ACTION Required:

- Upon review of the following changes, a HCaTS prime contractors' authorized negotiator must complete this form to respond to this modification. If you can not click on the link, please copy-paste the following address in your browser: https://docs.google.com/forms/d/e/1FAIpQLSehmys8fw4wNIOXz41NSpPwJrCDMBAVbUfgLjnVfEhdObnMiw/viewform

- Upon receiving all HCaTS prime contractors' responses a fully executed copy of the HCaTS contracts and signed SF30(s) will be issued.

Summary of Changes

SECTION B:

B.1.1 OFFICE OF PERSONNEL MANAGEMENT (OPM)

[This subsection is being removed]

OPM provides human resources, leadership, and support to Federal agencies and the Federal workforce as they serve the American people. OPM has four primary areas of focus: policy and oversight, healthcare and insurance, retirement services, and services for agencies.

The Government Performance and Results (GPRA) Modernization Act of 2010 (GPRAMA), in part, mandates that the Office of Management and Budget (OMB) collaborate with agencies to develop a Federal Government Performance Plan for each agency. As part of this mandate, agencies are required to integrate human capital strategies into their agency strategic plans in order to assure full alignment of talent with agency mission and strategy. GPRAMA requires that an agency's performance plan include a description of how performance goals are to be achieved, including operation processes, training, skills and technology, and the human, capital, information, and other resources and strategies required to meet those performance goals.

OPM's Human Resources Solutions (HRS) enterprise is a reimbursable entity for which OPM receives no funding from Congress. HRS provides human resources products and services that assist the Federal government in implementing their performance goals. These products and services thus function to develop leaders, attract and build a high-quality public-sector workforce, and transform agencies into high performing organizations.

B.1.3 MEMORANDUM OF UNDERSTANDING (MOU)

[This subsection is being removed]

On April 28th, 2014, GSA and OPM signed a Memorandum of Understanding (MOU) forming a partnership to address the need of providing the Federal government with human resource training and development and human capital management services more efficiently and effectively using Industry best practices.

Under this agreement, GSA's acquisition capabilities, tools and strategic sourcing experience are merged with OPM's expertise in human resources, human capital, and training and development to form a more powerful Government solution. This partnership acknowledges the changing Federal landscape. It recognizes GSA's and OPM's strategic goals, the current budgetary realities across Federal government and the need to better support the mission of the Federal agencies that GSA and OPM serve. The scope of services under HCaTS 8(a) is defined in Section C.

B.1.4 AUTHORITY

FROM:

The Administrator of GSA is specifically authorized to purchase supplies and nonpersonal services on behalf of other agencies under 40 U.S.C. 501. The Director of OPM is specifically authorized to perform training and personnel management services on behalf of other agencies under 5 U.S.C. 1304.

TO:

The Administrator of GSA is specifically authorized to purchase supplies and nonpersonal services on behalf of other agencies under 40 U.S.C. 501.

B.1.8 CONTRACT ACCESS FEE (CAF)

FROM:

GSA's and OPM operating costs associated with the management and administration of HCaTS are recovered through a Contract Access Fee (CAF). The CAF is a percentage of the total task order amount invoiced and the CAF percentage is set at the discretion of the HCaTS PMO. The HCaTS PMO maintains the unilateral right to change the percentage at any time. See Section G.3.1 for more details regarding the CAF.

TO:

GSA's operating costs associated with the management and administration of HCaTS are recovered through a Contract Access Fee (CAF). The CAF is a percentage of the total task order amount invoiced and the CAF percentage is set at the discretion of the HCaTS PMO. The HCaTS PMO maintains the unilateral right to change the percentage at any time. See Section G.3.1 for more details regarding the CAF.

SECTION C:

C.1 SCOPE

FROM:

The Office of Personnel Management (OPM) and the General Services Administration (GSA) formed a new partnership to jointly award and administer a new strategically sourced contract vehicle providing customized training and development services, customized human capital strategy services, and customized organizational performance improvement services to all Federal agencies. The goals of this partnership are grounded in law, in OPM's mission, and in Government-wide principles of human capital management. OPM will continue to offer high quality products while taking advantage of GSA's ability to provide government-wide cost savings and efficiencies through its federal strategic sourcing expertise.

Through this partnership, GSA will be principally responsible for contract administration, while OPM will be responsible for policy oversight and customer assistance. Together, through delegated procurement authority, both Federal agencies provide optional assisted acquisition services for HCaTS customers.

Human Capital and Training Solutions (HCaTS), through delegated procurement authority and OPM assisted acquisition services, will provide Federal agencies with both direct access and assisted acquisition access to customized training and development services, customized human capital strategy services, and customized organizational performance improvement services.

TO:

Human Capital and Training Solutions (HCaTS), through delegated procurement authority and assisted acquisition services, will provide Federal agencies with both direct access and assisted acquisition access to customized training and development services, customized human capital strategy services, and customized organizational performance improvement services.

C.1.1 KEY SERVICE AREAS (KSA)

FROM:

OPM's experience is that customers have requirements that require solutions drawing from many different disciplines of study and areas of expertise. As a result, HCaTS consists of three KSAs:
Customized Training and Development Services, 2) Customized Human Capital Strategy Services, and 3) Customized Organizational Performance Improvement.

TO:

HCaTS consists of three KSAs: 1) Customized Training and Development Services, 2) Customized Human Capital Strategy Services, and 3) Customized Organizational Performance Improvement.

SECTION G:

G.3.9 FSRS REPORTS

FROM:

Subject to FAR 52.204-10, Contractors are required to file a Federal Funding Accountability and Transparency Act (FFATA) Sub-award Report by the end of the month following the month in which the Prime Contractor awards any subcontract with a value of $25,000 or more, into the FFATA Sub-award Reporting System (FSRS). This report applies for each HCaTS 8(a) contract.

TO:

Subject to FAR 52.204-10, Contractors are required to file a Federal Funding Accountability and Transparency Act (FFATA) Sub-award Report by the end of the month following the month in which the Prime Contractor awards any subcontract with a value of $30,000 or more, into the FFATA Sub-award Reporting System (FSRS). This report applies for each HCaTS 8(a) contract.

SECTION H:

H.24.1 ON-RAMPING - Changing Vehicle/Pool

[This subsection is being added]

The Government may allow the existing HCaTS contractors to change their pool within the HCaTS program in two instances:

A. At any time prior to the HCaTS completion date, if the contractor's business size changes and one of the following situations applies:

- HCaTS SB Pool 1 contractors whose size changed from Small Business (SB) to Other than Small Business (OTSB) based on the size standard for NAICS Code 611430 to continue performance under HCaTS SB Pool 2, HCaTS U Pool 1, or HCaTS U Pool 2.
- HCaTS SB Pool 2 contractors whose size changed from SB to OTSB under NAICS 541612 to continue performance under HCaTS U Pool 1 or HCaTS U Pool 2.
- HCaTS SB Pool 2 contractors whose size changed from OTSB to SB under NAICS 611430 to continue performance under HCaTS SB Pool 1.

- HCaTS U Pool 1 contractors whose size changed from OTSB to SB under NAICS 611430 or 541612 to continue performance under HCaTS SB Pool 1 or HCaTS SB Pool 2 or HCaTS U Pool 2.
- HCaTS U Pool 1 contractors whose size changed from SB to OTSB under NAICS 611430 or 541612 to continue performance under HCaTS SB Pool 2 or HCaTS U Pool 2.
- HCaTS U Pool 2 contractors whose size changed from OTSB to SB under NAICS 541612 or 611430 to continue performance under HCaTS SB Pool 1 or HCaTS SB Pool 2 or HCaTS U Pool 2.
- HCaTS U Pool 2 contractors whose size changed from SB to OTSB under NAICS 541612 or 611430 to continue performance under HCaTS SB Pool 1 or HCaTS SB Pool 2 or HCaTS U Pool 1.

B. At the time of option period, the Government may allow the existing HCaTS contractors to change their Pool within the HCaTS program based on their business interest.

The Government reserves the right to deny any request to change pool if a contractor does not meet the following criteria:

- The contractor must be considered a small business under NAICS 611430 if the destination pool is HCaTS SB Pool 1 and must be considered a small business under NAICS 541612 if the destination pool is HCaTS SB Pool 2.
- The contractor must submit documents to substantiate the change of business size (for Option A), or the business justification (for Option B).
- The contractor must be determined financially responsible under the destination vehicle/pool.
- When moving from a small business to an unrestricted vehicle, the contractor must submit a subcontracting plan in accordance with HCaTS unrestricted contracts section G.3.3.
- When moving from small business to unrestricted vehicle or vice versa, the contractor must submit a price list for all HCaTS Labor Categories within the approved range of the destination vehicle/pool.
- Each of the HCaTS Contractors may not hold more than one contract under a pool within their corporate structure.

The Government reserves the right to deny any request to onramp if a contractor does not meet the above criteria. The Government reserves the right to deny any request to onramp if a contractor does not meet the above criteria. Additionally, the Government reserves the right to deny any on-ramping request if the number of contracts in the origin or destination pool fluctuates by 10 as a result of on-ramping under this section (section H.24.1).

SECTION I:

I.2.1 FAR 52.252-2 CLAUSES INCORPORATED BY REFERENCE

[The following provisions/clauses are being updated]

FAR	TITLE	DATE
52.202-1	Definitions	JUN 2020
52.203-6	Restrictions on Subcontractor Sales to the Government	JUN 2020
52.203-12	Limitation on Payments to Influence Certain Federal Transactions	JUN 2020
52.203-13	Contractor Code of Business Ethics and Conduct	JUN 2020
52.203-14	Display of Hotline Poster(s)	JUN 2020
52.203-16	Preventing Personal Conflicts of Interest	JUN 2020
52.203-17	Contractor Employee Whistleblower Rights and Requirement To Inform Employees of Whistleblower Rights	JUN 2020
52.204-2	Security Requirements	MAR 2021
52.204-10	Reporting Executive Compensation and First-Tier Subcontract Awards	JUN 2020
52.204-13	System for Award Management Maintenance	OCT 2018
52.209-6	Protecting the Government's Interest When Subcontracting with Contractors Debarred,	JUN 2020

	Suspended, or Proposed for Debarment	
52.210-1	Market Research	JUN 2020
52.215-14	Integrity of Unit Prices	JUN 2020
52.215-21	Requirements for Certified Cost or Pricing Data and Data Other Than Certified Cost or Pricing Data—Modifications	JUN 2020
52.219-6	Notice of Total Small Business Set-Aside	NOV 2020
52.219-8	Utilization of Small Business Concerns	OCT 2018
52.219-9	Small Business Subcontracting Plan	JUN 2020
52.219-9	Small Business Subcontracting Plan (Alternate II)	NOV 2016
52.219-28	Post-Award Small Business Program Re-representation	NOV 2020
52.222-35	Equal Opportunity for Veterans	JUN 2020
52.222-36	Equal Opportunity for Workers with Disabilities	JUN 2020
52.222-37	Employment Reports on Veterans	JUN 2020
52.222-50	Combating Trafficking in Persons	OCT 2020
52.223-18	Encouraging Contractor Policies to Ban Text Messaging While Driving	JUN 2020
52.225-13	Restrictions on Certain Foreign Purchases	FEB 2021
52.227-2	Notice and Assistance Regarding Patent and Copyright Infringement	JUN 2020
52.227-3	Patent Indemnity	JUN 2020
52.232-33	Payment by Electronic Funds Transfer-System for Award Management	OCT 2018
52.244-6	Subcontracts for Commercial Items	NOV 2020

I.2.3 FAR AND GSAR CLAUSES IN FULL TEXT

[The following provisions/clauses are being updated]

I.2.3.6 52.219-13 NOTICE OF SET-ASIDE OF ORDERS (MAR 2020).

END OF SUMMARY OF CHANGES