

**RE: UPDATED COVID Vaccine Guidance for Subcontractors and Suppliers**

**To all of Marvin Test Solutions’ Suppliers and Subcontractors**

Marvin Test Solutions is providing an update to you on the United States Government directives concerning vaccinations for employees of federal contractors and subcontractors.

The President signed an Executive Order on September 9, 2021 directing the Safer Federal Workforce Task Force to issue protocols that will be required of federal contractors and subcontractors to comply with workplace safety requirements.<sup>1</sup> The Task Force issued the vaccine requirement protocols on September 22, 2021.<sup>2</sup> The requirements will be incorporated into certain federal contracts and subcontracts on or after October 14, 2021 and requires employees of covered contractors to be fully vaccinated by December 8, 2021. Below is a link to a copy of the Federal Acquisition Regulations (FAR) and Defense Federal Acquisition Regulations Supplement (DFARS) provisions that will be added to our contracts.

As required by the Executive Order, the FAR or DFARS provision will be incorporated in subcontracts, and Marvin Test Solutions will add these mandatory flow-downs to any lower-tier subcontractors. It is your company’s responsibility to comply with these requirements without intervention from Marvin Test Solutions or the government, and to maintain reasonable documentation of your compliance with this and all other laws. Please review the guidance for further information on applicability and requirements, so that your business is prepared to comply without delay or disruption.

In order to meet the December 8th deadline, please be aware of the following dates:

Date	Milestone
10/15/21	First day the FAR clause is required in covered contracts
10/27/21	Last day for first Moderna shot in order to be fully-vaccinated by 12/8/21
11/03/21	Last day for first Pfizer shot in order to be fully-vaccinated by 12/8/21
11/24/21	Last day for J&J shot (only 1 shot required) in order to be fully-vaccinated by 12/08/21
11/24/21	Last day for second Moderna shot in order to be fully-vaccinated by 12/8/21
11/24/21	Last day for second Pfizer shot in order to be fully-vaccinated by 12/8/21
12/08/21	Covered employees fully-vaccinated

Thank you,  
 Marvin Test Solutions, Inc.

<sup>1</sup><https://www.whitehouse.gov/briefing-room/presidential-actions/2021/09/09/executive-order-on-ensuring-adequate-covid-safety-protocols-for-federal-contractors/>

<sup>2</sup> [https://www.saferfederalworkforce.gov/downloads/Draft%20contractor%20guidance%20doc\\_20210922.pdf](https://www.saferfederalworkforce.gov/downloads/Draft%20contractor%20guidance%20doc_20210922.pdf)

## **Interim Terms and Conditions Changes (2021)**

### **Effective September 2021 (published 11 Aug. 2021)**

1. USGOVA-CON (UPDATE): 52.212-1, Instructions to Offerors – Commercial Items (SEP 2021)
2. USGOVA, USGOVA-CON, USGOVB (UPDATE): 52.212-5, Contract Terms and Conditions Required to Implement Statutes or Executive Orders – Commercial Items (SEP 2021)
3. USGOVA-CON (UPDATE): 52.219-14, Limitations on Subcontracting (SEP 2021)
4. USGOVA-CON (UPDATE): 52.219-27, Notice of Service-Disabled Veteran-Owned Small Business Set-Aside (SEP 2021)
5. USGOVA-CON (UPDATE): 52.219-28, Post-Award Small Business Program Rerepresentation (SEP 2021)
6. USGOVA-CON (UPDATE): 52.219-29, Notice of Set-Aside for, or Sole Source Award to, Economically Disadvantaged Women-Owned Small Business Concerns
7. USGOVA-CON (UPDATE): 52.219-30, Notice of Set-Aside for, or Sole Source Award to, Women-Owned Small Business Concerns Eligible Under the Women-Owned Small Business Program

[Items 1-7] This Final Rule is published amending the FAR to implement revised and standardized limitations on subcontracting, including the nonmanufacturer rule, that apply to small business concerns. (Federal Register update 2021-16364)

8. USGOVA, USGOVA-CON, USGOVB (UPDATE): 52.219-9, Small Business Subcontracting Plan (SEP 2021)
9. USGOVA, USGOVA-CON, USGOVB (UPDATE): 52.219-16, Liquidated Damages – Subcontracting Plan (SEP 2021)

[Items 8-9] This Final Rule is published to amend the FAR to implement a section of the NDAA for FY 2017, which requires examples of failure to make good faith efforts to comply with a small business subcontracting plan. (Federal Register update 2021-16366)

10. USGOVA-CON (UPDATE): 52.242-3, Penalties for Unallowable Costs (SEP 2021)
11. USGOVA, USGOVA-CON, USGOVB (UPDATE): 52.245-1, Government Property (SEP 2021)

[Items 10-11] This amendment is published to make editorial changes in these clauses. (Federal Register update 2021-16367)

### **Effective 29 September 2021**

1. USGOVA (UPDATE): 252.225-7050, Disclosure of Ownership or Control by the Government of a Country that is a State Sponsor of Terrorism (SEP 2021)  
[Federal Register update 2021-20940 removes Sudan from the list of state sponsors of terrorism.]

### **Effective 15 October 2021**

1. USGOVA, USGOVA-CON, USGOVB (ADDITION): 52.223-99, ENSURING ADEQUATE COVID-19 SAFETY PROTOCOLS FOR FEDERAL CONTRACTORS (OCT 2021) (DEVIATION)
2. USGOVA, USGOVA-CON (ADDITION): 252.223-7999, ENSURING ADEQUATE COVID-19 SAFETY PROTOCOLS FOR FEDERAL CONTRACTORS (DEVIATION 2021-O0009) (OCT 2021)

[Both clauses added per Executive order 14042, dated 9 September 2021. The new clauses remain in effect until incorporated into the FAR or is otherwise rescinded.]