

The Department of Commerce determines, on an annual basis, by Subsectors, as contained in the North American Industry Classification System (NAICS) codes, and region, if any, the authorized SDB procurement mechanisms and applicable factors (percentages). The NAICS codes can be found at: http://www.sba.gov/size

The Department of Commerce website for the annual determination is:
http://www.arnet.gov/References/sdbadjustments.htm

Offerors shall include with their offers, SDB targets, expressed as dollars and percentages of total contract value, in each of the applicable, authorized NAICS Industry Subsector(s). The applicable authorized NAICS Industry Subsector(s) for this project is (are) identified elsewhere in this RFP. A total target for SDB participation by the prime contractor, that includes any joint ventures and team members, shall be provided as well as a total target for SDB participation by subcontractors. In addition, offerors must provide information that describes their plans for meeting the targets set forth in their proposal. **This information shall be provided in one clearly marked section of the Business Proposal, which shall describe the extent of participation of SDB concerns in the performance of the contract.**

If the evaluation factor in this solicitation includes an SDB evaluation factor or subfactor that considers the extent to which SDB concerns are specifically identified, the SDB concerns considered in the evaluation shall be listed in any resultant contract. Offerors should note that addressing the extent of small disadvantaged business participation **is not in any way intended to be a substitute** for submission of the subcontracting plan, if it is required by this solicitation. An example of the type of information that might be given (in addition to the narrative describing the plan for meeting the targets) follows:

EXAMPLE

Targets for SDB Participation - NAICS Industry Subsector 223

	SDB Percentage of Total Contract Value	**SDB Dollars**
Total Contract Value- $1,000,000	25%	$250,000
SDB Participation by Prime	10%	$100,000
(Includes joint venture partners and team arrangements)*		
SDB Participation by subcontractors	15%	$150,000

***NOTE:** FAR Subpart 9.6 defines "Contractor team arrangements" to include two or more companies forming a partnership or joint venture to act as a potential prime contractor, or a potential prime contractor who agrees with one or more companies to have them act as its subcontractors on a specific contract or acquisition program. For purposes of evaluation of the SDB participation factor, FAR 19.1202-4 requires that SDB joint ventures and teaming arrangements at the prime level be presented separately from SDB participation by subcontractors.

(14) **Salary Rate Limitation in Fiscal Year 2002 ****

Offerors are advised that pursuant to P.L. 107-116, no NIH Fiscal Year 2002 (October 1, 2001 - September 30, 2002) funds may be used to pay the direct annual salary of an individual through any contract awarded as a result of this solicitation at a rate in excess of the Executive Schedule, Level I* (direct salary is exclusive of Overhead, Fringe Benefits and General and Administrative expenses, also referred to as "indirect cost" or "facilities and administrative (F&A) costs"). Direct salary has the same meaning as the term "institutional base salary." An individual's direct salary (or institutional base salary) is the annual compensation that the contractor pays for an individual's appointment whether that individual's time is spent on research, teaching, patient care or other activities. Direct salary (or institutional base salary) excludes any income that an individual may be permitted to earn outside of duties to the contractor.

This does not preclude the offeror from absorbing that portion of an employee's annual salary (plus the dollar amount for fringe benefits and associated indirect costs) that exceeds a rate of the Executive Schedule, Level I*. The salary rate limitation set by P.L. 107-116 applies only to Fiscal Year 2002 funds, however, salary rate ceilings for subsequent years may be included in future DHHS appropriation acts. Multi-year contracts awarded pursuant to this solicitation may be subject to unilateral modifications by the Government if an individual's annual salary exceeds any salary rate ceiling established in future appropriations acts. The Executive Schedule, Level I* annual salary rate limit also applies to individuals proposed under subcontracts, however it does not apply to consultants. P.L. 107-116 states in pertinent part:

> "None of the funds appropriated in this Act for the National Institutes of Health, the Agency for Healthcare Research and Quality, and the Substance Abuse, and Mental Health Services Administration shall be used to pay the salary of an individual through a grant or extramural mechanism at a rate in excess of Executive Level I."

Information regarding the FY-2002 rate can be found at: http://www.opm.gov/oca/02tables/ex.pdf

It should be noted that a similar public law may be enacted in Fiscal Year 2003, at which time that public law will be incorporated into any resultant contract(s).

(15) **Institutional Responsibility Regarding Conflicting Interests of Investigators**

EACH INSTITUTION MUST:

(a) Maintain an appropriate written, enforced policy on conflict of interest that complies with 42 CFR Part 50 Subpart F and/or 45 CFR Part 94 as appropriate and inform each investigator of the Institution's policy, the Investigator's reporting responsibilities, and the applicable regulations. If the Institution carries out the NIH funded research through subgrantees, contractors or collaborators, the Institution must take reasonable steps to ensure that Investigators working for such entities comply with the regulations, either by requiring those investigators to comply with the Institution's policy or by requiring the entities to provide assurances to the Institution that will enable the Institution to comply with the regulations.

(b) Designate an Institutional official(s) to solicit and review financial disclosure statements from each Investigator who is planning to participate in NIH-funded research.

(c) Require that by the time an application/proposal is submitted to the NIH each investigator who is planning to participate in the NIH-funded research has submitted to the designated official(s) a listing of his/her known Significant Financial Interests (and those of his/her spouse and dependent children): (i) that would reasonably appear to be affected by the research for which the NIH funding is sought; and (ii) in entities whose financial interests would reasonably appear to be affected by the research. All financial disclosures must be updated during the period of the award, either on an annual basis or as new reportable Significant Financial Interests are obtained.

(d) Provide guidelines consistent with the regulations for the designated official(s) to identify conflicting interests and take such actions as necessary to ensure that such conflicting interests will be managed, reduced, or eliminated.

(e) Maintain records, identifiable to each award, of all financial disclosures and all actions taken by the institution with respect to each conflicting interest for: (1) in the case of grants, at least three years from the date of submission of the final expenditures report or, where applicable, from other dates specified in 45 CFR Part 74.53(b) and (2) in the case of contracts, 3 years after final payment or, where applicable, for the other time period specified in 48 CFR Part 4 Subpart 4.7, Contract Records Retention.

(f) Establish adequate enforcement mechanisms and provide for sanctions where appropriate.

(g) Certify, in each application/proposal for funding to which the regulations applies, that:

1) there is in effect at the Institution a written and enforced administrative process to identify and manage, reduce or eliminate conflicting interests with respect to all research projects for which funding is sought from the NIH;

2) prior to the Institution's expenditure of any funds under the award, the Institution will report to the awarding component the existence of a conflicting interest (but not the nature of the interest or other details) found by the Institution and assure that the interest has been managed, reduced or eliminated in accord with the regulations; and for any interest that the Institution identifies as conflicting subsequent to the expenditure of funds after award, the report will be made and the conflicting interest managed, reduced, or eliminated, at least on a temporary basis within sixty days of that identification;

3) the Institution agrees to make information available, upon request, to the awarding component regarding all conflicting interests identified by the Institution and how those interested have been managed, reduced, or eliminated to protect the research from bias; and

4) the Institution will otherwise comply with the regulations.

INSTITUTIONAL MANAGEMENT OF CONFLICTING INTERESTS

(a) The designated official(s) must: (1) review all financial disclosures; and (2) determine whether conflict of interest exists, and if so, determine what actions should be taken by the Institution to manage, reduce or eliminate such conflict of interest. **A conflict of interest exists when the designated official(s) reasonably determines that a Significant Financial Interest could directly and significantly affect the design, conduct, or reporting of the NIH-funded research**.

Examples of conditions or restrictions that might be imposed to manage actual or potential conflicts of interests include, but are not limited to:

(i) public disclosure of significant financial interests;
(ii) monitoring of research by independent reviewers;
(iii) modification of the research plan;
(iv) disqualification of the Investigator(s) from participation in all or a portion of the research funded by the awarding component;
(v) divestiture of significant financial interests; or
(vi) severance of relationships that create actual or potential conflicts of interests.

(b) An Institution may require the management of other conflicting financial interests in addition to those described in paragraph (a) of this section, as the Institution deems appropriate.

(16) **ROTC Access and Federal Military Recruiting on Campus**

Section 514 of the FY 1997 Appropriations Act prohibits NIH from providing contract funds to educational institutions that the Secretary of Defense determines have a policy or practice (regardless of when implemented) that either prohibits, or in effect prevents (1) the maintaining, establishing, or operation of a unit of the Senior Reserve Officer Training Corps at the covered education entity; or (2) a student at the covered educational entity from enrolling in a unit of the Senior Reserve Officer Training Corps at another institution of higher education.

Further, contract funds may not be provided to educational institutions that have a policy or practice that prohibits or prevents (1) entry to campuses, or access to students (who are 17 years of age or older) on campuses, for purposes of Federal military recruiting; or (2) access by military recruiters for purposes of Federal military recruiting to information pertaining to students (who are 17 years of age or older) enrolled at the covered educational entity.

(17) **Past Performance Information**

a) Offerors shall submit the following information as part of their BUSINESS proposal.

A list of the last THREE (3) contracts completed during the past THREE years and THE LAST THREE (3) CONTRACTS AWARDED currently in process that are similar in nature to the solicitation workscope. Contracts listed may include those entered into by the Federal Government, agencies of state and local governments and commercial concerns. Offerors that are newly formed entities without prior contracts should list contracts and subcontracts as required above for all key personnel.

Include the following information for each contract or subcontract:

1. Name of Contracting Organization
2. Contract Number (for subcontracts, provide the prime contract number and the subcontract number)
3. Contract Type
4. Total Contract Value
5. Description of Requirement
6. Contracting Officer's Name and Telephone Number
7. Program Manager's Name and Telephone Number
8. Standard Industrial Code

The offeror shall submit comparable information on all subcontractors that the offeror proposes to perform a major subcontract under this effort. For the purpose of this solicitation, a "major subcontract" is defined as ANY SUBCONTRACT GREATER THAN $500,000.

The offeror may provide information on problems encountered on the identified contracts and the offeror's corrective actions.

b) Each offeror will be evaluated on its performance under existing and prior contracts for similar products or services. The Government is not required to contact all references provided by the offeror. Also, references other than those identified by the offeror may be contacted by the Government to obtain additional information that will be used in the evaluation of the offeror's past performance.

(18) **Notice of Buy American Act/Balance of Payments Program Requirement--Construction Materials**, FAR 52.225-10 (February 2000)

(a) *Definitions*. Construction material, domestic construction material, and foreign construction material, as used in this provision, are defined in the clause of this solicitation entitled "Buy American Act--Balance of Payments Program--Construction Materials" (Federal Acquisition Regulation (FAR) clause 52.225-9).

(b) *Requests for determinations of inapplicability*. An offeror requesting a determination regarding the inapplicability of the Buy American Act or Balance of Payments Program should submit the request to the Contracting Officer in time to allow a determination before submission of offers. The offeror shall include the information and applicable supporting data required by paragraphs (c) and (d) of the clause at FAR 52.225-9 in the request. If an offeror has not requested a determination regarding the inapplicability of the Buy American Act or Balance of Payments Program before submitting its offer, or has not received a response to a previous request, the offeror shall include the information and supporting data in the offer.

(c) *Evaluation of offers*. (1) The Government will evaluate an offer requesting exception to the requirements of the Buy American Act or Balance of Payments Program, based on claimed unreasonable cost of domestic construction material, by adding to the offered price the appropriate percentage of the cost of such foreign construction material, as specified in paragraph (b)(3)(i) of the clause at FAR 52.225-9.

(2) If evaluation results in a tie between an offeror that requested the substitution of foreign construction material based on unreasonable cost and an offeror that did not request an exception, the Contracting Officer will award to the offeror that did not request an exception based on unreasonable cost.

(d) *Alternate offers*. (1) When an offer includes foreign construction material not listed by the Government in this solicitation in paragraph (b)(2) of the clause at FAR 52.225-9, the offeror also may submit an alternate offer based on use of equivalent domestic construction material.

(2) If an alternate offer is submitted, the offeror shall submit a separate Standard Form 1442 for the alternate offer, and a separate price comparison table prepared in accordance with paragraphs (c) and (d) of the clause at FAR 52.225-9 for the offer that is based on the use of any foreign construction material for which the Government has not yet determined an exception applies.

(3) If the Government determines that a particular exception requested in accordance with paragraph (c) of the clause at FAR 52.225-9 does not apply, the Government will evaluate only those offers based on use of the equivalent domestic construction material, and the offeror shall be required to furnish such domestic construction material. An offer based on use of the foreign construction material for which an exception was requested--

(i) Will be rejected as nonresponsive if this acquisition is conducted by sealed bidding; or
(ii) May be accepted if revised during negotiations.

Alternate I (February 2000), FAR 52.225-10, **Notice of Buy American Act/Balance of Payments Program Requirement--Construction Materials (February 2000)**. As prescribed in 25.1102(b)(2), substitute the following paragraph (b) for paragraph (b) of the basic provision:

(b) *Requests for determinations of inapplicability*. An offeror requesting a determination regarding the inapplicability of the Buy American Act or Balance of Payments Program shall submit the request with its offer, including the information and applicable supporting data required by paragraphs (c) and (d) of the clause at FAR 52.225-9.

(19) **Notice of Buy American Act Requirement--Construction Materials Under Trade Agreements**, FAR 52.225-12 (May 2002)

(a) *Definitions*. Construction material, designated country construction material, domestic construction material, foreign construction material, and NAFTA country construction material, as used in this provision, are defined in the clause of this solicitation entitled "Buy American Act--Construction Materials under Trade Agreements" (Federal Acquisition Regulation (FAR) clause 52.225-11).

(b) *Requests for determination of inapplicability*. An offeror requesting a determination regarding the inapplicability of the Buy American Act should submit the request to the Contracting Officer in time to allow a determination before submission of offers. The offeror shall include the information and applicable supporting data required by paragraphs (c) and (d) of FAR clause 52.225-11 in the request. If an offeror has not requested a determination regarding the inapplicability of the Buy American Act before submitting its offer, or has not received a response to a previous request, the offeror shall include the information and supporting data in the offer.

(c) *Evaluation of offers*. (1) The Government will evaluate an offer requesting exception to the requirements of the Buy American Act based on claimed unreasonable cost of domestic construction materials, by adding to the offered price the appropriate percentage of the cost of such foreign construction material, as specified in paragraph (b)(4)(i) of FAR clause 52.225-11.

(2) If evaluation results in a tie between an offeror that requested the substitution of foreign construction material based on unreasonable cost and an offeror that did not request an exception, the Contracting Officer will award to the offeror that did not request an exception based on unreasonable cost.

(d) *Alternate offers*. (1) When an offer includes foreign construction material, other than designated country or NAFTA country construction material, that is not listed by the Government in this solicitation in paragraph (b)(3) of FAR clause 52.225-11, the offeror also may submit an alternate offer based on use of equivalent domestic, designated country, or NAFTA country construction material.

(2) If an alternate offer is submitted, the offeror shall submit a separate Standard Form 1442 for the alternate offer, and a separate price comparison table prepared in accordance with paragraphs (c) and (d) of FAR clause 52.225-11 for the offer that is based on the use of any foreign construction material for which the Government has not yet determined an exception applies.

(3) If the Government determines that a particular exception requested in accordance with paragraph (c) of FAR clause 52.225-11 does not apply, the Government will evaluate only those offers based on use of the equivalent domestic, designated country, or NAFTA country construction material, and the offeror shall be required to furnish such domestic, designated country, or NAFTA country construction material. An offer based on use of the foreign construction material for which an exception was requested--

(i) Will be rejected as nonresponsive if this acquisition is conducted by sealed bidding; or
(ii) May be accepted if revised during negotiations.

(20) **Prohibition on Contractor Involvement with Terrorist Activities**

The Offeror/Contractor acknowledges that U. S. Executive Orders and Laws, including but not limited to E.O. 13224 and P.L. 107-56, prohibit transactions with, and the provision of resources and support to, individuals and organizations associated with terrorism. It is the legal responsibility of the contractor to ensure compliance with these Executive Orders and Laws. This clause must be included in all subcontracts issued under this contract.

(21) **Office of Health and Safety – Laboratory Registration / Select Agent Transfer Program**

The awardee is responsible for ensuring that all work under this grant, cooperative agreement, or contract complies with all Federal requirements related to select agents including CDCs that can be found at http://www.cdc.gov/od/ohs/lrsat.htm and NIH's OBA that can be found at http://grants1.nih.gov/grants/guide/notice-files/NOT-OD-02-052.html .

(22) **Solicitation Provisions Incorporated by Reference**, FAR 52.252-1 (February 1998)

This Solicitation incorporates one or more solicitation provisions by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. The offeror is cautioned that the listed provisions may include blocks that must be completed by the offeror and submitted with its quotation or offer. In lieu of submitting the full text provisions, the offeror may identify the provision by paragraph identifier and provide the appropriate information with its quotation or offer. Also, the full text of a solicitation provision may be accessed electronically at this address: http://www.arnet.gov/far/.

FEDERAL ACQUISITION REGULATION (48 CFR CHAPTER 1):

a) Order of Precedence-Uniform Contract Format, FAR Clause 52.215-8, (October 1997).

b) Preaward On-Site Equal Opportunity Compliance Evaluation, (Over $10,000,000), FAR Clause 52.222-24, (February 1999).

c) Notice of Requirement for Affirmative Action to Ensure Equal Employment Opportunity for Construction, FAR 52.222-23, (February 1999).

d) Preparation of Proposals--Construction, FAR Clause 52.236-28, (October 1997).

b. TECHNICAL PROPOSAL INSTRUCTIONS

A detailed work plan must be submitted indicating how each aspect of the statement of work is to be accomplished. Your technical approach should be in as much detail as you consider necessary to fully explain your proposed technical approach or method. The technical proposal should reflect a clear understanding of the nature of the work being undertaken. The technical proposal must include information on how the project is to be organized, staffed, and managed. Information should be provided which will demonstrate your understanding and management of important events or tasks.

(1) **Technical Discussions**

The technical discussion included in the technical proposal should address the items below but must follow the format indicated on the Specific Project Requirements and Goals – (Statement of Work) (page 8) and the INFORMATION FOR SUBMITTING AN APPLICATION and/or PROPOSAL (page 22):

a) **Statement of Work**

(1) Objectives

State the overall objectives and the specific accomplishments you hope to achieve. Indicate the rationale for your plan, and relation to comparable work in progress elsewhere. Review pertinent work already published which is relevant to this project and your proposed approach. This should support the scope of the project as you perceive it.

(2) Approach

Use as many subparagraphs, appropriately titled, as needed to clearly outline the general plan of work. Discuss phasing of research and, if appropriate, include experimental design and possible or probable outcome of approaches proposed.

(3) Methods

Describe in detail the methodologies you will use for the project, indicating your level of experience with each, areas of anticipated difficulties, and any unusual expenses you anticipate.

(4) Schedule

Provide a schedule for completion of the work and delivery of items specified in the statement of work. Performance or delivery schedules shall be indicated for phases or segments, as applicable, as well as for the overall program. Schedules shall be shown in terms of calendar months from the date of authorization to proceed or, where applicable, from the date of a stated event, as for example, receipt of a required approval by the Contracting Officer. Unless the request for proposal indicates that the stipulated schedules are mandatory, they shall be treated as desired or recommended schedules. In this event, proposals based upon the offeror's best alternative schedule, involving no overtime, extra shift or other premium, will be accepted for consideration.

b) **Personnel**

Describe the experience and qualifications of personnel who will be assigned for direct work on this program. Information is required which will show the composition of the task or work group, its general qualifications, and recent experience with similar equipment or programs. Special mention shall be made of direct technical supervisors and key technical personnel, and the approximate percentage of the total time each will be available for this program.

OFFERORS SHOULD ASSURE THAT THE PRINCIPAL INVESTIGATOR, AND ALL OTHER PERSONNEL PROPOSED, SHALL NOT BE COMMITTED ON FEDERAL GRANTS AND CONTRACTS FOR MORE THAN A TOTAL OF 100% OF THEIR TIME. IF THE SITUATION ARISES WHERE IT IS DETERMINED THAT A PROPOSED EMPLOYEE IS COMMITTED FOR MORE THAN 100% OF HIS OR HER TIME, THE GOVERNMENT WILL REQUIRE ACTION ON THE PART OF THE OFFEROR TO CORRECT THE TIME COMMITMENT.

(1) Principal Investigator/Project Director

List the name of the Principal Investigator/Project Director responsible for overall implementation of the contract and key contact for technical aspects of the project. Even though there may be co-investigators, identify the Principal Investigator/Project Director who will be responsible for the overall implementation of any awarded contract. Discuss the qualifications, experience, and accomplishments of the Principal Investigator/Project Director. State the estimated time to be spent on the project, his/her proposed duties, and the areas or phases for which he/she will be responsible.

(2) Other Investigators

List all other investigators/professional personnel who will be participating in the project. Discuss the qualifications, experience, and accomplishments. State the estimated time each will spend on the project, proposed duties on the project, and the areas or phases for which each will be responsible.

(3) Additional Personnel

List names, titles, and proposed duties of additional personnel, if any, who will be required for full-time employment, or on a subcontract or consultant basis. The technical areas, character, and extent of subcontract or consultant activity will be indicated and the anticipated sources will be specified and qualified. For all proposed personnel who are not currently members of the offeror's staff, a letter of commitment or other evidence of availability is required. A resume does not meet this requirement. Commitment letters for use of consultants and other personnel to be hired must include:

- The specific items or expertise they will provide.
- Their availability to the project and the amount of time anticipated.
- Willingness to act as a consultant.
- How rights to publications and patents will be handled.

(4) Resumes

Resumes of all key personnel are required. Each must indicate educational background, recent experience, specific or technical accomplishments, and a listing of relevant publications.

(2) **Technical Evaluation**

Proposals will be technically evaluated in accordance with the factors, weights, and order of relative importance as described in the Technical Evaluation Criteria (SEE SECTION M).

(3) **Additional Technical Proposal Information**

a) Proposals which merely offer to conduct a program in accordance with the requirements of the Government's scope of work will not be eligible for award. The offeror must submit an explanation of the proposed technical approach in conjunction with the tasks to be performed in achieving the project objectives.

b) The technical evaluation is conducted in accordance with the weighted technical evaluation criteria by an initial review panel. This evaluation produces a numerical score (points) which is based upon the information contained in the offeror's proposal only.

(4) **Other Considerations**

Record and discuss specific factors not included elsewhere which support your proposal. Using specifically titled subparagraphs, items may include:

a) Any agreements and/or arrangements with subcontractor(s). Provide as much detail as necessary to explain how the statement of work will be accomplished within this working relationship.

b) Unique arrangements, equipment, etc., which none or very few organizations are likely to have which is advantageous for effective implementation of this project.

c) Equipment and unusual operating procedures established to protect personnel from hazards associated with this project.

d) Other factors you feel are important and support your proposed research.

e) Recommendations for changing reporting requirements if such changes would be more compatible with the offeror's proposed schedules.

c. BUSINESS PROPOSAL INSTRUCTIONS

(1) Basic Cost/Price Information

The business proposal must contain sufficient information to allow the Government to perform a basic analysis of the proposed cost or price of the work. This information shall include the amounts of the basic elements of the proposed cost or price. These elements will include, as applicable, direct labor, fringe benefits, travel, materials, subcontracts, purchased parts, shipping, indirect costs and rate, fee, and profit.

(2) Cost and Pricing Data

1. **General Instructions**

A. You must provide the following information on the first page of your pricing proposal:

(1) Solicitation, contract, and/or modification number;
(2) Name and address of offeror;
(3) Name and telephone number of point of contact;
(4) Name of contract administration office (if available);
(5) Type of contract action (that is, new contract, change order, price revision/redetermination, letter contract, unpriced order, or other);
(6) Proposed cost; profit or fee; and total;
(7) Whether you will require the use of Government property in the performance of the contract, and, if so, what property;
(8) Whether your organization is subject to cost accounting standards; whether your organization has submitted a CASB Disclosure Statement, and if it has been determined adequate; whether you have been notified that you are or may be in noncompliance with your Disclosure Statement or CAS, and, if yes, an explanation; whether any aspect of this proposal is inconsistent with your disclosed practices or applicable CAS, and, if so, an explanation; and whether the proposal is consistent with your established estimating and accounting principles and procedures and FAR Part 31, Cost Principles, and, if not, an explanation;
(9) The following statement: This proposal reflects our estimates and/or actual costs as of this date and conforms with the instructions in FAR 15.403-5(b)(1) and Table 15-2. By submitting this proposal, we grant the Contracting Officer and authorized representative(s) the right to examine, at any time before award, those records, which include books, documents, accounting procedures and practices, and other data, regardless of type and form or whether such supporting information is specifically referenced or included in the proposal as the basis for pricing, that will permit an adequate evaluation of the proposed price;
(10) Date of submission; and
(11) Name, title and signature of authorized representative.

B. In submitting your proposal, you must include an index, appropriately referenced, of all the cost or pricing data and information accompanying or identified in the proposal. In addition, you must annotate any future additions and/or revisions, up to the date of agreement on price, or an earlier date agreed upon by the parties, on a supplemental index.

C. As part of the specific information required, you must submit, with your proposal, cost or pricing data (that is, data that are verifiable and factual and otherwise as defined at FAR 15.401). You must clearly identify on your cover sheet that cost or pricing data are included as part of the proposal. In addition, you must submit with your proposal any information reasonably required to explain your estimating process, including--

(1) The judgmental factors applied and the mathematical or other methods used in the estimate, including those used in projecting from known data; and
(2) The nature and amount of any contingencies included in the proposed price.

D. You must show the relationship between contract line item prices and the total contract price. You must attach cost-element breakdowns for each proposed line item, using the appropriate format prescribed in the "Formats for Submission of Line Item Summaries" section of this table. You must furnish supporting breakdowns for each cost element, consistent with your cost accounting system.

E. When more than one contract line item is proposed, you must also provide summary total amounts covering all line items for each element of cost.

F. Whenever you have incurred costs for work performed before submission of a proposal, you must identify those costs in your cost/price proposal.

G. If you have reached an agreement with Government representatives on use of forward pricing rates/factors, identify the agreement, include a copy, and describe its nature.

H. As soon as practicable after final agreement on price or an earlier date agreed to by the parties, but before the award resulting from the proposal, you must, under the conditions stated in FAR 15.406-2, submit a Certificate of Current Cost or Pricing Data.

2. **Cost Elements**

Depending on your system, you must provide breakdowns for the following basic cost elements, as applicable:

A. **Materials and services**. Provide a consolidated priced summary of individual material quantities included in the various tasks, orders, or contract line items being proposed and the basis for pricing (vendor quotes, invoice prices, etc.). Include raw materials, parts, components, assemblies, and services to be produced or performed by others. For all items proposed, identify the item and show the source, quantity, and price. Conduct price analyses of all subcontractor proposals. Conduct cost analyses for all subcontracts when cost or pricing data are submitted by the subcontractor. Include these analyses as part of your own cost or pricing data submissions for subcontracts expected to exceed the appropriate threshold in FAR 15.403-4. Submit the subcontractor cost or pricing data as part of your own cost or pricing data as required in paragraph 2.A.(2) of this table. These requirements also apply to all subcontractors if required to submit cost or pricing data.

(1) *Adequate Price Competition*. Provide data showing the degree of competition and the basis for establishing the source and reasonableness of price for those acquisitions (such as subcontracts, purchase orders, material order, etc.) exceeding, or expected to exceed, the appropriate threshold set forth at FAR 15.403-4 priced on the basis of adequate price competition. For interorganizational transfers priced at other than the cost of comparable competitive commercial work of the division, subsidiary, or affiliate of the contractor, explain the pricing method (see FAR 31.205-26(e)).

(2) *All Other*. Obtain cost or pricing data from prospective sources for those acquisitions (such as subcontracts, purchase orders, material order, etc.) exceeding the threshold set forth in FAR 15.403-4 and not otherwise exempt, in accordance with FAR 15.403-1(b) (i.e., adequate price competition, commercial items, prices set by law or regulation or waiver). Also provide data showing the basis for establishing source and reasonableness of price. In addition, provide a summary of your cost analysis and a copy of cost or pricing data submitted by the prospective source in support of each subcontract, or purchase order that is the lower of either $10,000,000 or more, or both more than the pertinent cost or pricing data threshold and more than 10 percent of the prime contractor's proposed price. The Contracting Officer may require you to submit cost or pricing data in support of proposals in lower amounts. Subcontractor cost or pricing data must be accurate, complete and current as of the date of final price agreement, or an earlier date agreed upon by the parties, given on the prime contractor's Certificate of Current Cost or Pricing Data. The prime contractor is responsible for updating a prospective subcontractor's data. For standard commercial items fabricated by the offeror that are generally stocked in inventory, provide a separate cost breakdown, if priced based on cost. For interorganizational transfers priced at cost, provide a separate breakdown of cost elements. Analyze the cost or pricing data and submit the results of your analysis of the prospective source's proposal. When submission of a prospective source's cost or pricing data is required as described in this paragraph, it must be included along with your own cost or pricing data submission, as part of your own cost or pricing data. You must also submit any other cost or pricing data obtained from a

subcontractor, either actually or by specific identification, along with the results of any analysis performed on that data.

B. **Direct Labor**. Provide a time-phased (e.g., monthly, quarterly, etc.) breakdown of labor hours, rates, and cost by appropriate category, and furnish bases for estimates.

C. **Indirect Costs**. Indicate how you have computed and applied your indirect costs, including cost breakdowns. Show trends and budgetary data to provide a basis for evaluating the reasonableness of proposed rates. Indicate the rates used and provide an appropriate explanation.

D. **Other Costs**. List all other costs not otherwise included in the categories described above (e.g., special tooling, travel, computer and consultant services, preservation, packaging and packing, spoilage and rework, and Federal excise tax on finished articles) and provide bases for pricing.

E. **Royalties**. If royalties exceed $1,500, you must provide the following information on a separate page for each separate royalty or license fee:

(1) Name and address of licensor.
(2) Date of license agreement.
(3) Patent numbers.
(4) Patent application serial numbers, or other basis on which the royalty is payable.
(5) Brief description (including any part or model numbers of each contract item or component on which the royalty is payable).
(6) Percentage or dollar rate of royalty per unit.
(7) Unit price of contract item.
(8) Number of units.
(9) Total dollar amount of royalties.
(10) If specifically requested by the Contracting Officer, a copy of the current license agreement and identification of applicable claims of specific patents (see FAR 27.204 and 31.205-37).

F. **Facilities Capital Cost of Money**. When you elect to claim facilities capital cost of money as an allowable cost, you must submit Form CASB-CMF and show the calculation of the proposed amount (see FAR 31.205-10).

3. **Formats for Submission of Line Item Summaries**

The detailed breakdown shall be in the format as shown on the form **Breakdown of Proposed Estimated Cost (plus fee) and Labor Hours** (SECTION J, List of Attachments). For each separate cost estimate, the offeror must furnish a breakdown by cost element as indicated above. In addition, summary total amounts shall be furnished. In the event the RFP cites specific line items, by number, a cost breakdown for each line item must be furnished.

To assist in the preparation of future cost estimates, the Projected Consumer Price Index may be accessed at: http://amb.nci.nih.gov/cpi.htm

4. There is a clear distinction between submitting cost or pricing data and merely making available books, records, and other documents without identification. The requirement for submission of cost or pricing data is met when all accurate cost or pricing data reasonably available to the offeror have been submitted, either actually or by specific identification, to the Contracting Officer or an authorized representative. As later information comes into your possession, it should be submitted promptly to the Contracting Officer in a manner that clearly shows how the information relates to the offeror's price proposal. The requirement for submission of cost or pricing data continues up to the time of agreement on price, or an earlier date agreed upon between the parties if applicable.

5. By submitting your proposal, you grant the Contracting Officer or an authorized representative the right to examine records that formed the basis for the pricing proposal. That examination can take place at any time before award. It may include those books, records, documents, and other types of factual information (regardless of form or whether the information is specifically referenced or included in the proposal as the basis for pricing) that will permit an adequate evaluation of the proposed price.

(3) Qualifications of the Offeror

You are requested to submit a summary of your "General Experience, Organizational Experience Related to this RFP, Performance History and Pertinent Contracts."

a) **General Experience**

General experience is defined as general background, experience and qualifications of the offeror. A discussion of proposed facilities which can be devoted to the project may be appropriate.

b) **Organizational Experience Related to the RFP**

Organizational experience is defined as the accomplishment of work, either past or on-going, which is comparable or related to the effort required by this RFP. This includes overall offeror or corporate experience, **but not** the experience and/or past performance of individuals who are proposed as personnel involved with the Statement of Work in this RFP.

c) **Performance History**

Performance history is defined as meeting contract objectives within **delivery** and **cost schedules** on efforts, either past or on-going, which is comparable or related to the effort required by this RFP.

d) **Pertinent Contracts**

Pertinent contracts is defined as a listing of each related contract completed within the last three years or currently in process. The listing should include: 1) the contract number; 2) contracting agency; 3) contract dollar value; 4) dates contract began and ended (or ends); 5) description of contract work; 6) explanation of relevance of work to this RFP; 7) actual delivery and cost performance versus delivery and cost agreed to in the contract(s). For award fee contracts, separately state in dollars the base fee and award fee available and the award fee actually received. The same type of organizational experience and past performance data should be submitted.

e) **Pertinent Grants**

List grants supported by the Government that involved similar or related work to that called for in this RFP. Include the grant number, involved agency, names of the grant specialist and the Science Administrator, identification of the work, and when performed.

You are cautioned that omission or an inadequate or inaccurate response to this very important RFP requirement could have a negative effect on the overall selection process. Experience and past performance are factors which are relevant to the ability of the offerors to perform and are considered in the source selection process.

(4) Other Administrative Data

a) **Property**

(1) It is DHHS policy that Contractors will provide all equipment and facilities necessary for performance of contracts. Exception may be granted to furnish Government-owned property, or to authorize purchase with contract funds, only when approved by the Contracting Officer. If the offeror is proposing that the Government provide any equipment, other than that specified under Government Furnished Property in the RFP, the proposal must include comprehensive justification which includes:

(a) An explanation that the item is for a special use essential to the direct performance of the contract and the item will be used exclusively for the purpose. Office equipment such as desks, office machines, etc., will not be provided under a contract except under very exceptional circumstances.

(b) No practical or economical alternative exists (e.g., rental, capital investment) that can be used to perform the work.

(2) The offeror shall identify Government-owned property in its possession and/or Contractor titled property acquired from Federal funds, which it proposes to use in the performance of the prospective contract.

(3) The management and control of any Government property shall be in accordance with DHHS Publication (OS) 686 entitled, "Contractors Guide for Control of Government Property (1990)," a copy of which will be provided upon request.

b) **Submission of Electronic Funds Transfer Information with Offer, FAR Clause 52.232-38** (MAY 1999)

The offeror shall provide, with its offer, the following information that is required to make payment by electronic funds transfer (EFT) under any contract that results from this solicitation. This submission satisfies the requirement to provide EFT information under paragraphs (b)(1) and (j) of the clause at 52.232-34, Payment by Electronic Funds Transfer--Other than Central Contractor Registration.

(1) The solicitation number (or other procurement identification number).
(2) The offeror's name and remittance address, as stated in the offer.
(3) The signature (manual or electronic, as appropriate), title, and telephone number of the offeror's official authorized to provide this information.
(4) The name, address, and 9-digit Routing Transit Number of the offeror's financial agent.
(5) The offeror's account number and the type of account (checking, savings, or lockbox).
(6) If applicable, the Fedwire Transfer System telegraphic abbreviation of the offeror's financial agent.
(7) If applicable, the offeror shall also provide the name, address, telegraphic abbreviation, and 9-digit Routing Transit Number of the correspondent financial institution receiving the wire transfer payment if the offeror's financial agent is not directly on-line to the Fedwire and, therefore, not the receiver of the wire transfer payment.

c) **Financial Capacity**

The offeror shall indicate if it has the necessary financial capacity, working capital, and other resources to perform the contract without assistance from any outside source. If not, indicate the amount required and the anticipated source.

d) **Incremental Funding**

An incrementally funded cost-reimbursement contract is a contract in which the total work effort is to be performed over a multiple year period and funds are allotted, as they become available, to cover discernible phases or increments of performance. The incremental funding technique allows for contracts to be awarded for periods in excess of one year even though the total estimated amount of funds expected to be obligated for the contract are not available at the time of the contract award. If this requirement is specified elsewhere in this RFP, the offeror shall submit a cost proposal for each year. In addition, the following provisions are applicable:

HHSAR 352.232-75, Incremental Funding (January 2001)

(a) It is the Government's intention to negotiate and award a contract using the incremental funding concepts described in the clause entitled Limitation of Funds. Under the clause, which will be included in the resultant contract, initial funds will be obligated under the contract to cover the first year of performance. Additional funds are intended to be allotted to the contract by contract modification, up to and including the full estimated cost of the contract, to accomplish the entire project. While it is the Government's intention to progressively fund this contract over the entire period of performance up to and including the full estimated cost, the Government will not be obligated to reimburse the Contractor for costs incurred in excess of the periodic allotments, nor will the Contractor be obligated to perform in excess of the amount allotted.

(b) The Limitation of Funds clause to be included in the resultant contract shall supersede the Limitation of Cost clause found in the General Provisions.

(End of provision)

(5) Subcontractors

If subcontractors are proposed, please include a commitment letter from the subcontractor detailing:

a) Willingness to perform as a subcontractor for specific duties (list duties).

b) What priority the work will be given and how it will relate to other work.

c) The amount of time and facilities available to this project.

d) Information on their cognizant field audit offices.

e) How rights to publications and patents are to be handled.

f) A complete cost proposal in the same format as the offeror's cost proposal.

Note: Organizations that plan to enter into a subcontract with an educational concern under a contract awarded under this RFP should refer to the following Web Site for a listing of clauses that are required to be incorporated in Research & Development (R&D) subcontracts with educational institutions:

http://ocm.od.nih.gov/contracts/rfps/FDP/PDPclausecover.htm

(6) Proposer's Annual Financial Report

A copy of the organization's most recent annual report must be submitted as part of the business proposal.

(7) Representations and Certifications

One copy of the Representations and Certifications attached as Section K shall be completed and be signed by an official authorized to bind your organization. Additionally, a completed copy of the Representations and Certifications shall be submitted from any proposed subcontractor.

(8) Travel Costs/Travel Policy

a) **Travel Policy**

One copy of the offeror's (and any proposed subcontractor's) written travel policy shall be included in the business proposal (original only). If an offeror (or any proposed subcontractor) does not have a written travel policy, the offeror shall so state.

(9) Certification of Visa's for Non-U.S. Citizens

Proposed personnel under research projects are not required to be citizens of the United States. However, if non-U.S. citizens are proposed under a contract to be performed in the United States and its territories, then the offeror must indicate in the proposal that these individuals have the required visas.

END OF RFP – ATTACHMENTS LISTED NEXT

SUGGESTED FORMAT

Environmental Analysis Form

Date _____ Proposed Construction Grant for _____
(Principal Investigator)

A. USE OF NATURAL RESOURCES

This set of criteria is concerned with the *accessibility* of nonrenewable natural resources such as land, minerals, and fuels as well as the flow resources (water and air) that are constantly renewed but in which short-term or local shortages might occur.

Criteria	Impact YES	Impact NO	Description of Environmental Impact
Will the project:			
1) Change traditional use of the land parcel (by rezoning etc.)?	☐	☐	**Present zoning: _____ Present use of site: _____ Proposed zoning: _____**
2) After use of other land by related development of stores, roads, or site changes?	☐	☐	
a) Generate new stores?	☐	☐	
b) Cause new roads?	☐	☐	
c) Cause new parking?	☐	☐	
Before answering question 3, consider these items: Soil borings *have/have not* been completed. Proposed facility *will/will not* have foundations similar to other facilities in the area. The facility *is/is not* in a flood plain.			
3) Use land for purposes unsuitable to its physical characteristics?	☐	☐	
4) Include the use of wetlands (swamps, marshes etc.)?	☐	☐	
5) Block access to known mineral	☐	☐	**(Sand, gravel, clay, stone, or other deposits? common building materials are not considered mineral deposits.)**
6) Increase fuel and mineral consumption in state by more than 1% annually?	☐	☐	**Est. annual fuel requirements: _____ gallons of fuel _____ cubic feet of natural gas _____ tons of coal _____ kWh of electricity Expected source(s) of these fuels:**

_____
(Principal Investigator)

Criteria	Impact YES	Impact NO	Description of Environmental Impact
7) Decrease the volume of water in a lake, river table, reservoir, etc.?	☐	☐	**If yes, describe.**
8) Change traditional use of a body of water?	☐	☐	**If yes, describe.**
9) *Not* comply with the local and State land use planning?	☐	☐	

B. POLLUTION

This set of criteria concerns the processes that generate pollution. These include the introduction of pollutants into the environment, changes in the flow of energy through the environment, and changes in the composition of environments through the augmentation or deletion of substances that are naturally present. The criteria are also directly concerned with the production and one-time use of materials and the proper disposal of wastes.

Criteria	Impact YES	Impact NO	Description of Environmental Impact
Will the project:			
1) Increase identifiable ambient . . air pollution levels from a new emission source or from existing sources?	☐	☐	**Approximate number of new employees: _____**
2) Increase identifiable ambient air pollution levels through a major increase in the number of or use of automobiles, trucks, etc.?	☐	☐	**If yes, describe.**
3) Exceed city or State health standards with exhausts from fume hoods?	☐	☐	**If yes, describe.**
4) Involve	☐	☐	**If yes, describe.**
a) Dredging or swamp drainage?			
b) Construction of a waste treatment plant?	☐	☐	**If yes, describe capacity & location.**

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(Principal Investigator)

Criteria	Impact YES	Impact NO	Description of Environmental Impact
c) Discharge of untreated human waste directly into a lake, river, etc.?	☐	☐	**If yes, describe.**
d) Discharge of laboratory wastes biohazard wastes directly into a lake, river, etc.?	☐	☐	**If yes, describe**
5) Overload existing waste treatment plants due to new loads (volume, chemicals, toxicity, etc.) water?	☐	☐	**Please obtain and submit a connection permit or other approval from local sewer authority.**
6) Cause soil erosion (after completion of construction phase) or leaching of foreign substances (such as salt) into soil?	☐	☐	**If yes, describe**
7) Allow seepage of contaminants into the water table?	☐	☐	**If yes, describe.**
8) Increase the stress placed upon an identified earthquake fault?	☐	☐	**If yes, please include a statement from a structural engineer.**
9) Create an identifiable change in aqautic life by discharge of hot water?	☐	☐	**If yes, explain.**
10) Decrease the percolation on More than one acre of land?	☐	☐	**If yes, explain.**
11) Cause storm water runoff onto land owned by others?	☐	☐	**If yes, explain.**
Consider the following statements prior to answering questions 12-14: Facility *will/will not* emit noises in excess of local noise standards. Is facility near wildlife sanctuary? Are outdoor animal facilities included? Facility *will/will not* contain x-ray machines. Facility *will/will not* meet Atomic Energy Commission standards.			
12) Produce noises considered offensive to a human population?	☐	☐	**If yes, describe.**

_____
(Principal Investigator)

Criteria	Impact YES	Impact NO	Description of Environmental Impact
13) Create sounds that result in changes in behavior patterns of animals?	☐	☐	**If yes, describe.**
14) Introduce major new sources of unshielded radiation?	☐	☐	**If yes, describe.**
15) Cause shock waves and/or vibration (after construction phase)?	☐	☐	**If yes, describe.**
16) Change the direction and wind velocity as to affect the local population (i.e., high-rise building)?	☐	☐	**If yes, describe.**
17) Cause a new, large volume of production of non-recycled items?	☐	☐	**If yes, describe.**
18) Result in the non-recycling of recyclable items such as laboratory glassware, animal cages, and office paper?	☐	☐	**If yes, describe. If no, indicate number of Glassware-washing machines: _____ Cage-washing machines: _____**
19) Generate solid wastes that cannot be properly disposed of by existing facilities?	☐	☐	**If yes, describe. If no, describe proposed methods and disposal sites.**
20) Dispose of solid wastes in in polluting landfills, wells, caves, etc.?	☐	☐	**If yes, describe.**
21) Require storage of waste pending technology for safe disposal?	☐	☐	**If yes, describe.**
22) *Not* comply with Federal, State, & local requirements for waste handling, trans-portation, or disposal methods?	☐	☐	**Describe proposed methods.**

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(Principal Investigator)

C. POPULATIONS

This section of the initial criteria addresses changes in human & plant populations.
NOTE: **For these criteria, the *affected area* is defined as being *greater* than 160 acres in size.**

Criteria	Impact YES	Impact NO	Description of Environmental Impact
Will the facility cause:			
1) A 5% change in the density of the local population?	☐	☐	**Est. local population: _____ Number of new employees:_____**
2) Alteration of transportation, health, education, and/or welfare service?	☐	☐	**If yes, describe.**
3) Change in social service needs by altering population's age pattern (new schools, etc.)?	☐	☐	**If yes, describe.**
4) A 5% change in the transient population?	☐	☐	**If yes, describe. Include est. cost of Visitors: _____ Patients: _____ Students: _____**
5) Changes in genetic engineering directed at the human population?	☐	☐	**If yes, describe.**
6) Violation of local, State, or Federal standards pertaining to population densities of or conservation of plants and animals?	☐	☐	**If yes, describe. Also describe any approvals needed or submit those already obtained.**

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(Principal Investigator)

D. HUMAN SERVICES

As society has evolved, traditional self-sufficient human communities have given way to dense populations that depend upon the development and application of technology. Man's highly complex, technological environments are maintained by a variety of services, ranging from the provision of the basic necessities of food and water to a complex system of economic exchange. These services are largely interdependent, and their complexities must be considered.

NOTE: **In this section, the *human environment* impacted upon is defined as *less* than 160 acres in size.**

Criteria	Impact YES	Impact NO	Description of Environmental Impact
Could the proposed project disrupt:			
1) Food supplies for 48 hours?	☐	☐	**If yes, explain.**
2) Water supplies for over 48 hours?	☐	☐	**If yes, explain.**
3) Electrical power for 48 hours?	☐	☐	**If yes, explain.**
4) Heating supplies (natural gas, heating oil) for over 48 hours?	☐	☐	**If yes, explain.**
5) Or deprive population of housing for over 48 hours?	☐	☐	**If yes, explain.**
6) Removal of sewage for more than 12 hours?	☐	☐	**If yes, explain.**
7) Removal of solid waste (trash) for more than 7 days?	☐	☐	**If yes, explain.**
8) Existing health services' response in case of a disaster?	☐	☐	**If yes, explain.**

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(Principal Investigator)

Criteria	Impact YES	Impact NO	Description of Environmental Impact
9) Telephone, telegraph, radio, or mail service for over 2 weeks ?	☐	☐	**If yes, explain.**
10) Transmit service for more than than 2 weeks?	☐	☐	**If yes, explain.**
Will the proposed project use more than 5% of:			
11) Remaining electrical capacity?	☐	☐	**Estimated daily usage is ____kWh. Please obtain & submit an approval letter from local utility or plant engineer.**
12) Remaining water?	☐	☐	**Estimated daily usage is ___gallons. Please obtain & submit an approval letter from local utility or plant engineer.**
13) Available capacity of the sewage treatment system (branch lines, mains, plants)?	☐	☐	**Estimated daily flow is ___gallons. Please obtain & submit an approval letter from local utility.**
14) Available capacity of trash disposal system (collection, incinerator plant, landfill)?	☐	☐	**Also clearly explain proposed handling and disposal of chemical wastes, biohazardous, syringes, and other special wastes.**
15) Available heating fuel (gas, coal or heating oil)?	☐	☐	**Annual quantities have already been described. Explain which of these fuels, if any, are in short supply.**
Will the proposed project decrease:			
16) By 5% the food delivery system by removal of retail food stores etc.?	☐	☐	**If yes, explain.**
17) By 5% the area's domestic housing by demolition, closing, etc.?	☐	☐	**If yes, explain. Will *any* housing be demolished, closed, etc.?**

_____
(Principal Investigator)

Criteria	Impact YES	Impact NO	Description of Environmental Impact
18) By more than 5% the use of existing transit systems (bus, train, etc.)?	☐	☐	**If yes, explain. Relate to extent of new employment.**
19) Accessibility to routine health services by altering point-of-service delivery?	☐	☐	**If yes, explain.**
Will the proposed facility:			
20) Increase by more than 5% the patient load of the area's routine care services?	☐	☐	**If yes, explain.**
21) Change the availability of social services by opening or closing facilities?	☐	☐	**If yes, explain.**
22) Increase by more than 5% the number of social services recipients (through unemployment)?	☐	☐	**If yes, explain.**
23) Cause discontinuation of existing stops or train stations?	☐	☐	**If yes, explain.**
24) Increase by more than 5% the annual volume of telephone, telegraph, or mail?	☐	☐	**If yes, explain. Relate to new employment or change in location of employees.**
25) Eliminate employment sources for 10% of the population.	☐	☐	**If yes, describe.**
26) Change school enrollment by more than 5%?	☐	☐	**If yes, describe.**

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(Principal Investigator)

E. HUMAN VALUES

The fifth set of criteria is directed toward human values concerning the environmental qualities generally agreed upon to the extent that they are stated in statutes, standards, or regulations.

Criteria	Impact YES	Impact NO	Description of Environmental Impact
Will the proposed project:			
1) Encroach upon any historical, architectural, or archeological cultural property?	☐	☐	***Historical preservation:*** **Obtain and submit clearance letters from State office.** ***Architectual, archeological, and cultural:*** **Obtain and submit clearance from local government or local society.**
2) Affect any endangered species?	☐	☐	**If yes, describe.**
3) Violate local, State, or Federal standards on aesthetics, or noise?	☐	☐	**If yes, describe.**

DEPARTMENT OF HEALTH & HUMAN SERVICES

STATE SINGLE POINT OF CONTACT LISTING MAINTAINED BY OMB

In accordance with Executive Order #12372, "Intergovernmental Review of Federal Programs," Section 4, "the Office of Management and Budget (OMB) shall maintain a list of official State entities designated by the States to review and coordinate proposed Federal financial assistance and direct Federal development." This attached listing is the OFFICIAL OMB LISTING. OMB'S point of contact for the SPOC list is Frederick Charney (202) 395-3993 or grants@obm.eop.gov. This listing is also published in the Catalogue of Federal Domestic Assistance biannually.

OMB STATE SINGLE POINT OF CONTACT LISTING*

ARIZONA

Joni Saad
Arizona State Clearinghouse
3800 N. Central Avenue
Fourteenth Floor
Phoenix, Arizona 85012
Telephone: (602) 280-1315
FAX: (602) 280-8144
e-mail: jonis@ep.state.az.us

ARKANSAS

Mr. Tracy L. Copeland
Manager, State Clearinghouse
Office of Intergovernmental Services
Department of Finance and Administration
1515 W. 7th St., Room 412
Little Rock, Arkansas 72203
Telephone: (501) 682-1074
FAX: (501) 682-5206

CALIFORNIA

Grants Coordinator
Office of Planning and Research/State Clearinghouse
1400 Tenth Street, Room 121
Sacramento, California 95814
Telephone: (916) 323-7480
FAX: (916) 323-3018

DELAWARE

Francine Booth
State Single Point of Contact
Executive Department, Office of the Budget
540 S. duPont Hi., Suite 5
Dover, Delaware 19901
Telephone: (302) 739-3326
FAX: (302) 739-5661

DISTRICT OF COLUMBIA

Charles Nichols
State Single Point of Contact
Office of Grants Management and Development
717 14th Street, N.W. - Suite 1200
Washington, D.C. 20005
Telephone: (202) 727-6537
FAX: (202) 727-1617
e-mail: charlesnic@yahoo.com or cnichols-ogmd@dcgov.org

FLORIDA

Cherie L. Trainor
Coordinator
Florida State Clearinghouse
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100
Telephone: (850) 922-5438 or (850) 414-5495
FAX: (850) 414-0479
e-mail: cherie.trainor@dca.state.fl.us

GEORGIA

Debra S. Stephens
Coordinator
Georgia State Clearinghouse
270 Washington Street, S.W. - 8th Floor
Atlanta, Georgia 30334
Telephone: (404) 656-3855
FAX: (404) 656-7901
e-mail: ssda@mail.opb.state.ga.us

ILLINOIS

Virginia Bova
State Single Point of Contact
Illinois Department of Commerce and Community Affairs
James R. Thompson Center
100 West Randolph, Suite 3-400
Chicago, Illinois 60601
Telephone: (312) 814-6028
FAX: (312) 814-1800

INDIANA

Frances Williams
State Budget Agency
212 State House
Indianapolis, Indiana 46204-2796
Telephone: (317) 232-5619
FAX: (317) 233-3323

IOWA

Steven R. McCann
Division for Community Assistance
Iowa Department of Economic Development
200 East Grand Avenue
Des Moines, Iowa 50309
Telephone: (515) 242-4719
FAX: (515) 242-4809

KENTUCKY

Kevin J. Goldsmith, Director
John-Mark Hack, Deputy Director
Sandra Brewer, Executive Secretary
Intergovernmental Affairs
Office of the Governor
700 Capitol Avenue
Frankfort, Kentucky 40601
Telephone: (502) 564-2611
FAX: (502) 564-2849

MAINE

Joyce Benson
State Planning Office
184 State Street
38 State House Station
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Maryland Office of Planning
301 W. Preston Street - Room 1104
Baltimore, Maryland 21201-2305
Telephone: (410) 767-4491
FAX: (410) 767-4480
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MICHIGAN

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TERRITORIES

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Please direct all questions and correspondence about intergovernmental review to:
Ms. Jacoba T. Seman,
Federal Programs Coordinator
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FAX: (670) 664-2272

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FAX: (809) 776-0069

If you would like a copy of this list faxed to your office, please call our publications office at: (202) 395-9068.

***** In accordance with Executive Order #12372, "Intergovernmental Review of Federal Programs," this listing represents the designated State Single Points of Contact. The jurisdictions not listed no longer participate in the process **BUT GRANT APPLICANTS ARE STILL ELIGIBLE TO APPLY FOR THE GRANT EVEN IF YOUR STATE, TERRITORY, COMMONWEALTH, ETC. DOES NOT HAVE A "STATE SINGLE POINT OF CONTACT." JURISDICTIONS WITHOUT "STATE SINGLE POINTS OF CONTACTS" INCLUDE:** Alabama; Alaska; American Samoa; Colorado; Connecticut; Kansas; Hawaii; Idaho; Louisiana; Massachusetts; Minnesota; Montana; Nebraska; New Jersey; Ohio; Oklahoma; Oregon; Palau; Pennsylvania; South Dakota; Tennessee; Vermont; Virginia; and Washington. This list is based on the most current information provided by the States. Information on any changes or apparent errors should be provided to the Office of Management and Budget and the State in question. Changes to the list will only be made upon formal notification by the State. Also, this listing is published biannually in the Catalogue of Federal Domestic Assistance.

OMB Approval No. 0348-0043

APPLICATION FOR FEDERAL ASSISTANCE

2. DATE SUBMITTED	Applicant Identifier
3. DATE RECEIVED BY STATE	State Applicant Identifier
4. DATE RECEIVED BY FEDERAL AGENCY	Federal Identifier

1. TYPE OF SUBMISSION

Application	*Preapplication*
☐ Construction	☐ Construction
☐ Non-Construction	☐ Non-Construction

5. APPLICANT INFORMATION IS THIS PROPOSAL BEING SUBMITTED TO ANOTHER FEDERAL AGENCY? ☐YES ☐NO IF YES, LIST ACRONYM(S)

Legal Name:

Organizational Unit:

Address *(give city, county, state, and zip code)*:

Name and telephone and E-mail number of the person to be contacted on matters involving this application *(give area code)*

PI:

ADMIN. CONTACT:

6. EMPLOYER IDENTIFICATION NUMBER (EIN):

☐☐ — ☐☐☐☐☐☐☐

7. TYPE OF APPLICANT: ***(enter appropriate letter in box)*** ☐

A. State
B. County
C. Municipal
D. Township
E. Interstate
F. Intermunicipal
G. Special District
H. Independent School Dist.
I. State Controlled Institution of Higher Learning
J. Private University
K. Indian Tribe
L. Individual
M. Profit Organization
N. Other (Specify) _____

8. TYPE OF APPLICATION:

☐ New ☐ Continuation ☐ Revision

If Revision, enter appropriate letter(s) in box(es): ☐ ☐

A. Increase Award B. Decrease Award C. Increase Duration
D. Decrease Duration Other *(specify):*

_____

9. NAME OF FEDERAL AGENCY:

U.S. Environmental Protection Agency - ORD - NCER

10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: 6 6 • 5 0 0

TITLE: **2002-STAR –**

11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT:

12. AREAS AFFECTED BY PROJECT ***(cities, counties, states, etc.):***

13. PROPOSED PROJECT:

Start Date	Ending Date

14. CONGRESSIONAL DISTRICTS OF:

a. Applicant b. Project

15. ESTIMATED TOTAL PROJECT FUNDING:

a. Federal	$	.00
b. Applicant	$	.00
c. State	$	.00
d. Local	$	.00
e. Other	$	.00
f. Program Income	$	.00
g. TOTAL	$	.00

16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?

a. YES. THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON:

DATE _____

b. NO. ☐ PROGRAM IS NOT COVERED BY E.O. 12372

☐ OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW

17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?

☐ Yes If "Yes," attach an explanation. ☐ No

18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.

a. Typed Name of Authorized Representative	b. Title	c. Telephone number
d. Signature of Authorized Representative		e. Date Signed

Previous Editions Not Usable

Standard Form 424 (REV 4-88)

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ATTACHMENT 3

SAMPLE TABLE OF CONTENTS

NIH EXTRAMURAL
REGIONAL BIOCONTAINMENT LABORATORY
CONSTRUCTION GRANT APPLICATION

SAMPLE TABLE 1
SUGGESTED FORMAT – SUMMARY OF REQUESTED RESEARCH SPACE

Program Activity	Current Space	Space to Be Added	Unit Cost[1/]	Total Cost	Requested NIH Funds	Future Total Space
Building/Facility						
A. Research Lab Modules						
Dr. Xavier	------	500	$100.00	$50,000	$25,000	500
Dr. Yondell	400	700	80.00	56,000	28,000	1,100
Dr. Afsar	150	800	75.00	60,000	30,000	950
Dr. Lesley	400	700	80.00	56,000	28,000	1,100
Dr. Marue	400	700	80.00	56,000	28,000	1,100
Dr. Warzt	400	700	80.00	56,000	28,000	1,100
Dr. Myber	400	700	80.00	56,000	28,000	1,100
B. Shared Core Facility						
Cold Rooms	400	750	120.00	90,000	45,000	1,350
Autoclave	400	750	120.00	90,000	45,000	1,350
Data Research Lab	400	750	120.00	90,000	45,000	1,350
Break Room	---	750	120.00	90,000	45,000	1,350
Equipment Room	400	750	120.00	90,000	45,000	1,350
C. Support Space						
Officer	1,100	1,000	140.00	140,000	70,000	2,150
Graduate Student & Post Doc.	---	750	120.00	90,000	45,000	1,350
TOTAL	6,150	10,700	95.6	$1,022,500	$511,250	16,850

1/ *The unit is the cost per net assignable square feet plus a prorated cost of corridors, stairs, mechanical, etc.*

net square feet (assignable research space, excluding corridors, stairways, etc.). Variances must

SAMPLE TABLE
SUGGESTED FORMAT – SUMMARY OF USE OF VACATED SPACE

Program Activity Moving Into Vacated Space	Vacated Space (net square feet)
A. (Applicant to complete)	
Dr. O	800
Dr. P	350
Dr. Q	600
B. (Applicant to complete)	
Dr. R	500
Dr. S	500
Dr. T	725
C. (Applicant to complete)	
Dr. U	500
Dr. V	450
Dr. W	700
D. Animal Care Area	1,500
E. Biocontainment Area	1,025
TOTAL	7,650

OMB Approval No. 0348-0042

ASSURANCES — CONSTRUCTION PROGRAMS

Note: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain federal assistance awarding agencies may require
applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title, or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal interest in the title of real property in accordance with awarding agency directives and will include a covenant in the title of real property acquired in whole on in part with Federal assistance funds to assure nondiscrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progress reports and such other information as may be required buy the assistance awarding agency or State.
6. Will initiate and complete the work within the applicable time fram after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§ 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibit discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-2S5), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), as amended, relating to non-discrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

11. Will comply, or has already complied, with the requirements of Titles II and 111 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.

12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§ 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§ 276a to 276a 7), the Copeland Act (40 U.S.C. § 276c and 18 U.S.C. §§ 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327-333) regarding labor standards for federally assisted construction subagreements.

14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is $10,000 or more.

15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. § 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).

16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and preservation of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).

18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984.

19. Will comply with all applicable requirements of all other Federal laws, Executive Orders, regulations and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE

APPLICANT ORGANIZATION	DATE SUBMITTED

ADDITIONAL ASSURANCES

1. A resolution, motion, or similar action has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understanding and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

2. The NIH-funded facility will be used exclusively for the biomedical research/research support purposes for which it was constructed for a period of 20 years unless otherwise approved by the Director, National Center for Research Resources.

3. Except as otherwise provided by State/local law, all contracting for construction (including the purchase and installation of built-in equipment) shall be on a lump sum fixed-price basis, and contracts will be awarded to the lowest responsive and responsible bidder. The provision of exceptions based on State and local law will not be invoked to give local contractors or suppliers a percentage preference over non-local contractors bidding for the same contract. Such practices are precluded by this assurance.

4. The applicant will obtain approval from the National Institute of Allergy and Infectious Diseases (NIAID) and the National Center for Research Resources (NCRR) of the final working drawings, specifications, and other final construction documents, before the project is advertised or placed on the market for bidding; that the applicant will construct the project, or cause it to be constructed, to final completion in accordance with the application and approved plans and specifications; that the applicant will submit to the NIAID and NCRR for prior approval, changes that alter the costs of the project, use of space, or functional layout; and that the applicant will not enter into a construction contract(s) for the project or undertake other activities until the conditions of the construction grant program(s) have been met.

5. That it will operate and maintain the facility in accordance with the minimum standards as may be required or prescribed by the applicable Federal, State, and local agencies for the maintenance and operation of such facilities.

6. It will require the facility to be designed to comply with the "Uniform Federal Accessibility Standards." The applicant will be responsible for conducting inspections to insure compliance with these specifications by the contractor.

7. It will comply with all requirements imposed by the Federal grantor agency concerning special requirements of law, program requirements, and other administrative requirements approved in accordance with HHS regulations 45 CFR 92. If the applicant is an educational, hospital, or non-profit institution, compliance is required with HHS regulations 45 CFR 74.

_____
Principal Investigator

CHECKLIST FOR NIH
RESEARCH FACILITY CONSTRUCTION GRANT APPLICATION

The information requested in the checklist is required as part of a complete application.

1. **Assurances and Certifications**

The following assurances/certifications are made and verified by the signature of the Official Signing for Applicant Organization on the Face Page of the application (SF424). If unable to certify compliance where applicable, provide an explanation and place it after page 2 of this checklist.

Debarment and Suspension; Delinquent Federal Debt; Drug-Free Workplace; Financial Conflict of Interest; Lobbying; Research Misconduct; Civil Rights (Form HHS 441 or HHS 690); Handicapped Individuals (Form HHS 641 or HHS 690); Sex Discrimination (Form HHS 639-A or HHS 690); Age Discrimination (Form HHS 680 or HHS 690)

2. **Smoke-Free Workplace**

Does your organization currently provide a smoke-free workplace and/or promote the nonuse of tobacco products or have plans to do so?

□ YES □ NO *(The response to this question has no impact on the review or funding of this application.)*

3. **Program Income**

All applications must indicate (Yes or No) whether program income is anticipated during the period for which grant support is requested.

□ YES □ NO *(If "YES," use the format below to reflect the amount and source(s) of anticipated program income.)*

Budget Period	Anticipated Amount	Source(s)

4. **Other Requirements**

A. National Historic Preservation Act and National Archeaological Preservation Act:

□ Not Involved □ Involved *(If "Involved," attach explanation.)*

B. Uniform Relocation Assistance and Real Property Acquisition Policies of 1970:

□ Applicable □ Not Applicable

_____
Principal Investigator

CHECKLIST FOR NIH RESEARCH FACILITY CONSTRUCTION GRANT APPLICATION

CONTENTS OF APPLICATION PACKAGE:

- ☐ Formal application
- ☐ Public disclosure announcement
- ☐ SF 424D Assurance and additional assurances
- ☐ Legal opinion regarding title to site/building
- ☐ Environmental analysis
- ☐ Disclosure of lobbying activities, Standard Form-LLL *(if applicable)*
- ☐ Additional appendices *(at option of applicant)*

NAMES OF NIH STAFF CONSULTED DURING PREPARATION OF THE APPLICATION:

NOTE: The application will not be accepted until all items on this checklist have been completed.

Place this form at the end of the signed original copy of this application. Do not duplicate.

Social Security No. _____

PERSONAL DATA ON
PRINCIPAL INVESTIGATOR/PROGRAM DIRECTOR

The Public Health Service has a continuing commitment to monitor the operation of its review and award processes to detect—and deal appropriately with—any instances of real or apparent inequities with respect to age, sex, race, or ethnicity of the proposed principal investigator/program director. To provide the PHS with the information it needs for this important task, complete the form below and attach it to the signed original of the application after the Checklist. **Do not attach copies of this form to the duplicated copies of the application.**

Upon receipt of the application by the PHS, this form will be separated from the application. This form will **not** be duplicated, and it will **not** be a part of the review process. Data will be confidential, and will be maintained in Privacy Act record system 09-25-0036, "Grants: IMPAC (Grant/Contract Information)." The PHS requests Social Security Numbers for accurate identification, referral, and review of applications and for management of PHS grant programs. Provision of the Social Security Number is voluntary. No individual will be denied any right, benefit, or privilege provided by law because of refusal to disclose his or her Social Security Number. The PHS requests the Social Security Number under Sections 301(a) and 487 of the PHS Act as amended (42 USC 241a and USC 288). All analyses conducted on the date of birth and race and/or ethnic origin data will report aggregate statistical findings only and will not identify individuals.

If you decline to provide this information, it will in no way affect consideration of your application. Your cooperation will be appreciated.

DATE OF BIRTH (MM/DD/YY)

GENDER

☐ Female ☐ Male

RACE AND/OR ETHNIC ORIGIN (check one)

***Note*:** The category that most closely reflects the individual's recognition in the community should be used when reporting mixed racial and/or ethnic origins.

☐ **American Indian or Alaskan Native.** A person having origins in any of the original peoples of North America, and who maintains a cultural identification through tribal affiliation or community recognition.

☐ **Asian or Pacific Islander.** A person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands. This area includes, for example, China, India, Japan, Korea, the Philippine Islands, and Samoa.

☐ **Black, not of Hispanic origin.** A person having origins in any of the black racial groups of Africa.

☐ **Hispanic.** A person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.

☐ **White, not of Hispanic origin.** A person having origins in any of the original peoples of Europe, North Africa, or the Middle East.

☐ Check here if you do not wish to provide some or all of the above information.