

Statement of Work
CB EQ005A – Various Audiology Equipment (Package #2)

Eastern Colorado Health Care System
Denver, CO
9/6/2017

1. PURPOSE

- 1.1. The purpose of this requirement is to deliver and install CB EQ005 - Various Audiology Equipment as part of the initial outfitting of the newly constructed VA Eastern Colorado Health Care System, Replacement Facility located at 1700 N. Wheeling Street, Aurora, CO 80045.

2. SCOPE

- 2.1. The Contractor shall deliver and install all items listed in section 2.5.
2.2. All items must meet all salient characteristics defined in section 2.5.
2.3. Installation must meet manufacturer specifications.
2.4. The Contractor shall furnish all personnel, supplies, and equipment required for delivery and installation.

2.5 ITEM SPECIFICATIONS AND SALIENT CHARACTERISTICS

2.5.1. Cabinet with Bench Grinder, Audiology (JSN D6550.1)

Quantity: 1

Basis of Design: Starkey Model StarMed Professional Fitting Station or equal

Specifications/Salient Characteristics:

Dimensions (In as much as one inch)

- Shall be made out of all steel construction with pull-out work shelf and drawer.
- Shall be a professional fitting station design to modify any style of hearing aid or earmold
- Shall be outfitted with an industrial grade diamond bit, quick change chuck, burrs, flexible bits for CIC vent modification, plus adjustable work light and magnification lens.
- The fitting station buffing wheels shall be designed to prevent damage to the hearing aid.
- Shall contain tools and modification kits necessary for the professional fitting and service of hearing instruments.
- Shall have large, heavy duty non marking casters.

Approximate Dimensions:

- 33" W x 26" D x 53" H

Power Requirements:

- 110V, 50/60 Hz, 20 Amps

Accessories/Configuration Options:

- NA

2.5.2. Analyzer, Hearing Aid (JSN D6550.2)

Quantity: 1

Basis of Design: Starkey Model AuraCare Optimization System or equal

Specifications/Salient Characteristics:

Dimensions (In as much as one inch)

- Shall provide the procedures and technology necessary to perform comprehensive examination of a hearing aid's physical and electrical conditions.
- Shall clean using ultrasonic vibrations.
- Shall assess hearing aid's performance.
- Shall extract obstructions and debris in the microphone, receiver and vent ports.
- Shall measure battery drain, transducer functionality, and the consistency of volume control taper.

Approximate Dimensions:

- 16"W x 12"D x 11"H

Power Requirement:

- 110V, 50/60 Hz (plugs into bench detailed in 2.5.1 D6550.1)

Accessories/Configuration Options:

- Configuration Vacuum Syringe Assembly
- Configuration Vacuum Dome
- Configuration Drain Probe

2.5.3. Analyzer, Hearing Aid, AudioScan (JSN M0020)**Quantity: 9****Basis of Design: Etymonic Design, Inc. Model Audioscan Verifit 2 or equal****Specifications/Salient Characteristics:****Dimensions (In as much as one inch)**

- Shall measure real-time binaural simulations (both ears) at the same time with repeatable results
- Shall have visual confirm streaming between instruments.
- Shall have a speechmap fitting environment
- Shall have real calibrated speech and counseling graph
- Shall have a simultaneous test box directional test
- Shall have Sensory Loss Simulator with 65 simulation bands for dedicated noise reduction test and frequency-lowering test stimuli
- Shall have CROS/BiCROS fitting capability
- Shall have speechmap for telecoil- match acoustic and inductive
- Shall have user-supplied sound files, FM fitting protocol
- Shall have the Noah 4 Module and remote operation
- Shall have Teletest headset for phone streaming verification, dual probes.
- Shall have a telephone magnetic field simulator and external speaker capability.
- Shall have a battery drain test
- Shall have a RECD Transducer and multiple display capability

Technical Specification:

- Weight 15lbs-15.5lbs
- Display – 12" LED
- Stereo headphone monitor amplifier – 250 mW into 16 ohms, L/R
- Power amplifiers – 2 @ 5 watts each
- Simultaneous stimulus channels – 2
- Simultaneous measurement channels – 2
- Connectivity and quantity:
 - WiFi 802.11 B/G/N
 - Ethernet (RJ45) – 1
 - USB – 5
 - HDMI – 1
 - External speakers – 2
 - Test box cable (HDMI style) – 1
 - Probe dock (mini-din) – 1
 - Probe microphone (3.5mm st) – 2
 - WRECD transducer (3.5mm st) – 1
 - Binaural monitor headphone (6.3mm st) – 1
 - Test box ref. mic. (3.5mm st) – 2
 - Binaural coupler microphone (3.5mm st)
 - Battery substitute (3.55mm st) – 1

- Power supply (4-conductor DIN) – 1
- Test Box requirements:
 - Isolation @ 1kHz less than 25dB
 - Induction coil test loop 9.2" x 6.7"
 - System analog bandwidth frequency range 10-16000 Hz
 - Display bandwidth (1/3 octave) frequency range 200-12500 Hz
 - Test stimulus levels 40 – 90 dB in 5 dB steps
 - Test stimulus levels (inductive) 31.5mA/m
 - Test stimulus distortion less than 2% at 90dB SPL and less than 0.5% at 70dB SPL
 - Test stimulus accuracy requirements: +/- 1.5dB SPL @ 200-2000 Hz; +/-2.5dB SPL @ 2000-8000 Hz; +/- 4dB SPL @ 8000-12,500 Hz
 - Analysis frequencies per octave – 12
 - Analysis filter bandwidth (noise) – 1/12 octave
 - Measurement accuracy at 1 kHz for tones = +/- 1dB
 - Measurement accuracy re 1 kHz for tones = +/- 1 dB @ 200-5000 Hz and +/- 3dB @ 5000-12500 Hz
 - Measurement range between 30 – 145dB SPL
 - Harmonic distortion range 200-4000 Hz

Approximate Dimensions:

- Display unit: 14.2"W x 16.4"H x 6.5"D
- Test Box: 12.1"W x 5.4"H x 12.9"D

Power Requirements:

- 120V, 50-60Hz, 1.35A – 0.53A

Accessories/Configuration Options:

- Configuration External REM Option
- Configuration Simultaneous on-ear direction test

2.5.4. Audiometer, Diagnostic, Middle Ear, Impedance (JSN M0025)

Quantity: 4

Basis of Design: Grason-Stadler Model TymStar Pro or equal

Specifications/Salient Characteristics:

Dimensions (In as much as one inch)

- Shall perform a full battery of middle-ear measurements on patients of all ages.
- Shall have a 12" color touchscreen display.
- Shall have zoom function and programmable user test.
- Shall be stand-alone and PC enabled
- Shall have multiple probes tone frequencies (226, 678, and 1000 Hz) with diagnostic Tympanometry capabilities.
- Shall display Acoustic Reflex Decay and Eustachian Tube Function (ETF) and perform screening.

Technical Specification:

- Probe Tones: 226 Hz (85 dB SPL +/- 1.5 dB), 678 Hz (72 dB SPL +/- 1.5 dB) and 1000 Hz (69 dB SPL +/- 1.5 dB) with accuracy of $\pm 1\%$ and Harmonic Distortion of less than 1%
- Admittance Measurements:
 - Range – 226 Hz (-10 to +10 mmho), 678 Hz (-21 to +21 mmho), 1000 Hz (-32 to +32 mmho)
 - Sensitivity Scale – Auto Scales to Appropriate Range, Manual selection also possible in Reflex Modes only
 - Accuracy (226 Hz): Typm Mode - +/-5% of reading or +/- 0.1 mmho, whichever is greater; Reflex Mode - +/-5% of reading or +/- 0.02 mmho, whichever is greater
- Pressure Measurements (load volume of 0.2 to 7.0 ml):
 - Range – Normal = +200 to -400 daPa Wide = +400 to -600 daPa
 - Accuracy - +/- 10% of reading or +/- 10 daPa, whichever is greater

- Sweep Rate – 12.5, 50.0, 200, 600 and 600/200 daPa and manual
- Sweep Accuracy – 10% of nominal rate
- Maximum limits (in 0.5cc cavity) - -800 daPa and +600 daPa
- Reflex Measurements:
 - Stimuli – 250, 500, 1k, 2k, 4k, BBN, LBN, HBN, Click, External Input, Non-acoustic
 - Frequency Accuracy - +-3%
 - Harmonic Distortion (THD) – Less than 5% measured acoustically
 - Noise Signals – 3 dB bandwidths
 - Low Band – 400-1600 Hz
 - High Band – 1600–4000 Hz
 - Broad Band – 1600-4000 Hz
 - Intensity Range – 35-120 dB HL
 - Step Size – 5 dB, 1 dB, and 2 dB
 - Calibration Accuracy - +-3 dB
 - Step Accuracy - =_ 0.5 dB
 - On/Off Ratio – 70 dB

Approximate Dimensions:

- 16"W x 11"D x 14.5"H

Power Requirements:

- 120V, 50-60 Hz, 60 Watts maximum power consumption

Accessories/Configuration Options:

- Accessory Probe Assembly (including contralateral insert phone)
- Accessory Eartip sample kit
- Accessory Calibration Test Cavity
- Accessory Cleaning Kit
- Accessory Probe Mount Kit (shoulder, clip, wrist band)
- Accessory User Quick Guide
- Accessory Reference Instruction Manual

2.5.5. System, Otoacoustic Emissions (JSN M0031.A)

Quantity: 1

Basis of Design: Otodynamics Model Otoport Advance Standard Package or equal

Specifications/Salient Characteristics:

Dimensions (In as much as one inch)

- Shall have a handheld clinical screening applications instrument that performs diagnostic testing and OAE measurements with data analysis and management features.
- Shall have large, clear, detailed, color graphic and numeric data displays
- Shall have a charge status indicators
- Shall be menu driven operation via keypad with automatic or manual test settings.
- Shall be able to configure automatic test termination based on signal quality or clinical pass criteria
- Shall have the following OAE capabilities
 - DPOAE
 - TEOAE
 - TEOAE + DPOAE
- Shall have onboard data management and analysis
- Shall have power-on self-test and probe calibration test functions

Technical Specification:

- Interfaces: Probe connector compatible with probes (8pin); Charging data connector to connect to charging station or PC USB Port via data cable
- Data display resolution – 320 x 240 pixels, 166 dpi

- Data display technology – color LCD, 16 bit
- Audible Indicator - Wide range speaker for audio feedback of status
- Keypad – 19 key alphanumeric with cursor control
- Internal real time clock and calendar

Approximate Dimensions:

- 7.6" x 2.7" x 1.2"

Power Requirements:

- Internal rechargeable 3.7V, 100mAh lithium-poly battery

Accessories/Configuration Options:

- Accessory Otoport case
- Accessory Full docking station, connects to printer, PC and charger
- Accessory Probe pouch
- Accessory PTEPA/DPOAE probe
- Accessory Test cavity
- Accessory Probe cable clip
- Accessory Foam probe tips
- Accessory Infection control sleeve

2.5.6. Analyzer, Auditory, Evoked Potential (EP), Videonystagmography (VNG), and Electronystagmography (ENG) (JSN M0035)

Quantity: 1

Basis of Design: Otometrics Model ICS Chartr or equal

Specifications/Salient Characteristics:

Dimensions (In as much as one inch)

2.5.6.1. EP Module

- Shall have two (2) channel with additional channel available for EMG monitoring and includes: insert earphones, bone conduction, TDH headsets, VEMP monitor, and patient focused preamplifier.
- Shall perform clinical diagnostic tests including: P300 (P3) test, Vestibular Evoked Myogenic Potential (VEMP), Auditory Steady State Response (ASSR), electrocochleography, Auditory Middle Latency Response (AMLR), and Auditory Late Response (ALR).
- Shall have the capacity to analyze waveform. Shall have waveform markers, latency intensity function, and age matched normative data.

Technical Specification:

- Acquisition Options
 - Sweep Time: 5.0 – 9000 msec
 - Rate: 0.2 to 180/sec
 - A/D Resolution: 16-bit
 - Artifact Rejection: 99% full scale (adjustable)
 - Points per Trace: 600
- Channel Options
 - Channels: 2 channel with additional channel available for EMG monitoring
 - Gain: 1k, 1.5k, 2k, 2.5k, 3k, 5k, 7.5k, 10k, 15k, 20k, 25k, 30k, 50k, 75k, 100k, 150k, 200k, 250k, 300k, 500k
 - High Pass Filter (Hz): 0.2, 0.3, 0.5, 1, 1.5, 2, 5, 10, 20, 30, 50, 100, 150, 200, 500, 1000
 - Low Pass Filter (Hz): 15, 30, 50, 75, 100, 150, 250, 300, 500, 600, 1k, 1.5k, 2k, 3k, 5k, 10k
 - Notch Filter: 50 or 60 Hz set by the manufacturer
- Stimulus Options
 - Transducer: Headphones, Insert Earphones (automatic 0.8msec delay correction), Bone Oscillator (B71)
 - Stimulus Type: Click & toneburst

- Masking: White noise
- Click Duration: 100 usec
- Toneburst Freq (Hz): 100,125, 200, 250, 300, 400, 500, 600, 700, 750, 800, 900, 1k,1.5k, 2k, 3k, 4k, 6k, 8k
- Toneburst Ramp/Plateau: User defined (cycles)
- Toneburst Envelope: Linear, Hanning, Blackman, Gaussian
- Intensity: 132 dB pe SPL; user definable nHL
- Polarity: Rarefaction, condensation, alternating
- Calibration Reference: Calibration table in dB SPL with a user definable normal
- Hearing threshold table in nHL
- VEMP Monitor
 - Channel: Monitor 1 channel (left or right side)
 - VEMP EMG Level: User defined minimum and maximum acceptable level
- Dimensions/Weight
 - Main unit: 4.9cm x 34.2cm x 28.7cm (2" x 13.6" x 11.3") – 2.7kg (5 lbs 7oz)
 - Preamp: 3cm x 9.9cm x 16.4cm (1.19" x 3.88" x 6.44") – .27kg (9.5oz)
 - VEMP Monitor: 2.9cm x 6.2cm x 9.5cm (1.13" x 2.44" x 3.75") – 2.0kg (4.5oz)
- ASSR
 - Number of channels: 1
 - Stimuli: 250, 500, 1000, 2000, 4000, 8000 Hz (up to 6 per ear) presented monaurally or binaurally
 - Threshold search/ 0 - 120 dB HL (insert phones), 0 - 110 dB HL (headphones)
 - Upper lower limit: 0 - 60 dB HL (bone oscillator), 5 dB steps
 - Masking: White noise up to 100 dB HL
 - AM/FM Modulation: 20 to 105 Hz(1 Hz per step); AM depth - 0 to 100%, (5% per step); FM depth - 0 to 25% (5% per step)
 - Gain: 1k, 2k, 3k, 5k, 10k, 20k, 30k, 50k, 100k, 200k, 300k, 500k
 - High Pass/Low Pass Filter: Exclusive Chartr narrow filters for RapidASSRTM
 - EEG: Online display during data collection or when collection is paused
 - Search Options: Quick Search or Straight Descent
 - Electrode Montage: Cz to Nape or Cz to Linked Mastoids
 - Test Protocols: Test protocols included for sleeping and awake patients. Protocols can be created and customized.

2.5.6.2. VNG/ENG Module

- Shall have two mode modules offering VNG or ENG clinical diagnostic tests.
- VHG Shall: Directly record and measure eye movements, have the ability to see patient's eyes at all times, and have video recording simultaneously with both eyes. Recording options are: Integrated Google, Toolbar Icons on the Computer, or Test Protocol. Two (2) eyes/four (4) channels.
- ENG: Shall have 2-4 channel measuring eye movements by indirectly recording the cornea-retinal potential from the eyes.
- Shall have auto fixation light that allows the user to set a time when the fixation light will automatically turn on and off during caloric testing.
- Shall have a C Countdown Timer
- Shall include: Biaural Video Goggles, Light Bar with Ranning, Integrated Air and Water Irrigator
- The air and water irrigator device shall heat and cool at temperatures ranging from 12 to 50 degrees Celsius.
- Software shall allow end users to select irrigation protocol: Water, Air, Temperature, etc.
- During irrigation, the irrigator handle and/or foot switch shall have the capability to start the countdown timer and the VNG/ENG video recording shall start tracing simultaneously.
- The diagnostic tool shall include: Interpreting the test results; validation of caloric results; cutoff values for different caloric tests; statis position test parameters such as unilateral weakness, nystagmus, and

intensity. If test data is not explained by any physiology and pathophysiology of the vestibular system, the software shall guide the clinician with suggestions.

Technical Specification

- CMR ratio: >100 dB at 50/60 Hz
- Channel frequency response: Approximately 12dB/octave low pass filter with cutoff frequency of 35 Hz
- Input Impedance: Channel 1 – 5.5 Mohms; Channel 2-4 - >8 Mohms
- Resolution: Approximately .01 degree
- Linearity: 1% full scale horizontal, 1.2% full scale vertical
- Sampling Rate: Full 60Hz for all tests
- Eye Tracking: +/- 30 degree horizontal and vertical
- Dimension: Approximately (preferably smaller) than 1.7" x 14" x 12" for the VNG/ENG. Approximately (preferably smaller) than 5" x 36" x 5" lightbar
- Isolation transformer and power supply: Accommodate conversion of 15V DC/2A

2.5.6.3. Report Capability for Item 2.5.6 (JSN M0035)

- Report format shall have macros for commonly used wording; shall incorporate patient demographics and diagnostic summary write-up; and shall include choice of table parameters, latency intensity function, and pedigram. Reports shall be archived and/or print to PDF.
- EP, VNG, and ENG reports are sharing one standardized archive database and user software interface
- Computer and printer hardware
 - Computer shall be a laptop
 - Shall have a minimum of Windows 7 Professional 62 bits but Windows 10 is preferred
 - Screen resolution shall have a minimum of 1600 x 900 dpi and a minimum screen size of 17"
 - Shall include a CD-RW Drive
 - Shall have USB ports; with enough ports to support all EP, VNG, and ENG modules
 - Shall include a printer for 8.5" x 11" size pages

2.5.6.4. Accessory for Item 2.5.6

- Cart to house all components of the evoked potential analyzer unit

2.6 DELIVERY AND INSTALLATION

2.6.1. COORDINATION:

- 2.6.1.1. The Contractor shall coordinate delivery, staging areas, installation, site safety requirements, and parking with the On-site Point of Contact (POC). The On-Site Point of Contact will be designated after contract award.
- 2.6.1.2. The Contractor shall participate in a pre-delivery meeting as specified in 2.6.2.3 below to determine delivery and installation dates.
- 2.6.1.3. The Contractor shall verify delivery date three business days prior to scheduled delivery.

2.6.2. DELIVERY

- 2.6.2.1. Delivery Timeframe: As soon as possible after award
 - 2.6.2.1.01. Acquisition of the above items is part of the initial outfitting and activation of the new VA medical center being constructed in Aurora, CO. Since construction is still occurring, delivery dates are approximate and will be coordinated with the successful contractor after award (see 2.6.1 – Coordination).
 - 2.6.2.1.02. The Contractor shall contact the On-Site Point of Contact to schedule a pre-delivery meeting to be conducted approximately 60 days prior to the initial award delivery date for verification of delivery and installation dates. The Contractor may be required to adjust the delivery date from the date specified in the contract award document. A government-requested delivery delay up to 90 days

after the delivery date specified in the contract award shall be at no additional cost to the government.

2.6.2.2. Delivery Location: Contractor shall deliver all equipment to the Eastern Colorado Health Care System, 1700 N. Wheeling Street, Aurora, CO 80045

2.6.2.3. Delivery Markings: Contractor shall deliver items in manufacturer's original sealed containers with manufacturer's name marked thereon. Deliveries shall be marked with the PO and contract number.

2.6.2.4. Items on delivery vehicles not equipped with a Lift Gate will not be accepted. The delivery will have to be rescheduled and any delivery charges will be the responsibility of the Contractor.

2.6.2.5. A pre-delivery meeting will be conducted 60 days prior to initial award delivery date for verification of delivery and installation dates.

2.6.2.6. Delivery and Installation will be coordinated through the On-Site Point of Contact (POC). POCs for delivery and install are:

- Chuck Hardenstein (W) 720-857-5205 (C) 303-525-8502 Charles.Hardenstein@va.gov
- Steve Dewese (W) 720-857-5075 (C) 406-781-1297 Stephen.Dewese@va.gov

2.6.3. INSTALLATION

2.6.3.1. The Contractor shall deliver, test, and install all equipment to manufacturer's specifications and in accordance with Federal and local safety standards.

2.6.3.2. Installation/Configuration shall commence upon day of delivery. All work shall be completed between 8:00 a.m. and 4:30 p.m. MST. Monday through Friday, excluding all Federal holidays (<https://www.opm.gov/policy-data-oversight/pay-leave/pay-administration/fact-sheets/holidays-work-schedules-and-pay>).

2.6.3.3. The Contractor shall remove all related shipping debris and cleanup any materials and tools associated with delivery and installation of the specified items. Contractor shall remove all packaging from the ECHCS premises.

2.6.3.4. The Contractor shall be responsible for any damage to the building that occurs due to Contractor error or neglect (refer to Section 5 below).

2.7. SITE CONDITIONS

2.7.1. Delivery may occur while the construction contractor is still working on the facility.

2.7.2. Delivery and installation personnel must comply with all site safety requirements, to include the wearing of PPE. **Minimum requirements are hard hat, over the ankle boots, reflective safety vest, eye protection and gloves.** The Contractor shall confirm site safety requirements with the On-Site Point of Contact when coordinating delivery and installation.

2.7.3. There shall be no smoking, eating, or drinking inside the construction site at any time.

2.7.4. If the requirements in sections 2.7.1, 2.7.2 and 2.7.3 are not adhered to the delivery will be rejected and be rescheduled at Contractors expense.

3. INSPECTION AND ACCEPTANCE

3.1. The Contractor shall conduct a joint inspection with the On-Site Point of Contact upon completion of installation.

3.2. In the event deficiencies are identified, the Contractor shall provide date when the identified deficiencies will be addressed if not addressed on the date of installation.

3.3. The Contractor shall conduct a joint inspection with the On-Site Point of Contact after addressing all deficiencies.

3.4. All deficiencies identified during joint inspections shall be fixed by the Contractor prior to government acceptance of the item.

3.5. Disputes shall be resolved by the Contracting Officer.

4. Operation/Maintenance Manuals

4.1. Binders - Quantity (2) each for items identified in section 2.5.

4.2. Digital Copies - Quantity (1) each for items identified in section 2.5.

4.3. The Contractor shall deliver compilation of all manufacturer recommended maintenance schedule and operation materials packaged in binder(s) to On-Site Point of Contact upon completion of installation.

5. Operator Training

5.1. The Contractor shall provide end user operator and preventive maintenance training as follows:

5.1.1. Section 2.5.3 M0020 – provide 8 hours of training not to exceed one day for fifteen Providers and Technicians

5.1.2. Section 2.5.4 M0025 – provide 8 hours of training not to exceed one day for fifteen Providers and Technicians

5.1.3. Section 2.5.6 M0031.A – provide 8 hours of training not to exceed one day for fifteen Providers and Technicians

6. PROTECTION OF PROPERTY

6.1. Contractor shall protect all items from damage during delivery and installation. The Contractor shall take precaution against damage to the building(s), grounds, and furnishings. The Contractor shall repair or replace any items related to building(s) or grounds damaged accidentally or on purpose due to actions by the Contractor.

6.2. Contractor shall be responsible for providing adequate floor and wall protection to minimize damage to the facility during delivery/installation of the items in section 2.5. It is recommended that all material handling equipment have rubber wheels to minimize potential damage to floors..

6.3. The Contractor shall perform an inspection of the building(s) and grounds with the On-Site Point of Contact prior to commencing work. The Contractor shall be responsible for repairing or replacing any items, components, building(s), or grounds damaged due to negligence and/or actions taken by the Contractor or its employees. The source of all repairs beyond simple surface cleaning is the facility construction contractor (or appropriate subcontractor), so that building warranty is maintained. Concurrence from the VA Facilities Management POC and On-Site Point of Contact is required before the Contractor may perform any significant repair work. In all cases, repairs shall utilize materials of the same quality, size, texture, grade, and color to match adjacent existing work.

6.4. The Contractor shall be responsible for securing the items identified in section 2.5 and its own work tools and equipment during delivery/installation.

7. SECURITY REQUIREMENTS

7.1. Security background checks are not required.

8. WARRANTY

8.1. The contractor shall provide all manufacturer(s) warranties on all parts and labor at time of delivery.

8.2. The warranties shall include all travel and shipping costs associated with any warranty repair.

ADDENDUM TO STATEMENT OF WORK

INFORMATION SECURITY/PRIVACY REQUIREMENTS

Reference: VA Policy 6500

VA Maintenance/Installation Contracts

1. VA INFORMATION CUSTODIAL LANGUAGE

Information made available to the contractor or subcontractor by VA for the performance or administration of this contract or information developed by the contractor/subcontractor in performance or administration of the contract shall be used only for those purposes and shall not be used in any other way without the prior written agreement of the VA. This clause expressly limits the contractor/subcontractor's rights to use data as described in Rights in Data - General, FAR 52.227-14(d) (1).

2. SECURITY INCIDENT INVESTIGATION

The term "security incident" means an event that has, or could have, resulted in unauthorized access to, loss or damage to VA assets, or sensitive information, or an action that breaches VA security procedures. The contractor/subcontractor shall immediately notify the COTR and simultaneously, the designated ISO and Privacy Officer for the contract of any known or suspected security/privacy incidents, or any unauthorized disclosure of sensitive information, including that contained in system(s) to which the contractor/subcontractor has access.

3. LIQUIDATED DAMAGES FOR DATA BREACH

Consistent with the requirements of 38 U.S.C. §5725, a contract may require access to sensitive personal information. If so, the contractor is liable to VA for liquidated damages in the event of a data breach or privacy incident involving any SPI the contractor/subcontractor processes or maintains under this contract.

Based on the determinations of the independent risk analysis, the contractor shall be responsible for paying to the VA liquidated damages in the amount of \$37.50 per affected individual to cover the cost of providing credit protection services to affected individuals consisting of the following:

- (1) Notification;
- (2) One year of credit monitoring services consisting of automatic daily monitoring of at least 3 relevant credit bureau reports;
- (3) Data breach analysis;
- (4) Fraud resolution services, including writing dispute letters, initiating fraud alerts and credit freezes, to assist affected individuals to bring matters to resolution;
- (5) One year of identity theft insurance with \$20,00.00 coverage at \$0 deductible; and
- (6) Necessary legal expenses the subjects may incur to repair falsified or damaged credit records, histories, or financial affairs.

4. TRAINING

- a. All contractor employees and subcontractor employees requiring access to VA

information and VA information systems shall complete the following before being granted access to VA information and its systems:

- (1) Sign and acknowledge (either manually or electronically) understanding of and responsibilities for compliance with the Contractor Rules of Behavior, Appendix E relating to access to VA information and information systems;
- (2) Successfully complete the VA Privacy and Information Security Awareness and Rules of Behavior training and annually complete required privacy and security training; and
- (3) Successfully complete any additional information security or privacy training, as required for VA personnel with equivalent information system access.

- b. The contractor shall provide to the contracting officer and/or the COTR a copy of the training certificates and certification of signing the Contractor Rules of Behavior for each applicable employee within 1 week of the initiation of the contract and annually thereafter, as required.
- c. Failure to complete the mandatory annual training and sign the Rules of Behavior annually, within the timeframe required, is grounds for suspension or termination of all physical or electronic access privileges and removal from work on the contract until such time as the training and documents are complete.