1. DRD Title: Organizational Conflicts of Interest (OCI) Plan		
2. DRD No.: 1	**3. Data Type:** 1	**4.OPR:** OP
5. Solicitation No.: *80GRC026R0008*	**6. Contract No.:** *TBD*	
7. Date Issued:	**8. Date Revised:**	**9. DRD Category:** **Technical** ☐ **Administrative** ☒ **S&MA** ☐

10. Description/Use: The Plan will communicate the contractor's approach to identify and resolve OCIs. The contractor will be held accountable for identifying, dispositioning, and reporting OCIs during contract performance.

11. Distribution: Distribution must be as instructed by the contracting officer.

Initial Submission: Plan must be submitted with the initial proposal.

Submission Frequency: As needed.

Format: The electronic format must be compatible with Microsoft Office.

Interrelationship: NASA Federal Acquisition Regulation (FAR) Supplement (NFS) 1852.209-71, Limitation of Future Contracting, NFS 1852.237-72, Access to Sensitive Information, NFS 1852.237-73, Release of Sensitive Information.

Applicable Documents: FAR Subpart 9.5, Organizational and Consultant Conflicts of Interest, NFS 1809.5, Organizational and Consultant Conflicts of Interest, NASA Guide on Organizational Conflicts of Interest.

Scope: The OCI Plan describes the contractor's comprehensive approach to identify, avoid, mitigate, neutralize, and report potential OCI issues, including conflicts described in the solicitation and those discovered during contract performance.

Contents: The OCI Plan must meet the requirements of FAR 9.5 and include the following:

1. Point of contact for OCI issues and reports.

2. Demonstrate an understanding of (1) OCI principles and (2) the full breadth of OCI issues and the types of harm that can result. The Plan at a minimum addresses the three primary types of OCIs (i.e., biased ground rules, unequal access to information, and impaired objectivity).

3. Define company roles, responsibilities, and procedures for (1) screening (i.e., identifying/recognizing, analyzing/evaluating, resolving, and reporting) existing and new business opportunities for actual/potential OCIs and (2) monitoring and reporting all potential/actual OCIs that arise, resolving conflicts, and reporting previously unidentified OCIs or potential OCIs to the Government.

4. Describe how employees are notified of the Plan's requirements and how this notification will be documented. Establish and require entrance training for new employees, refresher training for existing employees, and exit training for departing employees. Describe how completion of this training will be documented, including a

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copy of any training certification template that the contractor will use to document that its employees have completed training.

5. Describe how the contractor will report breaches of the protective measures in the Plan to the contracting officer. Describe what processes the contractor will implement following any breach and indicate that final resolution of the corrective action must be approved by the contracting officer.

6. Identify any affiliated companies/entities (e.g., a parent company or a wholly owned subsidiary) and procedures for coordinating OCIs with such affiliated companies/entities.

7. Address the process for reporting all potential/actual OCIs that arise during performance of the contract. An OCI report must include (1) a description of the conflict, (2) the plan for resolving the conflict, and (3) the benefits/risks to contract performance associated with plan approval/acceptance. Specific resolution strategies shall be appended to the Plan upon approval by the Government.

8. Explain how the contractor will flow down the provisions of this Plan to any subcontractor that may have a conflict with regard to performing the requirements of this contract. Discuss affected subcontractors' OCI program as it relates to this contract and specifically explain how affected subcontractors will identify, resolve, and report actual/potential OCIs associated with this contract.

9. Define organizational and employee sanctions for violations of established OCI procedures/requirements/guidelines.

10. Include an assertion from the offeror that to the best of its knowledge no OCIs exist currently, if applicable. Provide a list of all the prime's and proposed subcontractor(s)'s NASA contracts and subcontracts currently being performed and contracts performed within the last five years of the release of this solicitation, to provide the CO with a better understanding of other NASA work performed by the offeror that may give rise to an actual or potential conflict. For each prime contract and subcontract listed, the offeror must: (1) identify the contract number; (2) describe the scope of work in sufficient detail to ascertain the likelihood of a conflict with performance of this contract; and (3) discuss any conflicts that may arise from performance of the listed contracts and award of this contract.

11. The offeror must also list any non-NASA Federal contracts and subcontracts that it or its proposed subcontractors are currently performing or have performed in the five years preceding the release of the solicitation that may give rise to an OCI. For each and subcontract listed, the offeror must: (1) identify the contract by number and name; (2) identify the name, address and contact information of the customer(s); (3) describe the scope of work in sufficient detail to ascertain the likelihood of a conflict with performance of this contract; and (4) discuss any conflicts that may arise from performance of the listed contracts and award of this contract.

12. For financial or other interests or relationships beyond Federal contracts or subcontracts that may give rise to an OCI, the offeror must: (1) address the nature and extent of the interest(s) or relationship(s); (2) list any entity or entities involved in the interest(s) or relationship(s) and award of this contract.

13. The offeror must address how it will avoid, neutralize, or mitigate each potential OCI listed above. Sufficient information must be provided to allow a meaningful evaluation of the potential effect of interest on the performance of the statement of work.

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14. Include a requirement to update this plan as necessary to address specific OCIs. All updates to the plan must be approved by the contracting officer and the updates/changes must be incorporated in the contract to be effective.

15. Require periodic self-audits to ensure compliance with established OCI procedures/requirements/guidelines.

16. Define records related to the OCI plan (e.g., training and audit records) that will be made available to the Government upon request. Note: The OCI Plan as outlined in paragraphs 1 through 12 above is not for the purpose of addressing other very important contractual obligations such as (1) the contractor's obligation to protect sensitive information in accordance with NFS 1852.237-72, Access to Sensitive Information, (2) the contractor's obligation to conduct business in an ethical manner in accordance with FAR 52.203-13, contractor's Code of Business Ethics and Conduct, and (3) the contractor's obligation to prevent personal conflicts of interest in accordance with FAR 52.203-16, Preventing Personal Conflicts of Interest.

17. In an appendix to the OCI Plan identify the strategy (e.g., mitigation, limitation on future contracting) for resolving each OCI that is either identified in the solicitation or created by the requirements of the solicitation/contract and explain the effect of such strategy on performance of the contract. If using a firewall, explain how these actions will operate to successfully address the conflict without adversely affecting performance of the contract. (Note: Specific plans to limit future competition are reflected in the clause at NFS 1852.209-71, Limitation of Future Contracting.)

Remarks:

Maintenance: The contractor must review the OCI Plan on an annual basis or as directed by the contracting officer to revise the OCI Plan if necessary. Revisions are subject to contracting officer approval and must be incorporated by change page or complete reissue.

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