

DOCUMENT 18

**GUIDELINES FOR REQUESTING MODIFICATIONS UNDER YOUR EXISTING CONTRACT WITH
THE CENTER FOR FACILITIES MAINTENANCE AND HARDWARE**

FEDERAL SUPPLY SCHEDULE: 03FAC, FACILITIES MAINTENANCE AND MANAGEMENT

CONTRACTOR: _____

CONTRACT NUMBER: GS-_____

*****THIS COVER PAGE, WITH THE APPROPRIATE BOX MARKED AND ALL REQUIRED DOCUMENTATION
MUST ACCOMPANY YOUR REQUEST.*****

****ANY REQUEST SUBMITTED TO YOUR CONTRACTING OFFICER WITHOUT ALL REQUIRED
DOCUMENTS MAY BE REJECTED AND RECEIVE NO FURTHER CONSIDERATION. ****

- [] 1. When adding new services or new SINs, you **must** provide the following:
- (a) Information requested in paragraphs (1) and (2) of the Commercial Sales Practice Format (**Enclosure 1 - Applicable ONLY if adding new SINs**).
 - (b) Discount information for the new service(s) or new SIN(s). Specifically, submit the information requested in paragraphs 3 through 5 of the Commercial Sales Practice Format (Enclosure 1). **If this information is the same as the initial award, a statement to that effect may be submitted in lieu of the CSP-1.**
 - (c) Information about the new service(s) or the service(s) under the new SIN(s) as described in 552.212-70, Preparation of Offer (Multiple Award Schedule) is required. Please note that this clause describes what pricing information must be submitted (*see Enclosure 2*).
 - (d) If you are requesting the addition of an entirely new type of service to the contract, then you must also submit the Attachment applicable to the new service(s), in addition to this attachment. Attachments can be found in the 03FAC solicitation located at <http://www.fbo.gov>.
 - (e) If you are requesting the addition of an entirely new type of service to the contract, you must provide Past Performance Evaluation information technical factors 1 through 3, and invoices to support the pricing for the services.
- [] 2. For contracts based on commercial catalogs or price lists, requests for Economic Price Adjustments must be made in accordance with Clause 552.216-70, Alternate I (Economic Price Adjustment) and the following **must** be provided:
- (a) Enclosure 1 (CSP-1) (All blanks must be filled in). Information requested in paragraphs (1) thru (5) of CSP-1, Commercial Sales Practices Format (Enclosure 1) must be completed **or a certification that no change has occurred in the data since completion of the initial negotiation or a subsequent modification.** Please note that the commercial sales figure provided must reflect commercial sales from commercial prices, and only for those products being offered. If multiple services or SINs are proposed for addition or economic price adjustment, commercial sales should be broken down by brand or SIN.
 - (b) The commercial catalog/pricelist showing the price increase and the effective date for commercial customers.
 - (c) Commercial Sales Practice format regarding the Contractor's commercial pricing practice relating to the reissued or modified catalog/pricelist,
 - (d) Documentation supporting the reasonableness of the price increases.
 - (e) Enclosure 3 – Request for Economic Price Adjustments.
- [] 3. For contracts **NOT** based on commercial catalogs or price lists, Economic Price Adjustments are in accordance with Clause I-FSS-969 (Economic Price Adjustment). Please review the contract to determine if it was awarded based on Clause I-FSS-969 or Clause 552.216-70. If you need assistance with this determination, please contact your Contracting Officer.

- (a) If the contract is based on Clause I-FSS-969, and a fixed annual escalation rate was negotiated at the time of contract award, this amount is stated in the contract documents. On the anniversary date of the contract, you may increase your GSA prices by the amount stated in the contract (for example, 3%). The contractor is required to update the pricing on GSA Advantage as soon as possible and to send the updated price list to the Contracting Officer (in accordance with Clause I-FSS-600).
- (b) If the contract is based on Clause I-FSS-969, and does not have a fixed annual escalation rate, a market indicator was agreed upon at the time of contract award and is stated in the contract documents. Price adjustments must be requested based on adjustments in this indicator, such as the Consumer or Producer Price Indices or specific collective bargaining agreements. The following information **must** be provided:
 - a. The Contractor must submit a request for price adjustment that includes a copy of the price index which clearly shows the change from the time of contract award (or previous price adjustment) to the current percentage or rates.
 - b. The Contractor must complete and submit Enclosure 3 – Request for Economic Price Adjustments to show the price changes.

ENCLOSURE 1

CSP-1 COMMERCIAL SALES PRACTICES FORMAT

Name of Offeror _____

SIN(s) _____

Note: Please refer to clause 552.212-70, PREPARATION OF OFFER (MULTIPLE AWARD SCHEDULE), for additional information concerning your offer. Provide the following information for each SIN (or group of SINs or SubSIN for which information is the same).

- (1) Provide the dollar value of sales to the general public at or based on an established catalog or market price during the previous 12-month period or the offerors last fiscal year: Enter dollar amount here_____. State beginning and ending of the 12 month period. Beginning_____Ending_____. In the event that a dollar value is not an appropriate measure of the sales, provide and describe your own measure of the sales of the item(s).
- (2) Show your total projected annual sales to the Government under this contract for the contract term, excluding options, for each SIN offered. If you currently hold a Federal Supply Schedule contract for the SIN the total projected annual sales should be based on your most recent 12 months of sales under that contract.

SIN_____	Dollar Amount_____;
SIN_____	Dollar Amount_____;
SIN_____	Dollar Amount_____;

- (3) Based on your written discounting policies (standard commercial sales practices in the event you do not have written discounting policies), are the discounts and any concessions which you offer the Government equal to or better than your best price (discount and concessions in any combination) offered to any customer acquiring the same items regardless of quantity or terms and conditions? YES____ NO____. (See definition of “concession” and “discount” in 552.212-70.)
- (4) (a) Based on your written discounting policies (standard commercial sales practices in the event you do not have written discounting policies), provide information as requested for each SIN (or group of SINs for which the information is the same) in accordance with the instructions at Figure 515.4-2, which is provided in this solicitation for your convenience. The information should be provided in the chart below or in an equivalent format developed by the offeror. Rows should be added to accommodate as many customers as required.

Column 1— Customer	Column 2— Discount	Column 3— Quantity/Volume	Column 4— FOB Term	Column 5— Concessions

- (b) Do any deviations from your written policies or standard commercial sales practices disclosed in the above chart ever result in better discounts (lower prices) or concessions than indicated? YES ____ NO____. If YES, explain deviations in accordance with the instructions at Figure 515.4-2, which is provided in this solicitation for your convenience.
- (5) If you are a dealer/reseller without significant sales to the general public, you should provide manufacturers’ information required by paragraphs (1) through (4) above for each item/SIN offered, if the manufacturer’s sales under any resulting contract are expected to exceed \$500,000. You must also obtain written authorization from the manufacturer(s) for Government access, at any time before award or before agreeing to a modification, to the manufacturer’s sales records for the purpose of verifying the information submitted by the manufacturer. The information is required in order to enable the Government to make a determination that the offered price is fair and reasonable. To expedite the review and

processing of offers, you should advise the manufacturer(s) of this requirement. The contracting officer may require the information be submitted on electronic media with commercially available spreadsheet(s). The information may be provided by the manufacturer directly to the Government. If the manufacturer's item(s) is being offered by multiple dealers/resellers, only one copy of the requested information should be submitted to the Government. In addition, you must submit the following information along with a listing of contact information regarding each of the manufacturers whose products and/or services are included in the offer (include the manufacturer's name, address, the manufacturer's contact point, telephone number, and FAX number) for each model offered by SIN:

- (a) Manufacturer's Name
- (b) Manufacturer's Part Number
- (c) Dealer's/Reseller's Part Number
- (d) Product Description
- (e) Manufacturer's List Price
- (f) Dealer's/Reseller's percentage discount from List Price or net prices

Figure 515.4-2—Instructions for Commercial Sales Practices Format

If you responded "YES" to question (3), on the COMMERCIAL SALES PRACTICES FORMAT, complete the chart in question (4)(a) for the customer(s) who receive your best discount. If you responded "NO" complete the chart in question (4)(a) showing your written policies or standard sales practices for all customers or customer categories to whom you sell at a price (discounts and concessions in combination) that is equal to or better than the price(s) offered to the Government under this solicitation or with which the Offeror has a current agreement to sell at a discount which equals or exceeds the discount(s) offered under this solicitation. Such agreement shall be in effect on the date the offer is submitted or contain an effective date during the proposed multiple award schedule contract period. If your offer is lower than your price to other customers or customer categories, you will be aligned with the customer or category of customer that receives your best price for purposes of the Price Reduction clause at 552.238-75. The Government expects you to provide information required by the format in accordance with these instructions that is, to the best of your knowledge and belief, current, accurate, and complete as of 14 calendar days prior to its submission. You must also disclose any changes in your price list(s), discounts and/or discounting policies which occur after the offer is submitted, but before the close of negotiations. If your discount practices vary by model or product line, the discount information should be by model or product line as appropriate. You may limit the number of models or product lines reported to those which exceed 75% of actual historical Government sales (commercial sales may be substituted if Government sales are unavailable) value of the special item number (SIN).

Column 1—Identify the applicable customer or category of customer. A "customer" is any entity, except the Federal Government, which acquires supplies or services from the Offeror. The term customer includes, but is not limited to original equipment manufacturers, value added resellers, state and local governments, distributors, educational institutions (an elementary, junior high, or degree granting school which maintains a regular faculty and established curriculum and an organized body of students), dealers, national accounts, and end users. In any instance where the Offeror is asked to disclose information for a customer, the Offeror may disclose information by category of customer if the offeror's discount policies or practices are the same for all customers in the category. (Use a separate line for each customer or category of customer.)

Column 2—Identify the discount. The term "discount" is as defined in solicitation clause 552.212-70, Preparation of Offer (Multiple Award Schedule). Indicate the best discount (based on your written discounting policies or standard commercial discounting practices if you do not have written discounting policies) at which you sell to the customer or category of customer identified in column 1, without regard to quantity; terms and conditions of the agreements under which the discounts are given; and whether the agreements are written or oral. Net prices or discounts off of other price lists should be expressed as percentage discounts from the price list which is the basis of your offer. If the discount disclosed is a combination of various discounts (prompt payment, quantity, etc.), the percentage should be broken out for each type of discount. If the price lists which are the basis of the discounts given to the customers identified in the chart are different than the price list submitted upon which your offer is based, identify the type or title and date of each price list. The contracting officer may require submission of these price lists. To expedite evaluation, offerors may provide these price lists at the time of submission.

Column 3—Identify the quantity or volume of sales. Insert the minimum quantity or sales volume which the identified customer or category of customer must either purchase/order, per order or within a specified period, to earn the discount. When purchases/orders must be placed within a specified period to earn a discount indicate the time period.

Column 4—Indicate the FOB delivery term for each identified customer. See FAR 47.3 for an explanation of FOB delivery terms.

Column 5—Indicate concessions regardless of quantity granted to the identified customer or category of customer. Concessions are defined in solicitation clause 552.212-70, Preparation of Offers (Multiple Award Schedule). If the space provided is inadequate, the disclosure should be made on a separate sheet by reference.

If you respond “YES” to question 4 (b) in the Commercial Sales Practices Format, provide an explanation of the circumstances under which you deviate from your written policies or standard commercial sales practices disclosed in the chart on the Commercial Sales Practices Format and explain how often they occur. Your explanation should include a discussion of situations that lead to deviations from standard practice, an explanation of how often they occur, and the controls you employ to assure the integrity of your pricing. Examples of typical deviations may include, but are not limited to, one time goodwill discounts to charity organizations or to compensate an otherwise disgruntled customer; a limited sale of obsolete or damaged goods; the sale of sample goods to a new customer; or the sales of prototype goods for testing purposes.

If deviations from your written policies or standard commercial sales practices disclosed in the chart on the Commercial Sales Practices Format are so significant and/or frequent that the Contracting Officer cannot establish whether the price(s) offered is fair and reasonable, then you may be asked to provide additional information. The Contracting Officer may ask for information to demonstrate that you have made substantial sales of the item(s) in the commercial market consistent with the information reflected on the chart on the Commercial Sales Practice Format, a description of the conditions surrounding those sales deviations, or other information that may be necessary in order for the Contracting Officer to determine whether your offered price(s) is fair and reasonable. In cases where additional information is requested, the Contracting Officer will target the request in order to limit the submission of data to that needed to establish the reasonableness of the offered price.

