

**Cover Page**

**Procurement Technical Assistance APEX Program Accelerator**  
**Award-Specific Terms and Conditions**

Version 1.0

## PREAMBLE

**Order of precedence.** These award-specific terms and conditions will not take precedence over any Federal statute or Federal regulation published in the Code of Federal Regulations (CFR). The order of precedence of sources of requirements, if applicable to your award, is as follows: Federal statutes; Federal regulations in the CFR; OMB guidance in the CFR, at 2 CFR Part 200; award-specific and general terms and conditions.

**Process for improvement.** Except for Part 10, “For-Profit Recipients,” these terms and conditions are designed to conform to OMB guidance, “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” published at 2 CFR Part 200 and implemented by DoD at 2 CFR Part 1103. If a conflict arises between these terms and conditions and any requirement in Federal statute, Federal regulation in the CFR, or OMB guidance at 2 CFR Part 200, please contact the awarding office so that we may resolve the conflict. As recipients gain operating experience with these terms and conditions, we may find areas requiring clarification or correction. By you alerting us to potential issues, it will help us improve both these terms and conditions and DoD’s regulatory implementation of the OMB guidance at 2 CFR Part 200.

**Use of plain language.** These award-specific terms and conditions use plain language to communicate requirements, including personal pronouns “you” to denote the recipient and “we” or “us” to denote the [PTAP-APEX](#) program office.

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## PROGRAM REQUIREMENTS

### Section A. Purpose of this award.

~~You Must~~ To establish and maintain a [Procurement Technical Assistance Center \(PTAC\) APEX Accelerator](#) ~~with physical location(s)~~ to serve as a resource for large and small businesses, including newly started businesses, to obtain procurement technical assistance. Procurement technical assistance means professional, specialized assistance provided to clients that enables them to identify potential contractual opportunities and obtain or perform under contracts, innovation and technology grants or contracts, and other federally funded instruments, with DoD, other Federal agencies, State and/or local governments, and/or with Federal, State and/or local government contractors. Clients may include any business pursuing or performing these types of contracts or subcontracts at any tier. As used in this part, the terms “State” and “local government” have the meanings provided in 10 U.S.C. 4951.

Innovation and technology grants or contracts refer to awards issued pursuant to the Small Business Innovation Research and/or Small Business Technology Transfer programs or other prototyping agreements. You ~~must~~ will collaborate with DoD and other Federal agencies and work cooperatively with them to accomplish the work under this award. You must not limit services to businesses based solely on business size, time in business, or number of employees.

### Section B. Assistance to small business

~~You must~~ make a concerted effort to seek out and assist small business concerns, Small Disadvantaged Businesses concerns (SDB), Women Owned Small Businesses concerns (WOSB), HUBZone small business concerns, and Service- Disabled Veteran-Owned Small Business concerns (SDVOSB).

To maximize the effectiveness of [PTACs’ APEX Accelerator](#) efforts and avoid duplication of products and services within a service area, under 2 CFR § 200.405, [APEX Accelerators PTACs](#) are encouraged to coordinate with other [APEX Accelerators PTACs](#), OSD and other recipients of federal grants, including Small Business Development Centers, Women’s Business Centers, Veteran Business Outreach Centers, [Manufacturing Extension Partnerships](#), Manufacturing Innovation Institutes or SCORE, where appropriate to benefit this Federal award. This may include, among other things, joint programmatic training sessions and/or outreach events.

APEX Accelerator PTACs should collaborate with each other or other entities such as those listed in this section, to minimize service overlap, maximize coverage, control expenses and maximize value to the program. APEX Accelerators PTACs may provide referrals to other training providers

This award may not be used to provide general business training or financial assessments, including but not limited to assistance with general business plans or marketing plans, however coordination with other entities providing said services, including referrals and joint events, is allowable and encouraged.

~~You must operate within the scope of this award. Procurement technical assistance does not include:~~

~~a. General business training or financial assessments including assistance with business plans or marketing, except marketing to the government. For example, you must not offer clients training, advice, or assistance on topics such as access to loans, human resources, hiring, retention, health care, quality certifications, Lean, Six Sigma, or manufacturing, except where the assistance specifically relates to compliance with Federal, State and/or local government-specific contract requirements. If these items are needed in order to be competitive for or in compliance with government contracting requirements, PTACs may provide referrals to other training providers.;~~

## **Section C. Methods and procedures.**

**1. Outreach effort.** You must have ongoing outreach procedures in place to make the public aware of your APEX Accelerator PTAC. Advertising costs for this purpose are allowable (refer to 2 CFR 200.421 or 48 CFR 31.205-1, as applicable). ~~Information you disseminate through your outreach efforts must include:~~

~~The types of assistance you offer to clients;  
What is required to become your client; and  
Information about events, including workshops, seminars, matchmakers, or other training, that you plan to offer or participate in.~~

**2. Technical assistance.** You must provide Procurement Technical Assistance via individual counseling, group education and training, internet-based resources and other methods as needed to insure availability and acceptance by your clients. ~~You must provide your clients with individual and group training regarding marketing their products and services to DoD, other Federal agencies, and State and local governments.~~

You must provide this technical assistance free of charge. Procurement Technical Assistance includes, but is not limited to assisting your clients with understanding

Federal, State and local government requirements applicable to contracting for services, manufacturing, construction or other markets.

~~PTAC client data should usually only be used to comply with the award's terms and conditions and to support the client in areas related to their desire and capacity to pursue government contract opportunities. This may include, but is not limited to, sending lists inclusive of client contact and capability information to government procurement offices and government prime contractors in response to their market survey requests. The following are core services you must offer:~~

While the specific mix of services must be appropriate to your client base, you must offer the following core services:

- Identifying marketing opportunities and techniques for clients consistent with the client's products and services.
- Advising and assisting clients in the preparation and proper submission of applications, certifications, registrations, bids, proposals, et cetera required to be ready to do business with Federal, State and local government entities.
- Assist with finding government procurement opportunities, including providing "bid matching".
- Advise and assist clients in finding, pursuing and securing subcontracting opportunities from Federal, State and local government prime contractors and subcontractors at any tier.
- Advising and assisting clients concerning post-award functions.
- Training and/or counseling on:
  - Federal, State and local government contracting laws, policies and procedures.
  - The DoD Mentor-Protégé Program (MPP) and similar government programs.
  - Government accounting system requirements and contract payments;
  - The Procurement Integrated Enterprise Environment (PIEE) and Wide Area Work Flow (WAWF)
  - Subcontracting requirements; both as a higher tier and sub tier.
  - ~~DLA Internet Bid Board System (DIBBS)~~ Government Points of Entry (GPE) as applicable
  - Small Business (SB) Innovative Research (SBIR) / SB Technology Transfer (STTR)
  - Federal government and DoD cybersecurity regulation compliance.
  - Obtaining federal contract data from data repositories (e.g. SAM.gov)
  - Business size and type (socioeconomic) certifications
- Information about contract-related risks related to Foreign Ownership, Control, and

Influence (FOCI)

- Information about Cyber Security requirements and compliance

You may conduct events with other APEX Accelerators PTAGs. When another APEX Accelerator PTAG participates in your event, charging another APEX Accelerator PTAG is allowable if necessary. In such cases, you may only charge a fee designed to be the minimum necessary to cover the actual cost of the other APEX Accelerator's PTAG's participation. Cost recovery from another APEX Accelerator PTAG should be treated as program income.

### 3. Website

~~You must maintain a website that prominently includes identification as a PTAC and provides, at minimum:~~ Part of technical assistance The APEX Accelerator PTAG shall maintain ~~is~~ a website or web pages that clearly identifies the PTAC and provides, at minimum:

- A description of the services offered by the APEX Accelerator PTAG;
- Email and phone point of contact for potential clients;
- The APEX Accelerator's PTAG's service area
- Sponsored events and other events of potential interest to clients.
- The website must fulfill the dual role of promoting the APEX Accelerator PTAG and its services while providing technical information and links that will be useful to APEX Accelerator PTAG clients.
- You must include links to help prospective and active clients find information needed to contract with local, state, and Federal government.
- ~~PTAC events and other events of potential interest to clients. PTAC-affiliated events, those events that incur any expense to the PTAC award, must indicate the PTAC's participation (e.g. hosted by PTAC, PTAC and MEP partnership, co-hosted by PTAC and GSA, etc...)~~
- ~~Links to government regulations and other contracting-related sites (e.g. business.defense.gov, Defense Pricing and Contracting, Acquisition.gov, SBA, SBIR/STTR, Assist.dla.mil, DHS/FEMA, SAM, DIBBS, PEE, WAWF, projectspectrum.io, etc...)~~

~~Your~~ The website may be a standalone website, or may consist of a dedicated, APEX Accelerator PTAG- specific web page that is separate and distinct, but accessible via a link from the recipient organization's website. When the APEX Accelerator PTAG is referenced on other than the APEX Accelerator PTAG-specific web page, this statement

must be used: “The ~~APEX Accelerator~~~~Procurement Technical Assistance Center~~ is funded in part through a cooperative agreement with the Department of Defense”.

The recipient must ensure their websites do not create the impression that the ~~APEX Accelerator~~~~PTAC~~ is part of any other Federal program and must not create the appearance that the ~~APEX Accelerator~~~~PTAC~~ is affiliated in any way with any non-DoD Federal agency.

4. **Social Media.** The ~~APEX Accelerator~~~~PTAC~~ shall maintain social media accounts, including LinkedIn, designed to reach the target market for ~~APEX Accelerator~~~~PTAC~~ services. As with the website, social media should be used both as a means of outreach/promotion of the program, and as a means of disseminating useful information related to government contracting.

~~The PTAC must have a social media account on LinkedIn and should also have a presence on other social media platforms determined to reach the target market for PTAC services. This is a form of outreach and advertising of PTAC services. The social media account content must be managed such that postings can be made quickly and with content determined appropriate by the PM to further the objectives of the PTAC and no other program. Social Media accounts must meet the requirements listed in Section E.~~

5. **Email.** Email is a critical means of communication with clients, prospective clients, stakeholders and others.

- i. Email and other correspondence generated by recipient and subrecipient ~~APEX Accelerator~~~~PTAC~~ employees when performing activities that are covered by the cooperative agreement must identify them as ~~APEX Accelerator~~ ~~PTAC~~ employees (i.e. email signature line, signature block, etc...).

The employee’s signature block may also include the name of the recipient or subrecipient listed on the award and must not include the name or acronym of another federal assistance program unless the employee is co-located with one of those service providers, in which case “Co-located with...” may be used.

- ii. In addition to person-specific email addresses, you must establish a generic email address for the ~~APEX Accelerator~~ ~~PTAC~~ (For example, ~~PTACAPEXAccelerator~~@non-profit.org) that is not tied to a specific person.

Email and other correspondence generated by recipient and subrecipient ~~APEX Accelerator~~~~PTAC~~ employees must include clear information identifying them as ~~APEX Accelerator~~~~PTAC~~ employees when performing activities that are covered by the cooperative agreement (i.e. email signature line, signature block, etc...). The employee’s signature block may also include the name of the recipient or subrecipient listed on the award and must not include the name or acronym of

another federal assistance program such as Small Business Development Center, Manufacturing Extension Partnership, Small Business and Technology Development Center, Minority Business Development Center unless the employee is co-located with one of those service providers, in which case “Co-located with...” may be used.

All signature blocks shall also include the DOD OSBP webpage for Apex feedback ([https:// APEXAccelerators.us/#/feedback. TBD](https://APEXAccelerators.us/#/feedback.TBD))~~When one is available, you must share the URL for the webpage feedback form. The URL is: <https://www.dla.mil/SmallBusiness/PTAPFeedback/>~~

**6. Information Exchanges.** APEX AcceleratorsPTACs should facilitate information exchanges:

1. By providing client(s)' contact and capability information to government, government prime contractors, or subcontractors and/or by sponsoring or assisting with “matchmaking” and “industry day” events.
2. Making introductions and referrals among and between clients, government agencies, prime and all tier-subcontractors, and relevant service providers that are intended to facilitate the success of clients in the government industrial base.

~~PTACs may facilitate information exchanges (e.g. you may send client(s)' contact and capability information to government, government prime contractors, or subcontractors when they request a list of potentially interested suppliers, you may make introductions in person, or participate in three-way conversations among clients, government or prime contractors);~~

**7. Claims & Protests.** The APEX AcceleratorPTAC should educate clients regarding their rights to file protests and claims, including the applicable time limits and venues for these processes. **The APEX AcceleratorPTAC must shall not advise or participate in clients' decisions to protest or file claims. Once a client has filed a protest or claim, you must not provide further counseling on matters that are the subject of the specific protest or claim.**

~~The PTAC may educate clients regarding their rights to file protests and claims, including the applicable time limits and venues for these processes. The PTAC must not advise or participate in clients' decisions to protest or file claims. Once a client has filed a protest or claim, the PTAC must not provide further counseling on matters that are the subject of the specific protest or claim.~~

**8. Program Income.** Program Income shall managed be in accordance with 10 USC 4955(d) and 2 CFR § 200.307, with the following amplifications:

- You must make it clear to clients that optional, fee-based, services are not required to receive other no-cost services.
- You may charge up to \$50 per month (\$600 per year) for each subscription type service, such as electronic bid match delivery.
- You may charge for optional customized reports that provide clients with historical contract data.
- For events, you must limit registration charges to attendees to the minimum amount anticipated necessary to cover the materials, facilities and food costs of that event.
- You may charge businesses exhibitor, sponsorship, and advertising fees for specific outreach events.

~~You may charge businesses exhibitor, sponsorship, and advertising fees for specific outreach events to generate program income when that activity does not conflict or interfere with the PTAP's purpose and intent. The focus must remain on maximizing quality service to clients and not on generating income. You must make it clear to clients that optional, fee-based, services are not required to receive other no-cost services. You may charge up to \$50 per month (\$600 per year) for each subscription type service, such as electronic bid match delivery. You may charge for optional customized reports that provide clients with historical contract data. For events, you must limit charges to event attendees to the minimum amount anticipated necessary to cover the facilities and food costs of that event. PTACs must collaborate with each other or other entities such as those listed in Section B, to minimize expenses and maximize value to the program. When charging another PTAC is necessary, you may only charge a fee designed to be the minimum necessary to cover the actual cost of the other PTAC's participation. The gross program income generated must be reported, see General Terms and Conditions FMS Article VII for more information~~

**9. Acting as the client's representative.** In any communication, you must not assert that you speak for the client, or act as if you are the client. You must always maintain your role as an advisor to, and not a representative of, the client.

~~Acting as the client's representative. (e.g. you must not call a contracting officer and assert that you speak for the client, or call a help desk and act as if you are the client.) You must always maintain your role as an advisor to, and not a representative of, the client).~~

## **Section D. Resources**

You must maintain the resources necessary to carry out the program. At a minimum, these resources must consist of:

## 1. Personnel.

- ~~a.~~ **Program Manager.** You must have a dedicated Program Manager (PM) employed on a full- time basis. The PM directs and administers the operations of the ~~APEX Accelerator~~PTAC and must have full authority to deploy all ~~APEX Accelerator~~PTAC resources necessary to do so. The PM is key to the effectiveness of the ~~APEX Accelerator~~PTAC and must have appropriate management qualifications and a thorough understanding of the requirements of this award. The PM should also have knowledge and understanding of Federal, State and local government contracting policies and procedures. ~~gained from direct experience and/or formal training.~~ The PM may support other programs as well, providing that the non-~~APEX Accelerator~~PTAC effort is minimal, does not negatively impact ~~APEX Accelerator~~PTAC management functions, and is not performed using ~~APEX Accelerator~~ PTAC funding. ~~The PM is required to receive a minimum of 40 hours of management, leadership, and/or contracting training each year. The PM will be the PTAP program office's primary point of contact. Any individual listed in the SF424 may be contacted as a secondary point of contact.~~
- ~~b.~~ **PTAC Staff including Subrecipients.** Except for personnel whose duties do not include counseling or training clients, you must employ personnel consisting of individuals who are qualified to counsel and advise business firms/clients on how to seek, obtain and perform on Federal, State and local government prime contracts and subcontracts). These employees must remain current in their knowledge of Federal, State and local government contracting laws, regulations, policies and procedures. In addition to technical competency, they must have interpersonal skills and counseling abilities such as translating government contracting requirements into plain language, teaching clients how to do things for themselves, and able to foster the trust of the client through listening, empathy, and their willingness to assist. You must have appropriate professional development and training programs in place to address this requirement; ensure employees receive training from a variety of sources, including appropriate federal s
- ~~c.~~ i. Full-time personnel are required to obtain 40 hours of training per year, 30 of which must be on Federal contracting laws, regulations, systems, and procedures, a minimum of 20 of those hours must be from a Federal source (including Federal employees presenting at non-federal venues, and virtual training such as that offered at DAU.mil and via SBA webinars). They are also encouraged to additionally obtain a minimum of 20 hours of training in the areas of interpersonal skills or counseling.
- ~~d.~~ ii. Part-time employees charging 20 or more hours per week to the PTAC must obtain 20 hours of training per year on Federal contracting

- ~~laws, regulations, systems, and procedures, a minimum of 10 of those hours must be from a Federal source (including Federal employees presenting at non-federal venues, and virtual training). These personnel are also encouraged~~
- ~~a. to additionally obtain a minimum of 20 hours of training in the areas of interpersonal skills and counseling.~~
  - ~~f. iv. Part-time employees charging fewer than 20 hours per week to the PTAC must obtain 10 hours of training per year on Federal contracting laws, regulations, systems, and procedures, a minimum of 5 of those hours must be from a Federal source (including Federal employees presenting at non-federal venues, and virtual training).~~
  - ~~g. v. Hours of training are calculated according to actual hours participating in the training.~~
  - ~~h. vi. You must fill any vacant positions included in your approved budget promptly.~~
  - ~~i. vii. With the exception of clerical personnel, you must maintain resumes and evidence of training compliance for all recipient and subrecipient personnel that are charged to the program. The training log available on the Resources for PTACs web page contains the minimum data that must be maintained and reported. Customer relationship management software (i.e. Neoserra, PTAssist, etc.) reports that meet the minimum requirement are also acceptable.~~
  - ~~j. You must require personnel, including those of subrecipients and consultants, to adhere to a code of generally accepted standards of professional conduct. Personnel must perform their PTAC duties with ethics and integrity and avoid any real or perceived conflict of interest.~~
  - ~~k.a. Recipients with PTAC employees, subaward personnel, or consultants who perform labor for more than one PTAC must report details of the work performed for or sold to other PTACs. PTACs should usually invest in full-time employees.~~

**b. Counselors.** You must employ personnel consisting of individuals who are qualified to counsel and advise business firms/clients on how to seek, obtain and perform on Federal, State and local government prime contracts and subcontracts). These employees must remain current in their knowledge of Federal, State and local government contracting laws, regulations, policies and procedures. In addition to technical competency, they must have interpersonal skills and counseling abilities.

**l.c. Consultants.** If you employ consultants, costs of consultants must not exceed 10% of the total program cost without specific written government approval in advance.

**m.d. Professional Development.** You must have appropriate professional development and training programs in place to address the above requirements.

- i. Full-time counselors and program managers are required to obtain a minimum of 40 hours of training per year on contracting laws, regulations, systems, and procedures, and more training may be desirable based on individual experience and technical changes in the contracting environment.
- ii. Part-time employees charging an average of 20 or more hours per week to the [APEX Accelerator PTAG](#) must obtain at least 20 hours of training per year on contracting laws, regulations, systems, and procedures.
- iii. Clerical, administrative and financial personnel must have sufficient training to perform their duties at a high level.
- iv. You must maintain resumes and evidence of training for all recipient and subrecipient personnel that are charged to the program.

**n.e. Professional Standards.** You must require personnel, including those of subrecipients and consultants, to adhere to standards of professional conduct. Personnel must perform [APEX Accelerator PTAG](#) duties with ethics and integrity and avoid any real or perceived conflict of interest.

**o. Work for Multiple PTACs.** Recipients with [APEX Accelerator PTAG](#) employees, subaward personnel, or consultants who perform labor for more than one [APEX Accelerator PTAG](#) must report details of the work performed for or sold to other [APEX Accelerators](#).

2. **Facilities.** You ~~and any (and any~~ subrecipients, ~~as applicable)~~, must have a facility or facilities for providing assistance to clients that is easily accessible to the public. [APEX Accelerators PTAGs](#) may employ a strategy incorporating some employees who work remotely some or all of the time.

~~You and any subrecipients, as applicable, must have a facility(s) for providing assistance to clients that is readily identifiable as a PTAG by signage and easily accessible to the public. At a minimum, PTAC location(s) must be open to the public during the normal business hours of the recipient organization.~~ You must

be able to provide various methods of assisting clients in a confidential environment but must not have extravagant or excessive facilities or facility costs that are beyond the type generally recognized as ordinary and necessary for the operation of a APEX AcceleratorPTAG. APEX AcceleratorPTAGs may employ a strategy incorporating some employees who work remotely some or all of the time, at rates commensurate to employee's location.

## **Section E. Naming, branding, acknowledgement of support and use of logos**

The “APEX Accelerator” branding guide 1.0 is available for use at <https://www.apexaccelerators.us/#/documents>. To the maximum extent practicable, recipients must identify themselves as an APEX Accelerator immediately. This requirement is currently applicable to changes that will not incur a cost (i.e. email, social media, newsletters, etc...). Changes that may incur a cost must be implemented no later than September 30, 2024. ~~You must use the designation “Procurement Technical Assistance Center” as part of your name.~~ Your doing so will help promote the PTAG APEX Accelerator brand and build awareness that you operate as part of the larger program. Your name must not include the name or acronym of another federal program such as Small Business Development Center, Manufacturing Extension Partnership, Small Business and Technology Development Center, Minority Business Development Center, etc. Logos must include “APEX AcceleratorPTAG” and/or “Procurement Technical Assistance Center” and must not include the name or acronym of another federal program.

i. Except for business cards, materials you produce for the public including but not limited to, event flyers, press releases, brochures, advertisements, training booklets, websites and social media accounts must acknowledge DoD support using the following statement: “This APEX Accelerator procurement technical assistance center is funded in part through a cooperative agreement with the Department of Defense.” You must not alter the statement. You may acknowledge support of other resource partners in a separate sentence but must not at any time indicate the APEX AcceleratorPTAG is part of, offered, or hosted, by any other federal program or any entity whose name is the same as a federal program. You must not create the appearance that any other federal program provides funding to the APEX AcceleratorPTAG. You may use language that indicates the APEX AcceleratorPTAG is co- located with other federal programs.

- ii. You may include in your materials the logo and link to the association currently known as the Association of Procurement Technical Assistance Centers (APTAC).
- iii. Business cards are not required to acknowledge DoD support but must adhere to all other terms and conditions in Section E and may only include the APEX AcceleratorPTAG and recipient’s logos.

- iv. You must not use any DoD logos, [other than APEX Accelerator logo](#).

## Section F. Service area

You must usually limit the clients you assist to those located within the service area specified in the award. Subject to the limitations below, you may provide assistance to clients outside your service area if you notify the [APEX Accelerator PTAC](#), if any, that is responsible for that client's area. This may include assisting US firms who are actively seeking subcontracts from foreign firms performing on US government contracts.

1. You must not charge the cost of assisting clients from areas that are not distressed areas to an award when the service area is identified as a distressed area. Similarly, if the award includes both a distressed and non-distressed area budget, you must not charge the cost of assisting clients from areas that are not distressed areas to the budget specified for service to a distressed area.
2. If your service area is identified by Bureau of Indian Affairs' regions, your service area includes all federally recognized Indian tribes and Alaska Native entities, their members and reservations in the regions specified. All contractors that are tribal, Native or Indian-owned are distressed area concerns.

## Section G. Success stories

You must seek and maintain success stories attesting to the assistance provided to your clients during the period of performance specified in this award and you must make these stories available [to the Government](#) upon request. A success story is one that demonstrates a direct effort of the [APEX Accelerator PTAC](#) that generated employment and/or helped to improve the economy of a locality by assisting a client(s) in obtaining or performing under a Federal, State, or local government prime contract(s) ~~or~~ subcontract(s), [assistance instruments, or other significant events](#).

Each success story should include the following, as applicable:

1. Client name;
2. Client address;
3. Client point of contact;
4. Contracting agency point of contact, telephone, contract number and dollar value of award [\(if applicable\)](#);
5. Narrative description of the issue(s); and
6. Narrative describing the [APEX Accelerator's PTAC's](#) contribution to the success story and the tangible results that resulted

## Section H. Client surveys

You must have a process in place to frequently survey your clients and prospective clients' satisfaction with your [APEX AcceleratorPTAG](#). Requirements for you to conduct surveys and report the results [utilizing the APEX Program Quarterly report. See to us are in](#) Appendix A [to these general terms and conditions, "DLA Form 1806".for instructions.](#)

## **Section I. Allowability of certain costs and cost sharing contributions**

~~The allowability of certain costs and cost sharing or matching contributions is addressed in this Section.~~ The allowability of costs and cost sharing or matching contributions is addressed more generally in General Terms and Conditions FMS Articles III and VI, respectively.

i. **Third-party in-kind contributions.** Among other things, contributions must be allowable under the applicable cost principles. With regard to third-party in-kind contributions, this means that contributions are allowable only if they are items that would have been [justified to help meet program goals](#)~~necessary~~ to include in the budget as direct costs had they not been donated. Acceptable third-party in-kind contributions are performed by the third party for the direct benefit of the [APEX AcceleratorPTAG](#). Activities performed by third parties in their ordinary course of business, in pursuit of their own organization's mission, are usually not acceptable as in-kind contributions just because those activities coincidentally support the [APEX AcceleratorPTAG](#). Anything that is normally available free of charge to the [APEX Accelerator PTAG](#) or clients is not acceptable as a third-party in-kind contribution (e.g., use of a public library). "Discounts" are never acceptable third-party in-kind contributions. You may count a third-party in-kind contribution towards the award's cost sharing or matching requirement only after you receive and use it. You must not count third-party contributions or donations that were made available for you to use, but that you do not actually use. Third-party in-kind contributions must be documented.

ii. **Food and beverages.** With the exception of non-local travel for [APEX AcceleratorPTAG](#) personnel, any cost related to providing food and/or beverages for [APEX AcceleratorPTAG](#) personnel, government representatives, or clients is unallowable for either reimbursement or towards your cost sharing or matching, including use as a third-party in-kind contribution. This does not prohibit the charging of reasonable fees to attendees of [APEX AcceleratorPTAG](#) events, such as a conference or workshop, to pay for necessary refreshments (See Part 2, Section C(2)(g)). These fees constitute program income and must be accounted for as such (refer to General Terms and Conditions FMS Article VII or 32 CFR 34.14, as applicable).

**iii. Memberships and Conference Fees.** The cost of individual memberships (e.g., personal memberships for APEX Accelerator staff) in any business, technical, and professional organization is not allowable. APEX Accelerator membership dues charged to an APEX Accelerator award are an allowable expense.

APEX Accelerator employees are eligible to charge the program to perform voluntary work as a Committee or Board member of the Association of Procurement Technical Assistance Centers (APTAC), and are encouraged to volunteer their expertise to maintain and enhance the services APTAC makes available to members. APEX Accelerators, may be reimbursed for APTAC membership dues in an amount not to exceed .004 of an APEX Accelerator's total annual program cost not including voluntary overmatch, determined at time of award. Travel expenses and Time spent working within the standard work week for APTAC in excess of 130 hours a quarter must be documented and reported quarterly with the name of the employee(s), the number of hours worked, travel costs, and a concise explanation of the work performed, on the APEX Program Quarterly Report. APEX Accelerator's must not lobby or engage in fundraising while donating time to APTAC.

Historically, APTAC membership has included:

- i. Internet accessible means to communicate with other members in a group forum such as the APTAC Connect tool
- ii. Internet accessible collection of training materials such as the Body of Knowledge
- iii. Website that includes current contact information for all APEX Accelerator primary and sub-centers
- iv. Cost for APTAC conference and seminar registration lower than that charged to non- members
- v. APEX Accelerator Counselor training and certification program. Curriculum must include online training offered by the Defense Acquisition University
- vi. Recommended Program Manager training curriculum including online training offered by the Defense Acquisition University and equivalents

Conference registration fees, for any event, with any organization should not exceed \$1,500 per person

The cost of individual memberships (e.g., personal memberships for PTAC staff) in any business, technical, and professional organization is not allowable. Full-Time PTAC employees are eligible to charge the program for up to 120 hours to perform voluntary work as a Committee or Board member of the Association of Procurement Technical Assistance Centers (APTAC). APTAC is primarily operated using PTAC award recipient

labor and is funded using fees charged to PTAC award recipients. Travel expenses and time spent working for APTAC must be documented and reported quarterly with the name of the employee(s), the number of hours worked, travel costs, and a concise explanation of the work performed, on the DLA 1806. PTACs must not charge any other costs of operating APTAC to the program and must not lobby or engage in fundraising while donating time to APTAC. APTAC membership dues charged to a PTAC award must not exceed .004 of a PTAC's total program cost not including voluntary overmatch, determined at time of award. APTAC membership dues charged to a PTAC award are an allowable expense. PTAC employees are encouraged to volunteer their expertise to maintain and enhance the services APTAC makes available to members.

1. The PTAP program office expects that APTAC membership includes the following minimum benefits:
  - i. Internet accessible means to communicate with other members in a group forum such as the APTAC Connect tool.
  - ii. Internet accessible collection of training materials such as the Body of Knowledge.
  - iii. Website that includes current contact information for all PTAC primary and sub-centers.
  - iv. Newsletter issued to members at least once per month and including technical news, best practices, success stories and other information of interest and value to members.
  - v. Cost for APTAC conference and seminar registration lower than that charged to non-members.
  - vi. PTAC Counselor training and certification program. Curriculum must include online training offered by the Defense Acquisition University.
  - vii. Recommended Program Manager training curriculum including online training offered by the Defense Acquisition University and equivalents.
  - viii. To be considered a reasonable cost, the PTAP program office expects APTAC Conference registration fees charged to APTAC members should not exceed \$1,300 per person and every APTAC conference should provide the following:
    - ix. Draft agenda, provided to the PTAP PM for review no later than 45 days prior to conference start date, and
    - x. A minimum of 12 hours of live Federal contracting related training provided by a Federal employee, and
    - xi. A minimum of 5 hours of program management, management or leadership training, and
    - xii. Conferences should be structured such that attendees can attain 16 hours of Federal contracting related training and 5 hours of management or leadership training at each conference.
    - xiii. Attendance documented after each session and provided to attendees and their PM to facilitate reporting of employee training achievements.

- ~~2. Costs incurred to assist clients in pursuing claims or protests against the Government are not allowable.~~

**iv. Indirect costs.** Amounts for indirect costs and/or indirect rates (also known as “Facilities and Administrative,” or F&A, costs or rates) incorporated into any specific award are subject to downward revision only during the period of performance of that award.

~~**Section J. Additional guidance on program income.** General Terms and Conditions FMS Article VII permits you to earn program income under this award when doing so does not interfere with the program the award supports. Charging clients anything other than amounts listed in Section C for the assistance the PTAC provides is inconsistent with this requirement.~~

## **Section J. Distressed and non-distressed area budgets**

If the award includes both a distressed and non-distressed area budget:

~~The applicable cost principles establish the standards for the allowability of costs, including the requirement that the cost is allocable to the particular cost objective. In the case of an award that includes both a distressed and non-distressed area budget, this means allocable to providing procurement technical assistance in a distressed or a non-distressed area.~~

1. You must segregate and accumulate costs in each of the two budget areas and you are responsible for ensuring that the costs charged to either budget are allocable in accordance with the principles and methods provided in the applicable cost principles. The award does not imply the approval of a predetermined ratio or apportionment of incurred cost to be charged to the award as “distressed” or “non-distressed”.
2. You may submit combined payment requests; however, the request must segregate the amounts charged to each the distressed and non-distressed area budget and show the Federal and non-Federal shares of each amount.

~~General Terms and Conditions FMS Article IV addresses prior approval requirements for the transfer of funds among direct cost categories (i.e., personnel, fringe benefits, travel, etc.) when the cumulative amount of such transfers exceeds or is expected to exceed 10 percent of the total budget. In the case of an award that includes a distressed and non-distressed area budget, this requirement applies to each of the two budgets individually.~~

## **Section L. Transfer of Funds among direct cost categories**

General Terms and Conditions FMS Article IV addresses prior approval requirements for the transfer of funds among direct cost categories (i.e., personnel, fringe benefits, travel, etc.) when the cumulative amount of such transfers exceeds or is expected to exceed 10 percent of the total budget. In the case of an award that includes a distressed and non-distressed area budget, this requirement applies to each of the two budgets individually.

## **Section M. Requests for Payment**

1. You may submit requests for payment monthly, but must submit requests for payment at least once each quarter with a period ending date matching the financial and performance reports so that at least once each quarter the grant voucher, the SF425, and the [DLA-1806 APEX Quarterly Report](#) align.
2. Each request for payment must include the approximate portion of the recipient's cost matching share of expenses listed on the award unless the Grants Officer has authorized the recipient to request reimbursement for the Federal share, prior to contributing the recipient share. In this case approximate is used to allow flexibility while expressing the expectation that recipients pay their share along with the Federal share as the period of performance progresses. The amount requested for payment each quarter should match the respective values reported in the SF425.
3. You must submit requests for payment using Wide Area Workflow (WAWF) accessible at <https://wawf.eb.mil>.
  - a. The required voucher type selection is Grant Voucher.
  - b. To ensure DFAS can process the payment, your voucher (invoice) number should not exceed 10 characters. (i.e. BVN0001, BVN0002, etc..)
  - c. For the Contract Number Type, select Cooperative Agreement.
  - d. For Contract Number, enter the Agreement Number listed in the award.
  - e. For the Issue By DoDAAC enter the DoDAAC listed in the award, Issued by block.
  - f. For the Admin by DoDAAC enter the DoDAAC listed in the award, Administered by block.
  - g. For the Pay Official, enter the DoDAAC listed in the award, Payment will be made by block.
  - h. Use the Attachments tab to attach the [DLA Form 1806 APEX Program Quarterly Report](#) and SF425. Although you must maintain supporting documents to substantiate costs included in the voucher, in accordance with the DoD FMR Volume 10, Chapter 19, Section 190404, you need not submit them with your payment request.

The Prompt Payment Act does not apply; Interest should not accrue on late payments.

## Section N. Performance Measurement

The APEX Accelerator program metrics will be published NLT 16 December 2022 to the APEXaccelerators.us website. The FY23 metrics reflect the programmatic goals for the DoD OSBP and APEX Accelerators program. Please begin working towards these goals, utilizing the metric measurements, within your program and submit your proposed goals against each metric to the Agreements Officer listed on your award and the OSBP APEX Accelerator Program Office (osd.pentagon.ousd-a-s.mbx.apex-accelerators@mail.mil), NLT 31 January 2023.

It is acceptable that some goals may be proposed at 0 for a particular metric based on your individual situation. In situations like this, a justification in narrative form is required for the Government team to review. Additionally, please note that you are not expected to propose a metric for Goal 7, Facilitate Market Research and Commercial Due Diligence in FY23. Goal 7 is a mission that is required, as applicable. You will not be measured against this goal, but will be required to report what you have obtained.

The purpose of the metrics is to incentivize and drive performance, and not to exist as a performance requirement. As they relate to metrics, the requirements are to propose goals, work toward those goals, and provide updates in your quarterly reports explaining your progress on your proposed goals. Not meeting a goal is not considered a failure. The Government's requirements are instead based on your ability to explain why a goal wasn't met, and to provide a plan to attempt to meet that goal in the following quarter(s).

~~Performance metrics and program goals are identified in the following stand-alone document, “ TBD “~~

## **Appendix A**

### **1. APEX Quarterly Report**

Quarterly reports and instructions on information to submit shall be submitted at APEXAccelerators.us.

Reports are due:

| <b><u>Reporting Period</u></b>    | <b><u>Report Due</u></b>    |
|-----------------------------------|-----------------------------|
| <u>Award Date through 90 Days</u> | <u>120 Days after Award</u> |
| <u>91 Days through 180 Days</u>   | <u>210 Days after Award</u> |
| <u>181 Days through 270</u>       | <u>300 Days after Award</u> |
| <u>271 Days through 360</u>       | <u>390 Days after award</u> |

### **2. Client Satisfaction Survey**

You must have a process in place to survey your clients and prospective clients' satisfaction with your APEX Accelerator. Your process must be ongoing so that it allows you to receive surveys continually (at least once per quarter) and to report up-to-date figures in each of your APEX Program Quarterly Report.

Your survey must include the questions below and solicit feedback from respondents using the scale (5) Strongly agree; (4) Agree; (3) Neither agree nor disagree; (2) Disagree; (1) Strongly disagree. Survey respondents must also be provided the opportunity to opt out of answering a particular question by responding that the question is not applicable (N/A).

You must calculate and report the average rating provided by survey respondents. In calculating the average, only count respondents that answered the particular question, which may be less than total survey respondents. Do not count respondents that answer "N/A" when you make this calculation. You must count a particular survey respondent's feedback more than once if the respondent returned more than one survey and you must count all surveys returned regardless of the whether the respondent is an active client or not. Report survey results as promptly as you can.

Mandatory survey statement and questions follow –

**Question #1 –**

APEX Accelerators are required to help businesses understand how to sell goods and services to U.S. governments.

(name of the APEX Accelerators) provided me with information about contracting-related processes and procedures used by Federal, State and/or local governments and/or assisted me by hosting an event where I was able to network with other businesses or government personnel to learn about government contracting or subcontracting opportunities or procedures.

**Question #2 -**

(name of the APEX Accelerators) staff is knowledgeable with regard to the terms, conditions, procedures, rules and regulations relating to contracts with Federal agencies, State and/or local governments.

**Question #3 -**

If requested, I was offered a one-on-one (in-person, via phone or online) counseling session within 30 days of my request.

DOCUMENTATION STANDARDS: You must maintain documentation to substantiate the survey results you report, which must include copies of all returned surveys.