

BONNEVILLE PURCHASING INSTRUCTIONS TRANSMITTAL SHEET AND INSTRUCTIONS

TRANSMITTAL 20-1

Date: February 1, 2020

Issued by Purchasing/Property Governance – CGP-7

Nicholas M. Jenkins
Head of the Contracting Activity

SUBJECT: BPI UPDATE – Revisions and Updates to Several Parts

This BPI update adds Part 30 Non Procurement Obligations and Use of Form. In addition this update provides clarifications throughout the policy. Obsolete information is deleted or updated, and minor administrative corrections are made. The substantive changes are identified in the table below.

All changes in this update are effective February 1, 2020, with the understanding that it will take NLT 60 days to operationalize the changes. Compliance with changes contained in this update are mandatory NLT April 1, 2020.

An online copy of the Bonneville Purchasing Instructions (BPI) is available at <http://www.bpa.gov/Doing%20Business/purchase/Pages/default.aspx>. The online BPI is a conformed copy with all changes included as of the current date and is effective until superseded.

SUMMARY OF CHANGES:

Topic	Reference	Change	Clauses
Ratifications of Unauthorized Commitments	Part 1	<ul style="list-style-type: none"> Updated Ratification of Unauthorized Commitments 1.9; added requirement to track unauthorized commitments. Added disciplinary actions for employees who commit unauthorized commitments. 	N/A
Thresholds		<ul style="list-style-type: none"> Office of General Counsel reviews ratification packages (minimum threshold) \$50,000.00 and above or those where Public Law has potentially been violated labor laws, fraud, etc. 	
PO None		<ul style="list-style-type: none"> Removed PO None as a viable procurement tool 	

Definitions	Part 2	<p>Incorporated new definitions for the following terms:</p> <ul style="list-style-type: none"> • Federal Supply Schedule • Free on Board (FOB) • Incoterms • Micro Purchase Threshold (\$25,000) • Schedule of Items <p>Updated definitions:</p> <ul style="list-style-type: none"> • Personal Property • Signature or Signed 	N/A
<p>Administrative Matters Provisions and Clause Numbering</p> <p>Prohibition Clauses and/or Provisions</p>	Part 4	<ul style="list-style-type: none"> • Titles of clauses shall not be modified • Deleted, use of Operational Clauses • Addition, Standardized Forms • Addition of clauses and provisions 	<p><u>Added clauses and provisions:</u></p> <p>Clause 4-2 Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky Lab and Other Covered Entities</p> <p>Provision 4-3 Representation Regarding Certain Telecommunications and Video Surveillance Services or Equipment</p> <p>Clause 4-4 Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment</p>
Integrated Product Teams (IPT)	Part 6	<ul style="list-style-type: none"> • Added new language that implements an IPT process for certain requirements 	N/A
<p>Leasing of Equipment</p> <p>Request for Quotes</p> <p>Evaluation Factors</p> <p>Amendments to solicitations</p>	Part 11	<ul style="list-style-type: none"> • Added Policy for leasing equipment. • Replaced Oral Request for Offerors to Request for Quotes. • Clarified LPTA evaluation factors scoring. • Amendments to solicitations use form 4220.51. 	<p><u>Added clauses:</u></p> <p>Clause 11-14 Equipment Lease Payments, for equipment leased</p> <p>Clause 11-15 Condition of Leased Equipment for equipment leased</p>
Analysis of Past Performance	Part 12	<ul style="list-style-type: none"> • Updated Past Performance website to CPARS. 	N/A
Delegation Notice to Contractors	Part 14	<ul style="list-style-type: none"> • Re-emphasized contractors should be notified in writing when a CO or COR 	<u>Added clauses:</u>

<p>Factory Representative Services Clause</p> <p>Emergency Contingency Clause</p>		<p>delegation has been changed throughout the life of a contract.</p> <ul style="list-style-type: none"> • Replaced Clause 14-20 to 14-23 for e-commerce marketplace ordering. • Added clause to address factory representative services. • Added clause to address emergency contingency notice. 	<p>Clause 14-23 E-Commerce Marketplace Ordering</p> <p>Clause 14-24 Inconsistency Between English Version and Translation in solicitations and contracts if anticipating translation into another language.</p> <p>Clause 14-25 Factory Representative Services, in all solicitations and contracts that may require installation assistance of high voltage electrical equipment.</p> <p>Clause 14-26 Emergency Contingency Notice, in all solicitation and contracts/agreements when a contractor may be required to redirect resources due to an emergency.</p>
Safeguarding Information and Data	Part 15	<ul style="list-style-type: none"> • Updated policy, procedure and clause requirement. 	<p>Updated clause: Clause 15-17, Information Assurance</p>
Tribal Employment Rights Ordinance	Part 22	<ul style="list-style-type: none"> • Added policy, procedure and clause. 	<p>Added clause: clause 22-14, Taxes Indefinite Delivery Contracts</p>
Micro-Purchase Program	Part 26	<ul style="list-style-type: none"> • Clarification provided updating terms and acronyms. 	N/A
Emergency Purchases	Part 27	<ul style="list-style-type: none"> • Added policy, procedures and appendix for contingency contracting officers and contingency warrants. 	N/A
Federal Supply Schedule	Part 29	<ul style="list-style-type: none"> • Clarified use of the Federal Supply Schedule. 	N/A
Non Procurement Obligations and Use of Form	Part 30	<ul style="list-style-type: none"> • Added Part 30 to account for non-procurement transactions. 	N/A
Provisions and Clauses	Part 35	<ul style="list-style-type: none"> • Technical amendments and reference updates were 	<p>Revised Clauses & Provisions: Clause 3-9</p>

		<p>made to provisions and clauses.</p>	<p>Provision 7-1 Clause 7-18 Clause 7-19 Clause 7-20 Clause 7-22 Clause 7-35 Clause 7-37 Clause 7-39 Clause 7-40 Clause 9-7 Clause 9-46 Clause 11-5 Provision 11-6 Clause 14-3 Clause 15-3 Clause 16-1 Clause 16-2 Clause 16-8 Clause 22-8 Clause 22-9 Clause 22-20 Clause 24-4 Clause 24-11 Clause 24-12 Clause 24-25 Provision 24-32 Clause 24-36 Clause 24-40 Clause 28-1.1 Clause 28-1.2 Clause 28-1.3 Clause 28-1.4 Clause 28-1.5 Clause 28-1.6 Clause 28-4.1 Clause 28-4.2 Clause 28-5.2 Clause 28-15 Clause 28-20.1 Clause 28-20.2 Clause 28-21</p> <p><u>New Clauses & Provisions:</u> Clause 4-2 Provision 4-3 Clause 4-4 Clause 10-32 Clause 11-14 Clause 11-15 Clause 14-24 Clause 14-25 Clause 22-24 Clause 24-42 Clause 28-15.1</p>
--	--	--	--

			Replaced Clause: Clause 14-20 with 14-23
Various	All	Technical amendments, organizational names, references to Bonneville policies have been updated throughout the document. These changes have no significant effect to policy.	

Details of Substantive Changes and Instructions of use:

Contracting officers should abide by all changes issued under this update. All solicitations and contracts issued after the effective date of this transmittal shall comply with the requirements of this update unless otherwise directed below.

- (1) Ratifications. Updated policy and procedures have been incorporated to assist contracting officers in processing ratifications.
- (2) Administrative Matters. The contracting officer is no longer authorized to facilitate Operational Clauses. The contracting officer is now required to facilitate standardized contract forms. Prohibitions have been incorporated into this Part.
 - a. Prohibition on contracting for hardware, software and services developed or provided by Kaspersky Lab.
 - b. Prohibition on contracting for certain telecommunications and video surveillance services or equipment.
- (3) Definitions. Definitions were added and updated for clarity and use.
- (4) Leasing of Equipment. New policy and clauses have been incorporated to address leasing of equipment.
- (5) Contract Administration. General administrative updates throughout this Part. Re-emphasized previous policy, contract delegations require written notification to contractors throughout the contract. Introduced new policy and clauses for Factory Representative Services and Emergency Contingency Notices.
- (6) Safeguarding Information and Data. Updated policy, procedure and clause for Safeguarding Bonneville's information and data.
- (7) Tribal Employment Rights Ordinance (TERO). Added policy, procedure and clause for TERO matters.
- (8) Micro-Purchase Program. The Micro Purchase Threshold changed from \$10,000 to \$25,000. Clarification provided throughout Part updating terms and acronyms.
- (9) Emergency Purchases. Added policy, procedures and appendix for contingency contracting officers and contingency warrants.
- (10) Federal Supply Schedule. Clarified use of the Federal Supply Schedule and provided additional guidance.
- (11) Non Procurement Obligations. Added Part 30 Non Procurement Obligations and transactions. The non-procurement Obligation process is supplemental to the contracting process. It is only used when contracts, the use of a purchase card, or the ATP process are not practical and will not result in receipt of a product or end item and will not be a recurring service
- (12) Contract Clause additions, updates and deletions. Clauses and provisions have been updated to reflect new policy requirements. **All new solicitations and subsequent contracts shall comply within 60 days from the issue date of this transmittal.**