

Engineering Change Proposals (ECPs) for Technology Refresh and Technology Insertion

Technological changes over time in information technology (IT) products and hardware may result in the need to update the VA's CEC IT hardware commodity contract items under the applicable technical functional areas. To ensure that these changes are properly documented and managed, the Contractor shall submit a Configuration Management Plan for Government approval as a deliverable under the resulting Contract in accordance with PWS paragraph 5.1.7. As part of this Plan, the Contractor may be required, or elect, to submit Engineering Change Proposals (ECPs) for Technology Refresh with respect to replacement or updating of existing IT hardware commodity products (PWS paragraph 5.1.8) or Technology Insertion for new hardware products or technologies (PWS paragraph 5.1.9) deemed within the general scope of the Contract by the Contracting Officer (CO). ECPs, whether for Technology Refreshment or Technology Insertion, shall be submitted to the CO and Contracting Officer's Technical Representative (COTR). Approved ECPs that incorporate new or replacement IT hardware commodity products through Technology Refresh or Technology Insertion shall apply with respect to delivery orders subsequently issued under the contract. That is, the Contractor shall not be required to retrofit IT hardware commodity products previously delivered and/or installed under the contract, unless the proposed change corrects a problem or hazard with the existing installed hardware. The Government shall have the right to acquire, at any time, state of the art IT hardware commodity products as defined by the Technical Functional Areas in PWS paragraphs 6.0 through 6.6 available to the Contractor's commercial customers. Under this approach the Government seeks to ensure that it can obtain the benefits of new design enhancements and technological updates or advances to hardware products currently under contract. When requested or offered, the Contractor shall provide, within thirty (30) calendar days of receipt of request, an ECP for the applicable new or enhanced hardware technology for Technology Refresh or Technology Insertion. The Government reserves the ultimate authority to approve, or disapprove, ECPs whether they are submitted to support Technology Refresh or Technology Insertion. This approval is at the sole discretion of the CO.

In the event that the Contractor is no longer able to provide IT hardware commodity products under the Contract due to end of life, obsolescence or other reason, the Contractor may, with notification to and approval by the Government, remove the products from the contract. Upon Government approval the Contractor shall submit an ECP for Technology Refresh identifying substitute products which shall meet the applicable hardware technical functional area specification requirements. However, the product prices proposed, and incorporated into the CEC Contract are binding and thereby establish the Government's maximum liability for said product over the life of the Contract. Therefore, the price of the product(s) refreshed, including support services, shall not exceed the price proposed, and incorporated into the basic Contract, for the product being refreshed.

An ECP is a proposed engineering change and the documentation by which the change is described, justified, and submitted to the VA for approval or disapproval.

There are two (2) classifications of ECP's as defined below:

Major ECP

Major ECPs apply to:

- Products introduced by the VA or Contractor that result from the requirement for Technology Insertion.
- Products provided by the Contractor that have undergone major component, configuration, and/or system changes.
- Any introduced product or product change that may impact the ability to meet performance specifications, the connectivity and/or interoperability with current VA systems.
- Any product change that will result in a favorable reduction in price, or improved performance.

The CO may ask the Contractor to prepare a Major ECP for new technical functional area hardware items within the scope of this Contract. Upon receipt of a written request from the CO, the Contractor shall prepare and submit an ECP in accordance with the information provided below.

The Contractor may also initiate a Major ECP. Any Major ECP submitted to the CO shall include technical, price, and delivery terms that need to be negotiated prior to issuing a modification for incorporation of the change.

After submission of a Contractor-initiated Major ECP, the CO may require the Contractor to submit the following information:

- Cost or pricing data in accordance with FAR 15.403-5 if the proposed change meets the criteria for its submission under FAR 15.403-4 or current commercial or other published price list.
- Information other than cost or pricing data adequate for the CO to make a determination of price reasonableness. The CO reserves the right to request additional information if that provided by the Contractor is considered inadequate for that purpose. If the Contractor claims applicability of one of the exceptions to submission of cost or pricing data, it shall cite the exception and provide rationale for its applicability.

A Major ECP submitted to the VA for approval shall contain, at a minimum, the following information:

1. Title
2. Company Name, Name of individual submitting ECP, title and contact information.
3. Technical Functional Area Hardware Identification and applicable Contract Line Item Number (CLIN)
4. Description of Problem/Deficiency
5. Justification for Change
6. Description of Proposed Solution / Alternative (to include compliance with the specification for the affected technical functional area).
7. Supporting Information (to include evidence that proposed price equates to or is better than the price discount for the hardware product currently under contract).
8. Prepared By
9. POC Information

Minor ECP

Minor ECP's apply to:

- Any minor component, configuration, and/or system change that does not impact the ability to meet performance specifications, connectivity and/or interoperability with current VA systems.
- Model Number Changes.

The Contractor may initiate a Minor ECP. All Minor ECPs shall be submitted to the CO as a notice that a minor change has taken effect.

A Minor ECP provided to the VA shall contain, at a minimum, the following information:

1. Title
2. Company Name, Name of individual submitting ECP, title and contact information.
3. Technical Functional Area Hardware Identification
4. Description of Problem/Deficiency

5. Justification for Change
6. Description of Proposed Solution / Alternative
7. Supporting Information
8. Prepared By
9. POC Information

Upon review of any Major or Minor ECP submission, the Government shall have the right to approve any or all of the proposed changes for incorporation into the contract, including new or substitution CLINs and to unilaterally modify the contract to provide for order of new or replacement technology hardware. Likewise, the Government reserves the right to reject any proposed ECP, at no cost to the Government.