

Subpart 52.2- Text of Provisions and Clauses

~~52.201-1 Acquisition 360: Voluntary Survey.~~

~~As prescribed in 1.102-3(b), insert the following provision:~~

~~Acquisition 360: Voluntary Survey (SEP 2023)~~

~~(a) All actual and potential offerors are encouraged to provide feedback on the preaward and debriefing processes, as applicable. Feedback may be provided to agencies up to 45 days after award. The feedback is anonymous, unless the participant self-identifies in the survey. Actual and potential offerors can participate in the survey by selecting the following link: <https://www.acquisition.gov/360>.~~

~~(b) The Contracting Officer will not review the information provided until after contract award and will not consider it in the award decision. The survey is voluntary and does not convey any protections, rights, or grounds for protest. It creates a way for actual and potential offerors to provide the Government constructive feedback about the preaward and debriefing processes, as applicable, used for a specific acquisition.~~

~~(End of provision)~~

52.234-1 Industrial Resources Developed Under Title III, Defense Production Act.

As prescribed at 34.104, insert the following clause:

Industrial Resources Developed Under Title III, Defense Production Act (SEP 2016)

(a) Definitions.

Title III industrial resource means materials, services, processes, or manufacturing equipment (including the processes, technologies, and ancillary services for the use of such equipment) established or maintained under the authority of Title III, Defense Production Act (50 U.S.C. App. 2091-2093).

Title III project contractor means a contractor that has received assistance for the development or manufacture of an industrial resource under Title III of Defense Production Act (50 U.S.C. App. 2091-2093).

(b) The Contractor shall refer any request from a Title III project contractor for testing and qualification of a Title III industrial resource to the Contracting Officer.

(c) Upon the direction of the Contracting Officer, the Contractor shall test Title III industrial resources for qualification. The Contractor shall provide the test results to the Defense Production Act Office, Title III Program, located at Wright Patterson Air Force Base, Ohio 45433-7739.

(d) When the Contracting Officer modifies the contract to direct testing pursuant to this clause, the Government will provide the Title III industrial resource to be tested and will make an equitable adjustment in the contract for the costs of testing and qualification of the Title III industrial resource.

(e) The Contractor agrees to insert the substance of this clause, including paragraph (e), in every subcontract issued in performance of this contract.

(End of clause)

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**52.234-2 [Reserved] ~~Notice of Earned Value Management System-
Preaward Integrated Baseline Review.~~**

~~As prescribed in 34.203(a) use the following provision:~~

**~~Notice of Earned Value Management System-Preaward Integrated
Baseline Review (NOV 2016)~~**

~~—(a) The offeror shall provide documentation that the Cognizant Federal Agency has determined that the proposed earned value management system (EVMS) complies with the EVMS guidelines in Electronic Industries Alliance Standard 748 (EIA-748)~~

~~(current version at time of solicitation).~~

~~—(b) If the offeror proposes to use a system that has not been determined to be in compliance with the requirements of paragraph (a) of this provision, the offeror shall submit a comprehensive plan for compliance with the EVMS guidelines.~~

~~—(1) The plan shall~~

~~—(i) Describe the EVMS the offeror intends to use in performance of the contracts;~~

~~—(ii) Distinguish between the offeror's existing management system and modifications proposed to meet the guidelines;~~

~~—(iii) Describe the management system and its application in terms of the EVMS guidelines;~~

~~———— (iv) Describe the proposed procedure for administration of the guidelines, as applied to subcontractors; and~~

~~———— (v) Provide documentation describing the process and results of any third-party or self-evaluation of the system's compliance with the EVMS guidelines.~~

~~———— (2) The offeror shall provide information and assistance as required by the Contracting Officer to support review of the plan.~~

~~———— (3) The Government will review and approve the offeror's plan for an EVMS before contract award.~~

~~———— (4) The offeror's EVMS plan must provide milestones that indicate when the offeror anticipates that the EVM system will be compliant with the EIA-748 guidelines.~~

~~———— (c) Offerors shall identify the major subcontractors, or major subcontracted effort if major subcontractors have not been selected subject to the guidelines. The prime Contractor and the Government shall agree to subcontractors selected for application of the EVMS guidelines.~~

~~———— (d) The Government will conduct an Integrated Baseline Review (IBR), as designated by the agency, prior to contract award. The objective of the IBR is for the Government and the Contractor to jointly assess technical areas, such as the Contractor's planning, to ensure complete coverage of the contract requirements, logical scheduling of the work activities, adequate resources, methodologies for earned value (budgeted cost for work performed (BCWP)), and identification of inherent risks.~~

~~(End of provision)~~

**52.234-3 [Reserved] ~~Notice of Earned Value Management System-
Postaward Integrated Baseline Review.~~**

~~As prescribed in 34.203(b) use the following provision:~~

**~~Notice of Earned Value Management System-Postaward Integrated
Baseline Review (NOV 2016)~~**

~~—(a) The offeror shall provide documentation that the Cognizant Federal Agency has determined that the proposed earned value management system (EVMS) complies with the EVMS guidelines in Electronic Industries Alliance Standard 748 (EIA-748) (current version at time of solicitation).~~

~~—(b) If the offeror proposes to use a system that has not been determined to be in compliance with the requirements of paragraph (a) of this provision, the offeror shall submit a comprehensive plan for compliance with the EVMS guidelines.~~

~~——(1) The plan shall—~~

~~——(i) Describe the EVMS the offeror intends to use in performance of the contracts;~~

~~——(ii) Distinguish between the offeror's existing management system and modifications proposed to meet the guidelines;~~

~~——(iii) Describe the management system and its application in terms of the EVMS guidelines;~~

~~———— (iv) Describe the proposed procedure for administration of the guidelines, as applied to subcontractors; and~~

~~———— (v) Provide documentation describing the process and results of any third party or self-evaluation of the system's compliance with the EVMS guidelines.~~

~~———— (2) The offeror shall provide information and assistance as required by the Contracting Officer to support review of the plan.~~

~~———— (3) The Government will review and approve the offeror's plan for an EVMS before contract award.~~

~~———— (4) The offeror's EVMS plan must provide milestones that indicate when the offeror anticipates that the EVM system will be compliant with the EIA-748 guidelines.~~

~~— (c) Offerors shall identify the major subcontractors, or major subcontracted effort if major subcontractors have not been selected, planned for application of the guidelines. The prime Contractor and the Government shall agree to subcontractors selected for application of the EVMS guidelines.~~

~~(End of provision)~~

52.234-4 Earned Value Management System.

As prescribed in 34.203(c), insert the following clause:

Earned Value Management System (NOV 2016)

(a) The Contractor shall use an earned value management system (EVMS) that has been determined by the Cognizant Federal Agency (CFA) to be compliant with the guidelines in Electronic Industries Alliance Standard 748 (EIA-748) (current version at the time of award) to manage this contract. If the Contractor's current EVMS has not been determined compliant at the time of award, see paragraph (b) of this clause. The Contractor shall submit reports in accordance with the requirements of this contract.

(b) If, at the time of award, the Contractor's EVM System has not been determined by the CFA as complying with EVMS guidelines or the Contractor does not have an existing cost/schedule control system that is compliant with the guidelines in EIA-748 (current version at time of award), the Contractor shall—

(1) Apply the current system to the contract; and

(2) Take necessary actions to meet the milestones in the Contractor's EVMS plan approved by the Contracting Officer.

(c) The Government will conduct an Integrated Baseline Review (IBR). If a pre-award IBR has not been conducted, a post award IBR shall be conducted as early as practicable after contract award.

(d) The Contracting Officer may require an IBR at—

(1) Exercise of significant options; or

(2) Incorporation of major modifications.

(e) Unless a waiver is granted by the CFA, Contractor proposed EVMS changes require approval of the CFA prior to implementation.

The CFA will advise the Contractor of the acceptability of such changes within 30 calendar days after receipt of the notice of proposed changes from the Contractor. If the advance approval requirements are waived by the CFA, the Contractor shall disclose EVMS changes to the CFA at least 14 calendar days prior to the effective date of implementation.

(f) The Contractor shall provide access to all pertinent records and data requested by the Contracting Officer or an authorized representative as necessary to permit Government surveillance to ensure that the EVMS conforms, and continues to conform, with the performance criteria referenced in paragraph (a) of this clause.

(g) The Contractor shall require the subcontractors specified below to comply with the requirements of this clause: [Insert list of applicable subcontractors.]

(End of clause)

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