



FEB 26 2008

MEMORANDUM FOR ALL GSA CONTRACTING ACTIVITIES

FROM: DAVID A. DRABKIN 
ACTING, CHIEF ACQUISITION OFFICER (V)

SUBJECT: Jurisdiction of the GSA Ombudsman on ID/IQ Contracts
Awarded by GSA

1. **Purpose:** This Acquisition Letter directs GSA contracting officers who award Indefinite delivery/indefinite quantity (ID/IQ) contracts that are available for use by other agencies, to ensure that the contract includes language addressing the jurisdiction of the GSA Ombudsman with respect to task and delivery orders placed against the GSA ID/IQ contracts.

2. **Background:** FAR 16.505 (b)(1) provides that for task orders above \$3000, the contracting officer must provide each awardee a fair opportunity to be considered for each order issued under multiple delivery-order or task-order contracts. FAR 16.505 (b)(5) provides that the agency designated delivery-order and task-order ombudsman must review complaints from contractors that they have not been afforded a fair opportunity to be considered for award of a delivery or task order under the agency's contract.

3. **Effective Date:** Immediately

4. **Termination Date:** This Acquisition Letter remains in effect until the General Services Acquisition Manual (GSAM) is amended.

5. **Applicability:** This Acquisition Letter applies to all ID/IQ contracts awarded by GSA for which other agencies are authorized users. Existing ID/IQ contracts shall be modified if language reflecting the policy in paragraph 6 below is not already reflected in the existing ID/IQ contract.

6. **Policy:** It is GSA policy that the GSA Ombudsman, pursuant to the requirements of FAR 16.505, has jurisdiction on all matters related to the ID/IQ contract awarded by GSA. This includes delivery and task orders placed by other agencies against the GSA

awarded ID/IQ contract. GSA contracting officers are responsible for making sure that any ID/IQ contract they award contains language along the following lines:

The GSA Ombudsman will exercise jurisdiction on any matters pertaining to ID/IQ contracts awarded by GSA. The ombudsman will review complaints from contractors and ensure that they are afforded a fair opportunity to be considered for award, consistent with the procedures in the contract.

7. Waivers. Only GSA's Senior Procurement Executive may grant exceptions to this policy. Any request for exception should be forwarded to the Office of the Chief Acquisition Officer and reflect coordination with and concurrence by the local Office of General Counsel and the local Head of the Contracting Activity.