

BONNEVILLE PURCHASING INSTRUCTIONS TRANSMITTAL SHEET AND FILING INSTRUCTIONS

TRANSMITTAL 08-2

November 3, 2008

Issued by Purchasing/Property Governance – DGP-7

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SUBJECT: BPI UPDATE 08-2

SUMMARY OF CHANGES

This BPI Update incorporates all content from Temporary Instruction 08-1 and revises or adds new content to certain Parts and Appendices of the BPI.

If not already prescribed by earlier Temporary Instructions, all revised or new content in this update is effective immediately.

For consistency, the numbering system for Transmittals and future Temporary Instructions now uses the calendar year and issuance number rather than fiscal year and issuance number.

DETAIL OF CHANGES TO EACH PART

TABLE OF CONTENTS

Table of Contents is revised to reflect the cancellation of Temporary Instruction 08-1 due to its incorporation in this Update.

Part 1 BONNEVILLE PURCHASING INSTRUCTIONS SYSTEM

- Entire Part is repaginated and republished.
 - This Part is revised to indicate citation changes to the BPAM throughout and to reference BPI 2.3 regarding field purchase authority.
- 1.50 Clause 1-1, Applicable Regulations, is updated from “GK” to “DGP”

Part 2 CONTRACTING AUTHORITY AND RESPONSIBILITIES

- Entire Part is repaginated and republished.
- Temporary Instruction 08-1 is incorporated into this Part.
- Table of Contents is updated.
- Minor, non-substantive grammatical and punctuation changes are included.

- 2.3 The Section is replaced to reflect the policy on field purchase authority having been removed from the BPAM and embedded within the BPI.

Part 3 STANDARDS OF CONDUCT AND BUSINESS PRACTICES

- Entire Part is repaginated and republished.
- 3.50 Clause 3-8, Contractor Compliance with BPA Policies, is revised to reflect a new citation to BPAM 1086 regarding Firearms and other weapons.

Part 6 PLANNING, STRATEGY, AND REQUISITIONING

- Minor, non-substantive formatting and grammatical changes are included.
- 6.8.2 This section replaces the name “Cyber Security Protection Plan” with “Program Cyber Security Plan.”

Part 9 CONTRACTING WITH FOREIGN BUSINESSES

- Entire Part is repaginated and republished.
 - Temporary Instruction 08-1 is incorporated into this Part.
 - Table of Contents is updated.
 - Minor formatting changes are included.
 - The U.S. Trade Representative issued a notice terminating Sanctions imposed on certain Member States of the European Union (71 Fed. Reg. 10093). Therefore, Section 9.4 and all references to such Sanctions are removed throughout Part 9.
- 9.1.1 This Section is revised to make the Buy American Act inapplicable as to commercial information technology products.
- 9.1.6 This Section is revised to exclude the requirement to insert Clauses 9-1 and 9-3 in solicitations and contracts for commercial information technology products.
- 9.50 Clause 9-2, Waiver of Buy American Act for Civil Aircraft and Related Articles, is revised to update the list of countries and instrumentalities that are party to the Agreement on Trade in Civil Aircraft.

Part 10 LABOR LAWS

- Entire Part is repaginated and republished.
 - Minor, non-substantive formatting, grammatical, and punctuation changes are included.
 - Acronym for Tribal Employment Rights Ordinance (TERO) is used throughout.
- 10.1 Sub-section (f), “natural” is replaced by “national”.
- 10.3.2 Sub-section (b)(8) “and” is replaced by “or”.
- 10.5.3 “Contracts” is added to sub-section (b)

Part 11 SOLICITATION POLICIES

- Temporary Instruction 08-1 is incorporated into this Part.
- Minor, non-substantive formatting, grammatical, and punctuation changes are included.

- 11.1.5 The Section is updated to change the acronym “JWOD” to the name “AbilityOne” and to make the Section more clear and concise.
- 11.2 This Section is updated to clarify when program office personnel may order utility services and to provide consistency in terminology.
- 11.4.3 This Section is revised to rescind the requirement to obtain Non-Disclosure Agreements (NDAs) and to update the policy on Agency Critical Program Information (formerly “Agency Critical and Sensitive Information”).
- 11.7.1.1 This section is revised to reference “AbilityOne,” remove the reference to handicapped workshops and re-number the paragraphs as a result.
- 11.7.1.2 (3) The acronyms are removed.

Part 12 SOURCE SELECTION AND AWARD

- Temporary Instruction 08-1 is incorporated into this Part.
- 12.2.3 The routing for unsolicited proposals is changed to Supply Chain Services - NSS.

Part 13 COST PRINCIPLES AND AUDIT CONSIDERATIONS

- Temporary Instruction 08-1 is incorporated into this Part.
 - Entire Part is repaginated and republished.
 - Table of Contents is updated.
 - All references to OMB Circulars A-21, A-87, and A-122 are updated to include citations to the Code of Federal Regulations.
- 13.4 The \$300,000 limits are increased to \$500,000 per the June 2003 amendments to OMB Circular A-133. “General Accounting Office” is replaced by “Government Accountability Office”.

Part 14 GENERAL CONTRACT ADMINISTRATION POLICIES

- Temporary Instruction 08-1 is incorporated into this Part.
 - Entire Part is repaginated and republished.
 - Table of Contents is updated.
 - Minor, non-substantive formatting and punctuation changes are included.
- 14.5.2 “Agency Critical and Sensitive Information” is replaced with “Agency Critical Program Information.”
- 14.14 The date is removed from the DOE Order citation.
- 14.15 The entire Section is replaced with a revised policy on U.S. Flag Vessels (USFV) as decided by the HCA through the Policy Change Board process. The revised policy exempts commercial products from the USFV requirement and allows COs to waive the USFV requirement where Critical Acquisition or Long Lead Time Equipment is involved.
- 14.17.2 All references to OMB Circulars A-21, A-87, and A-122 are updated to include citations to the Code of Federal Regulations. In addition, the term “federally-recognized Indian tribal governments” is used throughout for consistency.
- 15.50 Clause 14-16, Requirement for U.S. Flag Vessels, is changed to reflect current policy in Section 14.15. This revised clause should be included in

all new solicitations and contracts according to the clause prescription, either immediately or at the next scheduled modification, as the CO deems appropriate.

Part 15 ENVIRONMENT AND SAFETY

15.50 Clause 15-2 Safety and Health. Table 1 revises the MADs and the note following the table. COs shall insert the revised Clause 15-2 in all new solicitation and contracts, and replace the current clause in all existing contracts at the time of next modification, or sooner as the CO deems necessary to ensure compliance.

Part 21 PROTESTS AND DISPUTES

- Temporary Instruction 08-1 is incorporated into this Part.
 - Entire Part is repaginated and republished.
 - Minor, non-substantive formatting and punctuation changes are included.
- 21.2.1 Citations are updated for clarity and consistency.
21.3.9 Spelling is corrected throughout the Section.

Part 22 PAYMENT AND TAXES

- Temporary Instruction 08-1 is incorporated into this Part.
- Clause 22-12, Payment, sub-section (b)(2), “requisite” is changed to “required” for consistency.
Clause 22-19, Indirect Cost rates with Carry-Forward, the citation is updated for consistency.

Part 25 INTERGOVERNMENTAL CONTRACTS

- Temporary Instruction 08-1 is incorporated into this Part.
 - Entire Part is repaginated and republished.
 - Minor, non-substantive formatting and punctuation changes are included.
 - The term “federally-recognized Indian tribal governments” is used throughout for consistency.
- 25.2.1 The dollar figure in (9) is raised from \$300,000 to \$500,000
25.4 The citation referencing OMB Circulars is updated to reference the Code of Federal Regulations.
Clause 25-2, Payment in Arrears, the OMB Circular citation is changed to the Code of Federal Regulations.
Clause 25-3, Advance Payments and Financial Reports, the OMB Circular citation is changed to the Code of Federal Regulations.
Clause 25-5, Audit – Intergovernmental Contracts, the routing code is updated from “GN” to “DN”.

INDEX

- Entire Index is repaginated and republished.
- The Index is revised to insert new and delete obsolete terms.

- Minor, non-substantive formatting, grammatical, and punctuation changes are included.

Appendix 2-A CERTIFICATION AND APPOINTMENT AS A BONNEVILLE POWER ADMINISTRATION CONTRACTING OFFICER

- Temporary Instruction 08-1 is incorporated into this Part.
 - Entire Part is repaginated and republished.
 - Table of Contents is updated.
 - Minor, non-substantive formatting and punctuation changes are included.
- 1.1 Sub-Section (e), the citations are removed to reflect their elimination from the BPAM.
 - 1.3 The citation to Field Purchase authority is changed to reflect the policy's move from the BPAM to the BPI.
 - 1.5, Position Descriptions, is re-numbered as 1.6 to eliminate duplication.
 - 1.6, Annual Conflict of Interest Certification is therefore also re-numbered as 1.7.
 - 2.3.3.2 The entire Section is replaced with a revised policy on Equivalencies as decided by the HCA through the Policy Change Board process. The revised section provides a process for requesting the HCA make a determination of a nominee's equivalent experience, training, or other professional qualifications and outlines those equivalencies.
- Exhibit 2-A-1, Request for Appointment as a Contracting Officer, changes the instructions regarding use of BPA Memorandum for clarity and to remove the phrase "if the organization is other than Supply Chain Services." All instructions within the template are changed to bold, italic font for clarity.

Appendix 6-A REQUISITIONERS' GUIDE TO PREAWARD ACTIVITIES

Exhibit 6-A-1, Cognizant Contracting Officers, is revised to correct the locations listed by removing the Van Mall offices.

Appendix 12-A HOW TO SUBMIT AN UNSOLICITED PROPOSAL

Section 4, Where to Submit. The routing code is changed from "TLOS" to "NSS"

RESERVED Appendices 4-B, 12-B, and 24-A

- Temporary Instruction 08-1 is incorporated into this Part to remove these reserved appendices.

FILING INSTRUCTIONS

DELETE		INSERT	
PART	PAGE	PART	PAGE
Contents	1-3	Contents	1-3
1	1-6	1	1-6
2	1-4	2	1-5
3	1-18	3	1-18
6	5-8	6	5-8
9	1-14	9	1-13
10	1-26	10	1-25
11	3-10	11	3-10
12	3-4	12	3-4
13	1-4	13	1-4
14	1-31	14	1-32
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25	1-13	25	1-13
INDEX	1-17	INDEX	1-16
Temporary Instructions		Temporary Instructions	None in effect as of 11/3/08
Transmittal		Transmittal	File this Transmittal Letter 08-2 as the first item behind the TRANSMITTAL INSTRUCTIONS tab.
Appendix 2-A	2-14	Appendix 2-A	2-14
Appendix 6-A	4-5	Appendix 6-A	4-5
Appendix 12-A	2-3	Appendix 12-A	2-3