

AMS/FAST CHANGE REQUEST (CR) COVERSHEET

Change Request Number: 22-31

Date Received: October 19, 2021

Title: AMS Clauses and Prescriptions - Change 109

Initiator Name: Tim Eckert

Initiator Organization Name / Routing Code: Procurement Policy Branch, AAP-110

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Policy and Guidance: (check all that apply)

- | | |
|---|--|
| ☐ Policy | ☐ Procurement Tools and Resources |
| ☐ Guidance | ☐ Real Property Templates and Samples |
| ☐ Procurement Samples | ☒ Procurement Clauses |
| ☐ Procurement Templates | ☐ Real Property Clauses |
| ☐ Procurement Forms | ☐ Other Tools and Resources |
| ☐ Procurement Checklists | |

Summary of Change:

Revised Clauses and Clause Alternates:

3.2.2.3-25 Price Reduction for Defective Certified Cost or Pricing Data (January 2022)
3.2.2.3-27 Subcontractor Certified Cost or Pricing Data (January 2022)
3.2.2.3-38 Requirements for Certified Cost or Pricing Data or Data Other Than Certified Cost or Pricing Data (January 2022)
3.2.2.3-38 Alternate I Requirements for Certified Cost or Pricing Data or Data Other Than Certified Cost or Pricing Data (January 2022)
3.2.2.3-38 Alternate II Requirements for Certified Cost or Pricing Data or Data Other Than Certified Cost or Pricing Data (January 2022)
3.2.2.3-39 Requirements for Certified Cost or Pricing Data or Data Other Than Certified Cost or Pricing Data - Modifications (January 2022)
3.2.3-1 Cost Accounting Standards Notices and Certification (January 2022)
3.2.5-7 Disclosure Regarding Payments to Influence Certain Federal Transactions (January 2022)
3.6.1-8 Notification of Competition Limited to Eligible 8(a) Certified SDB Concerns (January 2022)

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3.6.4-2 Buy American Act - Supplies (January 2022)
3.6.4-3 Buy American Act - Construction Materials (January 2022)
3.6.4-5 Buy American - Steel and Manufactured Products (January 2022)
3.14-5 Sensitive Unclassified Information (SUI) (January 2022)

New Clauses:

3.2.2.3-26 Price Reduction for Defective Certified Cost or Pricing Data – Modifications (January 2022)
3.2.2.3-28 Subcontractor Certified Cost or Pricing Data – Modifications (January 2022)

Reason for Change:

1. The following clauses were revised to move requirements for contract modifications to two new clauses and to clarify requirements:

3.2.2.3-25 Price Reduction for Defective Certified Cost or Pricing Data (January 2022)
3.2.2.3-27 Subcontractor Certified Cost or Pricing Data (January 2022)

2. The following clauses were added (to clause numbers currently marked as reserved) for certified cost or pricing data modification requirements:

3.2.2.3-26 Price Reduction for Defective Certified Cost or Pricing Data – Modifications (January 2022)
3.2.2.3-28 Subcontractor Certified Cost or Pricing Data – Modifications (January 2022)

3. The following clauses and clause alternates were revised to clarify requirements and exceptions:

3.2.2.3-38 Requirements for Certified Cost or Pricing Data or Data Other Than Certified Cost or Pricing Data (January 2022)
3.2.2.3-38 Alternate I Requirements for Certified Cost or Pricing Data or Data Other Than Certified Cost or Pricing Data (January 2022)
3.2.2.3-38 Alternate II Requirements for Certified Cost or Pricing Data or Data Other Than Certified Cost or Pricing Data (January 2022)
3.2.2.3-39 Requirements for Certified Cost or Pricing Data or Data Other Than Certified Cost or Pricing Data - Modifications (January 2022)

4. The following clause prescription is updated to match AMS Guidance:

3.2.3-1 Cost Accounting Standards Notices and Certification (January 2022)

5. The following clause is revised to more clearly convey the distinction between the use of appropriated versus non-appropriated funds for lobbying purposes based on 31 U.S.C. 1352:

3.2.5-7 Disclosure Regarding Payments to Influence Certain Federal Transactions (January 2022)

6. The following clause was revised to make an editorial change:

3.6.1-8 Notification of Competition Limited to Eligible 8(a) Certified SDB Concerns (January 2022)

7. The following clauses were revised based on AMS Interim Guidance on Waiver Approval Requirements for Buy American Act and FAA Buy American Preference - Non-Availability Determinations dated November 2, 2021:

3.6.4-2 Buy American Act - Supplies (January 2022)

3.6.4-3 Buy American Act - Construction Materials (January 2022)

3.6.4-5 Buy American - Steel and Manufactured Products (January 2022)

8. The following clause was revised to remove a reference to "Document Security Notice and SUI Request Forms" consistent with earlier clause and Guidance changes consistent with updating FedBizOpps references to SAM.gov:

3.14-5 Sensitive Unclassified Information (SUI) (January 2022)

Development, Review, and Concurrence: AAQ/AAP-500/AGC-500/AAP-100

Target Audience: Program Office and contracting personnel.

Briefing Planned: No.

ASAG Responsibilities: None.

Section / Text Location: Applications - Contracts Clauses

The redline version must be a comparison with the current published FAST version.

☒ I confirm I used the latest published version to create this change / redline

or

☐ This is new content

Links: <https://fast.faa.gov/contractclauses.cfm>

Attachments: Attached.

Other Files: N/A.