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Fair Opportunity and Ordering Guide

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| 4 | June 5, 2018 | Updated Use Case “Accommodating Expected Moves, Adds, Changes and Additional Quantities of Services or Additional Services in EIS Solicitations” in Appendix B |

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1 Introduction

GSA's Office of Telecommunications Services (OTS) has developed this *Fair Opportunity and Ordering Guide* for Ordering Contracting Officers (OCOs) and other stakeholders to facilitate the use of the Enterprise Infrastructure Solutions (EIS) contracts and ensure a successful, timely, and orderly transition of telecommunications services from expiring legacy contracts – Networx, WITS 3, and GSA Regional Local Services. Now that the EIS contracts have been awarded, agencies should accelerate their planning efforts or risk not having services transitioned before the current contracts expire and services are disconnected in 2020.

EIS is a multiple award Indefinite Delivery, Indefinite Quantity (IDIQ) contract – also known as a task order contract. A task order is the official contractual mechanism that will be used by agencies to order supplies and/or services under EIS. All task orders are subject to *fair opportunity* as defined in [Federal Acquisition Regulation \(FAR\) 16.505](#). The FAR requires that all awardees under a multiple award contract be given a fair opportunity to be considered for each task order in excess of \$3,500, unless an exception applies. The *Fair Opportunity and Ordering Guide* provides a step-by-step description of the task order acquisition process. The advice and best practices are based upon practical experience. However, the guidance provided here does not supersede requirements of the FAR or agency FAR supplements and policies. In all cases, the OCO must ensure complete adherence to the EIS contract, applicable laws, the FAR, and any additional agency policy and regulations.

This Guide focuses on Fair Opportunity and Ordering during transition, but most of the activities and practices discussed are applicable to the operational phase of EIS.

The *Fair Opportunity and Ordering Guide* is one of several resources GSA has developed to assist agencies with their transition to EIS and the award of task orders against the EIS contracts. Throughout the *Guide*, references and hyperlinks¹ are provided to other GSA guides, tools, and resources that offer additional details associated with specific task order acquisition activities. Due to the importance of transition, the *Guide* focuses heavily on ordering during transition; however, most of the activities and practices discussed are applicable for all ordering actions performed under EIS.

2 Fair Opportunity and Ordering Overview

Fair opportunity and ordering activities are organized within three distinct phases – *Acquisition Planning*; *Acquisition Decision and Task Order Award*; and *Administration*. The first phase, *Acquisition Planning*, includes key activities that focus on the agency's inventory and requirements, the acquisition strategy, and the task order solicitation. The second phase, *Acquisition Decision and Task Order Award*, involves offer evaluation, contractor selection, and task order award. The third phase, *Administration*, considers

¹ Hyperlinks are provided to the resources noted in the *Guide*. Most links go directly to the referenced resources. Others link to a landing page and further navigation is required. For resources that are in development and not yet complete, hyperlinks will be added in later versions of the *Guide* as they become available.

efforts associated with the operations and management of task orders following award including: service implementation, task order modifications, contractor performance management, and task order close-out.

These three phases are required for all task orders made under EIS throughout its period of performance – and are particularly time-sensitive during transition. Failure to properly plan may jeopardize the integrity of the entire acquisition process, the ability of an agency to meet deadline commitments to oversight bodies, and the overall goal of the government to expeditiously transition from legacy contracts to EIS.



Whether ordering services during transition or later in the

EIS period of performance, agencies must follow the fair opportunity requirement set out in [FAR 16.505\(b\)\(1\)](#). A summary of FAR requirements is provided in [Appendix A](#). Requirements vary based on the total value of the task order. And regardless of when the task order is awarded, all task orders end on the expiration date of their respective contracts. Best practice approaches to comply with fair opportunity requirements are explained in detail throughout the *Guide*. [Appendix A](#) also includes a description of the exceptions to the fair opportunity process allowed by [FAR 16.505\(b\)\(2\)](#).

3 Acquisition Planning

The *Acquisition Planning* phase begins with the establishment of the Integrated Procurement Team (IPT), execution of a Delegation of Procurement Authority (DPA) with GSA, and registration for access to GSA tools. The team will then set out to analyze the agency’s current inventory, develop service requirements, and draft the solicitation. Careful planning and preparation will satisfy FAR requirements and further ensure that the fair opportunity and ordering process is straightforward, manageable, and results in the best value with respect to the product, service, or solutions procured.

As you begin to plan fair opportunity and structure task orders, let us know the issues that you face – and we will help. Whether it is a challenge, an opportunity, or a problem, GSA will address your issues in the form of a use case. We will respond with alternatives and suggestions. We will also regularly update this guide to share your solutions with others facing similar issues. Refer to [Appendix B](#) for details on submitting your issues.

3.1 Establish Integrated Procurement Team

The agency's Integrated Procurement Team will direct and manage fair opportunity and task order award activities. The IPT will comprise one or more individuals depending on the size of the organization and the volume and complexity of their service requirements. For most agencies, the IPT will be directly led by the OCO who will make the *Fair Opportunity Decision* and select an offeror(s) for task order award(s). The team must have full access to relevant skill sets: including contracting, telecommunications, security, network engineering, financial, transition, and implementation. Team membership should include individuals with telecommunications expertise in both legacy and emerging technologies – who understand the agency's mission and supporting infrastructure and have a thorough knowledge of the agency's future operational goals and objectives. Depending on the geographic scope of the agency's requirements, teams may need members with an understanding of both the local service sectors currently serviced by GSA Regional and WITS contracts as well as the national and international service environment under Networx. As the IPT moves through the task order acquisition phases, additional team members may be added in response to the workload and scope of the effort.

Your IPT should be in place and aggressively planning transition now that EIS contracts have been awarded.

3.1.1 Complete Delegation of Procurement Authority

The OCO or other officials with authority to obligate funds for the agency (or tribe, or other entity authorized to use the contract per GSA order [OGP 4800.2I](#)) must receive a Delegation of Procurement Authority from GSA prior to submitting a solicitation to GSA for an in-scope review, before issuing the solicitation, and before awarding a task order under EIS. To receive a DPA, the OCO must first complete EIS DPA training through the [Defense Acquisition University \(DAU\)](#)- course FAC066, send a copy of the certification to eis_dpa@gsa.gov, request a DPA by filling out the [DPA form](#), and be given authority by a GSA EIS Contracting Officer. The purpose of the DPA is to ensure that the roles and responsibilities between the EIS GSA CO and agency OCO are clearly established and comply with the Office of Management and Budget's (OMB) Executive Agent designation to GSA. An agency may have multiple OCOs as long as each has been issued a DPA by GSA – the DPA cannot be re-delegated by the agency. The authority granted to an OCO under a DPA is limited to the EIS contracts and those task orders awarded and administered by an OCO under the EIS contracts.

3.1.2 Register for Access to GSA Tools

Agencies are encouraged to register for access to GSA's next generation business management platform, [Conexus](#). The system will provide ordering, billing, and inventory functionality to EIS customer agencies. *Conexus* will automate processes and data exchanges that are currently manual, and will capture and make available applicable contract deliverables, billing records, inventory data, and SLA management reports through a secure authenticated web interface. Agencies that opt to not register for access to *Conexus* may obtain their deliverables by e-mail by requesting such from their contractor or by accessing the data through their contractor's web interface. Agencies that require their deliverables in another format (e.g., Excel), or delivered by another means (e.g., direct data exchange) must specify their requirements in their TO.

Another valuable GSA tool, the Agency EIS Pricer Tool, provides agencies with pricing output to help with research and budget development of their Fair Opportunity solicitations. The Agency EIS Pricer Tool, along with a user guide and procedures to access the Agency EIS Pricer Tool, is available through the EIS website.

Visit [EIS Resources](#) for more details on GSA-provided tools and resources.

3.2 Compile Inventory

A comprehensive understanding of the “as-is” state of the agency’s telecommunications services and infrastructure is the point of departure to develop EIS service requirements going forward. To facilitate the EIS transition, GSA has developed, validated and maintains an EIS Transition Inventory (TI). Building on lessons learned from previous transitions, GSA assembled and validated TI to relieve the agencies of the burden of this labor-intensive and time-consuming task. Validation consisted of a comprehensive comparison of billing and inventory data collected by GSA from the Networx, WITS 3, and Regional contracts with equivalent data maintained by the service providers on those vehicles. The transition inventory establishes a baseline of services that must be disconnected on legacy contracts and provides information for planning and transition of services to EIS. Refer to the [Transition Inventory Users Guide](#) for complete detail on the transition inventory and directions on creating an account in GSA’s E-MORRIS system where the inventory resides. Agencies may also contact the EIS Transition Coordination Center (TCC) at eistcc.inventory@gsa.gov for TI-related issues.

3.3 Deliver Agency Transition Plan

In preparation for transition, each agency should develop and submit an *Agency Transition Plan* (ATP). The ATP is an important tool for communicating the agency’s requirements, expectations, and approach to other transition stakeholders, including GSA, OMB, and support contractors. The *Agency Transition Plan* should describe the agency’s transition strategy, priorities, and objectives in conjunction with its approach to making fair opportunity decisions and ordering. Refer to the [Transition Handbook](#) for further detail on the ATP.

3.4 Define Service Requirements

EIS service requirements are driven by the agency’s mission and operational environment. Requirements analysis begins with an assessment of an agency’s current inventory of telecommunications services – the “as is” state – and ends with the definition of the “to-be” future state of the agency’s telecommunications solutions. The IPT will determine how EIS service offerings can best meet the agency’s current and future needs – and identify viable opportunities to transform legacy services towards modern and emerging technologies both during and after transition. The analysis will also determine how the agency’s service requirements should be partitioned into individual *service groups* prior to undergoing fair opportunity.

The determination of service requirements is a critical activity early in the task order acquisition process. All subsequent process steps build on the requirements baseline. Requirements must be complete, accurate, and feasible.

GSA recommends that agencies specify requirements functionally and allow offerors the flexibility to propose best-value solutions. Alternatively, the team may determine – on a service-by-service basis – which services must be transitioned like-for-like and which services must be migrated to new technologies. Teams should also consider changes to the future volume and mix of service requirement as well as changes in the agency’s geographic footprint and user demographics that are expected throughout the task order period of performance. For example, new applications or cloud computing implementations may increase and alter the agency’s bandwidth needs. The IPT must engage all stakeholders to ensure new requirements are accurately assessed. The results of an agency’s requirements analysis will be documented in a *Statement of Work (SOW)*, a *Performance Work Statement (PWS)*, or *Statement of Objectives (SOO)*. [Appendix C](#) provides a like-for-like mapping of Network, WITS, and GSA Regional services to EIS services. A listing of EIS service areas, service names, service IDs, and CLIN prefixes is also provided. For further details, refer to the [EIS Service Guides](#) for complete descriptions of all services available on the contract. Together these resources should prove useful in translating the agency’s current inventory to EIS services.

Sections below address in greater detail the concept of service groups and discuss the tradeoffs in documenting EIS requirements within a SOW, PWS or a SOO. [Appendix D](#) provides examples of flexibility available to agencies employing performance-based solicitations.

3.4.1 Define Service Groups

Dividing the agency’s service requirements into logical service groups is a key element of the acquisition strategy and will set the course of the fair opportunity activity and ultimately determine the number and scope of EIS task orders. Agencies have broad flexibility to define a wide variety of groupings that meet their mission needs. Service groupings may take the form of site-based requirements, network-based/enterprise-wide requirements, service/technology-based requirements, or a combination of these forms. Groups may be based on service clusters (internet protocol services, dedicated services), technology (voice, data), geographic location (Core Based Statistical Areas (CBSAs)), or any logical clustering of requirements as determined by individual agency needs – such as diversity, redundancy, or unique performance measures. Small agencies or bureaus may combine and compete all required EIS services at all locations within a single group. Large agencies with diverse service requirements will usually define multiple groups – based on service/technology, network, location, or users. The strategy employed to group services may incorporate factors such as organizational structure and size, agency mission, implementation schedule, target technical architecture – both current and future – and time and resources available to transition.

Each service group will undergo an independent fair opportunity competition and will result in the award of one or more task orders.

How an agency’s service requirements are grouped may impact the proposed prices, workload to evaluate offers, and resources to implement task orders. More groups will generally equate to more complex evaluations, more task orders, a longer transition timeline, and greater administrative burden. Fewer groups may streamline the fair opportunity process and simplify transition to EIS. Agencies should consider the tradeoffs. For example, more service groups will likely attract more vendor interest, a wider

variety of potential solutions, and possibly better pricing. With more groups, niche service providers can selectively choose where to compete and large providers can propose across multiple groups and offer economies of scale. Fewer service groups will lead to fewer awards and fewer contractors to oversee – resulting in a more manageable operational life cycle.

Service groups may be packaged within individual solicitations or the agency may elect to combine multiple service groups into a single solicitation. Moreover, some service groups may be included as “optional” for greater flexibility where future quantities, locations, or other factors affecting the volume of services required are unknown but can be described and estimated within the solicitation. Combining multiple groups within a single solicitation may complicate the evaluation but will likely have a shorter critical path to task order award and offer greater flexibility to manage acquisition tradeoffs. Considerations on how best to develop solicitations are discussed at greater length below.

3.4.2 Document Service Requirements

After the agency’s service requirements have been determined, the IPT will document those requirements within a SOW, PWS, or a SOO. A SOW is typically used when service requirements are well-defined and can be described in specific terms – for example, where the agency requires a like-for-like service transition with required Contract Line Item Numbers (CLINs) already established on the contract, or if the agency has precise future plans that can be defined in terms of specific EIS services. Use of the uniform contract format (UCF) for the solicitation, and the assistance of GSA with the Solicitation/SOW Assist Tool (SSAT), can facilitate proposal preparation and lead to a straightforward evaluation and comparison between offeror pricing. A PWS and a SOO emphasize performance-based measures such as desired service outcomes and performance standards. A SOO establishes high-level outcomes and objectives for performance while a PWS describes outcomes and objectives at a more detailed and measurable level. A PWS or SOO is often appropriate where the Agency requires a transformative solution and desires to provide maximum flexibility for offerors to propose innovative approaches. It is still important for the agency to establish functional technical requirements, especially for new technologies. There is also the option of using a SOW and encouraging offerors to propose alternative approaches as desired, which is similar to the suggestions provided in [Appendix D](#). Regardless of which approach is used, the SOW/PWS/SOO must include the agency’s transition inventory and service locations – as well as any government furnished equipment (GFE) that will be transitioned to EIS – along with service requirements.

When developing requirements, agencies should be mindful of practices that can facilitate or expedite the task order award process and reduce price. For example:

- Minimize custom service level agreements or billing requirements beyond those specified in the EIS contracts.
- Provide the transition inventory in order to fully describe the services to be replaced.
- Use pricing tables structured similarly to those in the EIS contracts.
- Use fixed price CLINs whenever possible. (Even if a SOO or PWS is used, it is recommended to encourage proposals that contain a detailed description of the solution and price that uses fixed price CLINs whenever possible.)

Also bear in mind [FAR 16.505](#) direction:

“Performance-based acquisition methods must be used to the maximum extent practicable. Individual [task] orders shall clearly describe all services to be performed or supplies to be delivered so the full cost or price for the performance of the work can be established when the [task] order is placed.”

3.5 Develop Acquisition Strategy

After requirements have been analyzed and documented and service groups have been defined, the IPT will complete development of an acquisition strategy. Activities include selection of the acquisition method that will be followed for each service group and preparation of a formal *Acquisition Plan*.

3.5.1 Select Acquisition Method

The acquisition method used to conduct fair opportunity is based on several considerations – most importantly, the dollar value of the task order and the complexity of the agency’s requirements. Selection of the acquisition method must also take into account the type of CLINs that will be acquired. A word about EIS CLINs is helpful here before proceeding with a description of acquisition methods. Most CLINs on the EIS contracts are fixed priced, however items not included or priced on the contract may be incorporated in task orders if they are within scope. To accommodate agency-specific requirements, EIS provides three additional CLIN types: Individual Case Basis (ICB) CLINs, Task Order Unique CLINs (TUCs), and Catalog CLINs. Furthermore, EIS contractors may offer agency-specific price discounts on fixed price CLINs. Note that although there are many appropriate use cases, excessive use of TUCs can erode long-term price efficiencies and increase the likelihood of vendor lock-in. “Bundling” (i.e. combine multiple contract CLINs into a single TUC) should be used judiciously, and agency requirements that can be logical additions to an EIS service (e.g., when requiring additional bandwidths for a transport service) should be procured by adding new CLINs to the EIS contract rather than using TUCs. Each CLIN type is described in Table 1 below.

Three acquisition methods are available to agencies – one is based solely on price and does not require a formal solicitation and two are solicitation-based. The best method depends on the dollar value of the task order, the complexity of the requirements, and the type of CLINs required. Solicitation-based acquisition methods must be used where the expected value of the task order exceeds the Simplified Acquisition Threshold (SAT) – currently set in the FAR at \$150K – and may be used for lower dollar value solicitations, allowing the agency to take advantage of possible task order discounts. Notwithstanding the information below, agencies should refer to [FAR 16.505\(b\)](#) for the specific language regarding fair opportunity.

1. **Price-only.** Agencies may use this acquisition method when all required CLINs are fixed priced on the EIS contracts or contractor catalogs² – and the agency elects to make a fair opportunity

² Note that Catalog CLINs are not priced under the EIS contracts and have not been evaluated fair and reasonable by GSA. When acquiring Catalog CLINs, the OCO must make a fair and reasonable determination.

decision based on a single factor, price. This method cannot be used if the requirement includes ICB CLINs or TUCs as those CLINs are not included or priced on the EIS contracts. Where the value of the task order is over \$3,500 but will not exceed the \$150K SAT, the contracting officer need not notify EIS contractors before performing the evaluation or selecting an awardee. The agency may also use the Agency EIS Pricer Tool to make a price-only FO selection for a Task Order in accordance with Fair Opportunity under FAR Subpart 16.505. This could be useful for pricing well-defined services for which a like-for-like replacement is required. (Note: The *Public* EIS Pricer Tool only shows current-year pricing and should not be used for an evaluation of requirements that extend into future years.) Where the value of the task order will exceed the SAT, agencies must use a solicitation-based method.

2. **Low Price Technically Acceptable (LPTA) with a Solicitation.** Agencies may use this method when requirements include any combination of CLIN types – fixed priced CLINs, ICB CLINs, agency-specific TUCs, and Catalog CLINs – and the agency elects to make a fair opportunity decision based on a technically acceptable proposal with the lowest evaluated price.
3. **Best Value Tradeoff with a Solicitation.** This method is appropriate when requirements include any combination of CLIN types – and the agency elects to include non-price factors (e.g. technical, past performance) in addition to price and perform a tradeoff analysis to determine best value.

Table 1. EIS CLIN Types

| CLIN Type ³ | Description |
|-----------------------------|---|
| Fixed Price | Fixed price CLINs are defined, specified, and priced on the contract – and may be ordered directly from the contract without further detail. |
| Individual Case Basis (ICB) | ICB CLINs are defined and specified at the contract level but require additional information from the agency to determine the fixed price for the individual case and task order. ICB CLINs are not orderable until priced and added to a task order. These ICB CLINs represent placeholders for specific price CLINs so that the service being proposed may be defined and assigned a unique identifier. For example, OC12 access requires the location, site survey, and other information from the LEC to price the particular instance of the service. The OCO must determine prices fair and reasonable. |
| Task Order Unique (TUC) | TUCs represent agency requirements that do not correspond with any of the fixed or defined ICB CLINs for the service on the EIS contracts. TUCs are used to define and price services that 1) are not defined and priced on the contract and 2) should not logically be added to the contract as a new CLIN (e.g. missing bandwidths within a service should be logically added and are not TUC candidates) and 3) are used to meet agency custom requirements. TUCs and pricing for TUCs are not added to the EIS contracts by contract modification, but are incorporated into the contract databases for pricing and billing purposes only. In addition, TUCs may be used to combine multiple contract CLINs into a single TUC. The OCO must determine prices fair and reasonable. |

³ Check out our white paper on [TUC and ICB CLINs](#) on the [EIS Interact Site](#).

| CLIN Type ³ | Description |
|------------------------|--|
| Catalog | EIS has negotiated class discounts for Catalog Item CLINs– for offerings such as cloud, equipment, and managed services with significant market and price volatility. Catalog CLINs are maintained by the contractors on contractor-hosted web sites. These items are subject to change at the discretion of the contractors in accordance with the terms established in their EIS contracts. The OCO must determine prices fair and reasonable. |

Bear in mind that EIS contractors are not required to price mandatory services in all geographic locations in order to receive a contract award⁴. And not all contractors will price all optional services at the time of contract award. Contractors may elect to submit a proposal in response to any notification or solicitation in cases where the required services or CBSAs are not currently on their contract. In such cases, the contractor’s proposal must indicate that those services or CBSAs are not on contract and that a modification request has been submitted to GSA. The contractor’s EIS contract must be modified prior to award of a task order. Refer to [G.3.2.5 \[Authorization of Orders\]](#) of the EIS contracts for additional detail.

To select an acquisition method, the IPT may conduct market research. The IPT should carefully review the offerings from EIS contractors including services and geographic coverage as well as operational support systems⁵. When compared to Networx, WITS, and GSA Regional Local Services contracts, EIS includes new services, new pricing arrangements, and additional flexibility to meet agency requirements. For complicated service requirements, the agency may consider the use

The objective of market research, at this stage, is to refine the agency’s service requirements and acquisition strategy.

of a *Request for Information (RFI)* – where the agency provides EIS contractors a snapshot of requirements and details of its acquisition strategy. Contractor responses to meaningful RFIs often lead to valuable refinements of both requirements and acquisition strategy. Bear in mind, that market research should not be used to exclude contractors from the process or to favor one contractor over another. Fair opportunity must be given to all EIS contractors.

⁴ With EIS, GSA has eliminated the mandatory requirement under Networx Universal to offer so-called “ubiquitous” geographic coverage. Ubiquity has been replaced by the use of Core-Based Statistical Areas (CBSAs) to define required coverage areas. The minimum offer to qualify for an EIS contract award includes pricing for mandatory services delivered to all government locations in 25 of the top 100 CBSAs – based on service bandwidth. For additional details refer to the [EIS Concepts for CBSAs](#).

⁵ To minimize custom development and cost of operational support systems (OSS) while benefiting from the evolution of Web technology, EIS allows vendors to provide commercial OSS functionality enhanced with additional government-specific compliance requirements relating to security. Accordingly, OSS offerings among EIS vendors may vary.

3.5.2 Prepare Acquisition Plan

The FAR requires that agencies conduct acquisition planning, including market research, for all federal procurements. [FAR 7.1](#) details acquisition planning requirements while [FAR 10](#) addresses market research. Written acquisition plans are generally required for acquisitions exceeding specific dollar thresholds – identified in the agency’s FAR supplement. The *Acquisition Plan* is execution-oriented and contract-focused.

Current use of GSA’s legacy contracts and the intention to transition to EIS does not relieve the agency of the need to carry out thorough acquisition planning.

The Office of Management and Budget (OMB) requires that agencies prepare a *Best Interest Determination* prior to the use of all interagency acquisitions. The *Best Interest Determination* – justifying the use of the EIS contract vehicle – may be included within the *Acquisition Plan* or prepared as a separate document. For further guidance refer to OMB’s [Improving the Management and Use of Interagency Acquisitions](#).

3.6 Draft Solicitation

Contents of the solicitation and the complete *Acquisition Package* are driven by the acquisition method. Details are shown in Table 2. For requirements less than \$150K that will undergo the Price-only evaluation method, a simple spreadsheet listing of all required fixed price CLINs is sufficient – a formal solicitation is not required. For requirements that will follow the LPTA and Best Value Tradeoff methods, the solicitation includes the SOW/PWS/SOO, Instructions to Offerors, evaluation criteria, a delivery or performance schedule, and any agency-specific clauses. An IGCE and funding documentation are also required with each of the three methods to complete the *Requirements Package*.

To help agencies with assembling a complete solicitation, GSA has developed the *Solicitation/SOW Assist Tool*. Refer to [GSA’s YouTube video](#) for an overview of how the tool can speed the preparation of a solicitation. To request a SOW Assist visit from GSA, contact your agency manager or submit your request to eistcc.ta@gsa.gov.

As noted earlier, separate solicitations may be prepared for each service group or agencies may elect to combine multiple service groups into a single solicitation. A hybrid solicitation may include mix of service groups – with some groups undergoing LPTA evaluation and others a *Best Value Tradeoff* evaluation. Combining multiple service groups within a solicitation will likely lessen the overall workload for both the agency and EIS contractors. Either case will result in one or more task order awards to one or more contractors – depending on the solicitation language that specifies differentiation to award to multiple vendors, the evaluation criteria set out by the agency, and the results of the fair opportunity competition.

At this point in the process nearing the conclusion of the *Acquisition Planning* phase, agencies should revisit the size and composition of the IPT. If requirements are broken into a large number of service groups and multiple solicitations are planned, additional team members may be recruited and the team divided into sub-teams and assigned specific groups. Depending on the evaluation criteria selected and the complexity of the target solutions, additional Subject Matter Expert (SME) specialties may be needed. For the initial transition fair opportunity, it may also be useful to engage agency staff that will be responsible for the service implementation stages of transition that will follow.

Table 2. Solicitation and Requirements Package Content

| Acquisition Method | Requirements Package Content |
|------------------------------------|--|
| Price-only (\$150K maximum) | <ol style="list-style-type: none"> 1. Spreadsheet listing of all required fixed priced CLINs. 2. Independent Government Cost Estimate (IGCE). 3. Funding documentation. |
| LPTA | <ol style="list-style-type: none"> 1. Solicitation: <ol style="list-style-type: none"> a. SOW/PWS/SOO: <ol style="list-style-type: none"> i. List of all required and optional fixed priced CLINs. ii. Price determining information for all required and optional ICB, TUC and catalog CLINS. b. Delivery or performance schedule. c. Instructions to Offerors stating proposal content and submission schedule. d. Agency-specific clauses. e. Evaluation Criteria: lowest evaluated price of technically acceptable offers. 2. IGCE. 3. Evaluation Plan. – [Optional. FAR 16.505 (b)(1)(v)(B) does not strictly require formal evaluation plans or scoring of quotation/proposals]. 4. Funding documentation. |
| Best Value Tradeoff | <ol style="list-style-type: none"> 1. Solicitation: <ol style="list-style-type: none"> a. SOW/PWS/SOO: <ol style="list-style-type: none"> i. List of all required and optional fixed priced CLINS ii. Price determining information for all required and optional ICB, TUC and catalog CLINS. iii. Description of additional requirements to be formulated as TUCs. b. Delivery or performance schedule. c. Instructions to Offerors stating proposal content and submission schedule. d. Agency-specific clauses. e. Evaluation Criteria: price and technical factors and relative importance. 2. IGCE. 3. Evaluation Plan – [Optional. FAR 16.505 (b)(1)(v)(B) does not strictly require formal evaluation plans or scoring of quotation/proposals]. 4. Funding documentation. |

4 Acquisition Decision and Task Order Award

During the *Acquisition Decision and Task Order Award* phase, the IPT submits the task order solicitation to GSA to ensure that the agency’s requirements are within the EIS contract scope. Following the “in-scope” determination, the team conducts fair opportunity. The phase concludes with the award of one or more task orders.

4.1 Submit Solicitation for In-Scope Review

All solicitations must be reviewed by GSA. Each solicitation receives a review of technical, order terms and conditions, and price structure to ensure that it is within the scope of the EIS contracts. GSA will determine if the solicitation requirements are within scope and issue a written scope determination finding to the agency. The time required for the scope determination will depend upon the complexity of the solicitation. Generally, developing the solicitation with GSA’s *Solicitation/Sow Assist Tool* will result in a faster in-scope review. If the solicitation is not within scope, GSA will work with the agency, if requested, to redefine the requirements and ensure that they fall within the EIS scope. Following a successful in-scope review, the agency releases the solicitation to all EIS contractors -- GSA recommends using GSA eBuy at www.ebuy.gsa.gov. Refer to [EIS Resources](#) for further information on GSA’s in-scope review.

All solicitations must be reviewed by a GSA CO prior to release. Use GSA eBuy to release to all EIS contractors at once.

4.2 Conduct Fair Opportunity

Decisions made during the *Acquisition Planning* phase will determine how the fair opportunity evaluation/selection process proceeds. Activities associated with each acquisition method are described in Table 3. Similarities and differences among the acquisition methods are evident. Procurements undergoing the Price-only method can be rapidly evaluated and documented. Procurements following the solicitation methods require longer timeframes. These latter methods entail formal offers, structured evaluations, and may include formal communications and negotiations in order to select an EIS contractor.

Table 3. Fair Opportunity Evaluation/Selection Activities by Acquisition Method

| Activity | Fair Opportunity Evaluation Method Price-only (\$150K maximum) | Fair Opportunity Evaluation Method LPTA | Fair Opportunity Evaluation Method Best Value Tradeoff |
|-----------------------------|--|---|---|
| Release Solicitation | Solicitation not required. | Released to EIS contractors by agency. | Released to EIS contractors by agency. |
| Conduct Evaluation | Comparative price analysis based on EIS contract and catalog prices – including discounts. | Comparative price analysis of technically acceptable proposals. Evaluation criteria are required. An evaluation plan is optional. | Price and technical evaluation based on contractor price and technical proposals. Evaluation criteria are required. An evaluation plan is optional. |
| Document Findings | Team/OCO determination of low price. | Team/OCO determination of low price and technical acceptability. | Strengths, weaknesses, significant weaknesses, deficiencies, total evaluated price comparison, Team recommendation. |

| Activity | Fair Opportunity Evaluation Method Price-only (\$150K maximum) | Fair Opportunity Evaluation Method LPTA | Fair Opportunity Evaluation Method Best Value Tradeoff |
|---------------------|--|---|--|
| Select Contractor | OCO decision document. | OCO decision document. | OCO decision document. |
| Notify Offerors | Not required. | Unsuccessful offerors notified. | Unsuccessful offerors notified. |
| Modify EIS Contract | Not required. | Contract modification may be required. | Contract modification may be required. |
| Debrief | Not required. | As requested by offerors. | As requested by offerors. |

4.3 Award EIS Task Orders

Fair opportunity decisions result in the award of one or more task orders. Sections below define the content of a task order along with a discussion of those cases where task order award must await modification of the successful offeror's EIS contract. Further guidance is provided in [Appendix E](#) where GSA addresses frequently asked questions (FAQs) associated with task order acquisition including how best to structure a task order and the underlying task order solicitation.

4.3.1 Task Order Content

All EIS task orders must be prepared in accordance with [FAR 16.505](#) and each agency's supplement. [FAR 16.505\(a\)\(2\)](#) requires that:

"Individual orders shall clearly describe all services to be performed or supplies to be delivered so the full cost or price for the performance of the work can be established when the order is placed. Orders shall be within scope, issued within the period of performance, and be within the maximum value of the contract."

Per [FAR 16.505\(a\)\(7\)](#), task orders shall contain the following information:

- i. Date of order.
- ii. Contract number and order number.
- iii. For supplies and services, contract item number and description, quantity, and unit price or estimated cost or fee.
- iv. Delivery or performance schedule.
- v. Place of delivery or performance (including consignee).
- vi. Any packaging, packing and shipping instructions.
- vii. Accounting and appropriation data.
- viii. Method of payment and payment office, if not specified in the contract ([Subpart 32.11110\(e\)](#)).

In addition to task order content called out in the FAR, the task order must identify the name of the OCO making the award as well as the names of individuals authorized to place service orders under the task

order (CORs officially delegated by the OCO) and any restrictions/limitations to their ordering authority. Any unique task order deliverables must also be specifically identified in the task order. Mandatory deliverables required at the EIS contract level need not be identified. Refer to [Appendix F](#) for lists of mandatory contract deliverables and optional task order deliverables.

The OCO or the official with authority to obligate funds must obligate sufficient funds on the task order to cover the base period of the task order. If the agency has the authority to use *incremental funding* for firm fixed price or time and material task orders, this may also be an option. The funding obligation on the task order may be a not-to-exceed (NTE) amount.

Regarding the period of performance for task orders, agencies should review their FAR supplement for agency-specific guidance. If using option years, bear in mind that [FAR 17.204\(e\)](#) states:

“Unless otherwise approved in accordance with agency procedures, the total of the basic and option periods shall not exceed 5 years in the case of services, and the total of the basic and option quantities shall not exceed the requirement for 5 years in the case of supplies.” These limitations do not apply to information technology contracts. However, statutes applicable to various classes of contracts, for example, the Contract Labor Standards statute (see [22.1002-1](#)), may place additional restrictions on the length of contracts.”

The agency should verify whether its organization considers telecommunications to be IT. If telecommunications is not considered IT, the agency may follow the agency supplemental procedures for exceeding the 5-year limit. In addition, all task orders end on the expiration date of the contracts on which they were awarded.

Agencies are encouraged to maximize the task order period of performance consistent with the expected life of the services procured and agency acquisition policy. Fair opportunity and transition can be labor intensive, time consuming, and potentially expensive and disruptive – repeating the process on 5-year intervals for services with long life cycles is generally not efficient. Task orders with periods of performance of 10 years or more will avoid the need to re-compete requirements multiple times. However, longer periods of performance do not preclude a re-competition at any point beyond the base period of the task order – if in the agency’s best interest. In fact, a commercial best practice is to not have a commitment longer than 36 months.

When establishing task orders, note that EIS contract prices are fixed for the 5-year base period and will be refreshed prior to the exercise of each of the two 5-year contract option periods. Agencies that have a period of performance longer than 5 years may consider including language in the solicitation that tie task order prices for years beyond year 5 or years beyond year 10 to the EIS contract prices when the options are exercised. The price refreshment may result in price increases or price decreases and are solely based on the Economic Price Adjustment (EPA) process set out in [Section H.19 \[Economic Price Adjustment – Price Refreshment\]](#) of the EIS contracts. GSA will ensure that pricing for EIS contract CLINs is fair and reasonable. The agency will be responsible to ensure that TUCs and ICB CLINS are fair and reasonable.

4.3.2 Task Order Award Restrictions

An EIS contractor does not have to offer all services at all locations or may not have been awarded all services at all locations. A contractor must have been awarded all mandatory services in a CBSA in order to be eligible to offer any CBSA-dependent services in that CBSA on a task order.

There are three cases when an OCO may not award a task order until the contractor has modified its EIS contract:

1. The contractor's contract does not include a CBSA that is specified in the agency's solicitation.
2. The contractor's contract does not include a particular service or service component that is specified in the agency's solicitation – and specified in the EIS contracts.
3. The contractor's contract includes all CBSAs and services specified in the agency's solicitation but it does not have the particular required services in the particular required CBSA.

An EIS contractor may respond to a task order solicitation when there is a modification pending but are required to specify in its proposal that a modification has been submitted to GSA to add the service or the CBSA to their EIS contract. Agencies should note that the submission of the contract modification to GSA is not sufficient to allow the OCO to proceed with the issuance of a task order award, where the contractor is missing a CBSA, service or service/CBSA combination. The OCO must wait until the contract modification is complete before making an award.

Additionally, [Section H.21 \[Notice to Proceed\]](#) of the EIS contracts states an awardee:

“...may only accept and process task orders or service orders, provision or deliver services and bill for services after it receives written notification 1) from the CO that it has passed Business Support Systems (BSS) testing and 2) from GSA that it has successfully completed security testing in accordance with [G.5.6. \[BSS Security Requirements\]](#).”

However, an EIS awardee may respond to agency solicitations while it completes the required EIS BSS verification and security testing. It is recommended that an agency include a requirement in the solicitation for the contractors to state in their responses whether or not they have successfully completed the required BSS verification and security testing: this is for information purposes only and *not* suggested as an evaluation factor for selecting a contractor.

5 Administration

The *Administration* phase of the ordering life cycle begins after the execution of a task order. Key topics discussed here include *Service Orders; Task Order Modifications; Disputes and Terminations; and Task Order Close-out*. Also refer to the [Management and Operations Handbook](#) for additional detail on these and other related topics.

5.1 Place Service Orders under Task Order

The telecommunications industry uses the concept of *service orders* to order or modify services. Whenever the FAR references “order” or “orders” it is referring to a *task order*. Service orders do not exist in FAR terminology and are similar to a service request. EIS allows for the placement of service orders within the limitations of a task order and the contract; however, the decision to use a service order is optional and at the discretion of the OCO. Service orders do not need to be issued if all details required to initiate service are provided in the task order⁶. If needed, service orders can be used to authorize the start, change or discontinuation of services. Service orders can also be used to modify previously issued service orders. Service orders may be issued to provide the contractor with full details of the delivery requirements for the agency-specific services. The basic circuit design information for all new or changed circuits can be provided by the service order. The service order can also be used to procure specific devices and ancillary equipment necessary to install the circuit or services designated. Multiple service orders may be issued against a single task order. If the agency intends to place service orders directly with EIS contractors through GSA’s *Conexus* system, the solicitation and task order must state:

“The contractor shall accept service orders from the GSA Conexus application by web service using the format and specifications provided by GSA Conexus.”

Conexus will provide the EIS awardees with the Conexus Data Dictionary format and web service file layouts after EIS award. In all cases, a service order must be associated with a specific task order. The service order must be within the scope of the task order and must not exceed the funding of the task order. Service orders may neither obligate funds nor modify the scope of a task order.

Service orders can only be placed by OCOs and designated Contracting Officer’s Representatives (CORs), if that role is delegated by the OCO.⁷ CORs replace the Designated

Agency Representative (DAR) role performed under Networkx and WITS. CORs may place service orders, accept or reject services, verify that services meet technical requirements, confirm task order funding, and execute other duties delegated by the OCO. The COR may not bind the government by obligating funds or by issuing or modifying task orders.

Recapping the Task Ordering Process ...

- 1 GSA establishes a DPA from the EIS CO to the agency OCO.*
 - 2 The OCO completes the fair opportunity process.*
 - 3 The OCO issues a task order that complies with FAR 16.505.*
 - 4 The OCO may appoint a COR(s) or other authorized ordering official on the task order to assist with the administration and placing of service orders.*
 - 5 When the task order is awarded, the OCO completes account registration with the contractor.*
-

⁶ In cases where the task order has all the information required to initiate service and service orders are not used, EIS contractors are nonetheless required to provide all order-related notifications and deliverables described in [Section J.2 \[Contractor Data Interaction Plan\]](#) of the EIS contracts. The task order is the service order in this instance.

⁷ The placement of service orders is considered an inherently governmental function and may only be performed by an OCO or COR. Note however, that service orders may be prepared by others prior to the placement the OCO or COR.

5.2 Modify Task Order

The OCO may at any time, by written order, make changes that are within the general scope of the task order. Modifications are executed in accordance with [FAR Part 43](#) and the agency supplement. The OCO has overall responsibility for administering the task order. The right to change the terms and conditions of the task order, terminate the task order, and exercise task order options is reserved solely for the OCO. When the contractor initiates the modification request, the OCO shall review modification requests that add or change existing services to ensure it is technically sufficient and proposed pricing is fair and reasonable. After determining the contractor's proposal is acceptable, the OCO and the contractor sign an SF-30, if required. Task order-specific modification proposed by a contractor to an OCO shall follow these guidelines and shall generally adhere to the requirements for contract modification submissions set out in [FAR Part 43](#).

5.3 Manage Disputes and Terminations

The EIS contracts have *Service Level Agreement* (SLA) requirements along with an SLA credit management methodology to address failed SLAs. GSA has incorporated these SLA requirements and the associated management methodology into the *Conexus* system to assist agencies with the resolution of SLA-related issues. For other unresolved issues under the task order between the agency and contractor, GSA recommends that agencies use available task order remedies including but not limited to: reporting negative contractor performance in CPARS; issuing show cause and cure notices; and initiating task order terminations. Agencies should refer to the FAR and agency supplement before initiating these actions. For more information on performance disputes related to EIS please refer to the requirements [of Section G.4.4 \[Disputes\]](#) of the EIS contracts and the [Management and Operations Handbook](#).

5.4 Close-Out Task Order

When the period of performance of the EIS contracts has ended the task order must be closed. The OCO is responsible to close out the task order. Close-out is to be performed according to [FAR 4.804](#) and agency supplement.

Appendix A: Fair Opportunity Requirements and Exceptions

Fair Opportunity Requirements

| Fair Opportunity Requirements based on Task Order Value ⁸ [FAR 16.505(b)(1)] |
|---|
| <p>For task orders less than \$3.5K:</p> <ul style="list-style-type: none"> No fair opportunity requirements |
| <p>For task orders exceeding \$3.5K:</p> <ul style="list-style-type: none"> Provide each awardee a fair opportunity to be considered CO may exercise broad discretion in developing appropriate order placement procedures |
| <p>For task orders exceeding \$3.5K and less than \$150K (Simplified Acquisition Threshold):</p> <ul style="list-style-type: none"> Provide each awardee a fair opportunity to be considered CO need not contact each of the multiple awardees under the contract before selecting an order awardee if the contracting officer has information available to ensure that each awardee is provided a fair opportunity to be considered for each order |
| <p>For task orders exceeding \$150K:</p> <ul style="list-style-type: none"> Provide each awardee a fair opportunity to be considered Provide a fair notice of the intent to make a purchase, including a clear description of the supplies to be delivered or the services to be performed and the basis upon which the selection will be made to all contractors offering the required supplies or services |
| <p>For task orders exceeding \$5.5M:</p> <ul style="list-style-type: none"> Provide each awardee a fair opportunity to be considered A clear statement of the agency's requirements A reasonable response period Disclosure of the significant factors and sub-factors, including cost or price, that the agency expects to consider in evaluating proposals, and their relative importance Where award is made on a best value basis, a written statement documenting the basis for award and the relative importance of quality and price or cost factors An opportunity for a post-award debriefing in accordance with paragraph (b)(6) of the FAR |
| <p>Protest of task orders exceeding \$3.5K:</p> <ul style="list-style-type: none"> Offerors may protest award decisions – restricted to the grounds that the order increases the scope, period, or maximum value of the contract |
| <p>Protest of task orders exceeding \$10M for civilian agencies and \$25M for DoD:</p> <ul style="list-style-type: none"> Offerors may protest award decisions – on an unrestricted basis –to the Government Accountability Office (GAO) |

⁸ Task order value is based on the total period of performance including base and option periods and option quantities.

Fair Opportunity Exceptions

Task orders may be issued with exception to the fair opportunity process when circumstances warrant the exercise of any exception as set forth in 41 United States Code (USC) §253j. The table below describes the possible exceptions along with examples. Agencies may also have additional requirements regarding the use of exceptions to the fair opportunity process. Under those circumstances, the agency or an agency conducting the fair opportunity process on behalf of another agency must meet the agency’s additional requirements.

| Exception | Examples that Qualify as Exceptions |
|--|---|
| Unusual urgency that would lead to unacceptable delays | <ul style="list-style-type: none"> • Natural disaster or other emergency • Military/mobilization • Immediate short-term need arising on short notice |
| Only one capable contractor | <ul style="list-style-type: none"> • Only one contractor offers service • Only one contractor offers service to locations needed • Only one contractor can demonstrate it is capable of providing service as required by user or to required locations |
| Economy, efficiency, and logical follow-on to an order already issued under Fair Consideration | <ul style="list-style-type: none"> • Orders associated with any moves, additions, changes, or similar needs • Incremental orders for same or new service to locations where service already exists or has been ordered • Orders placed to minimize inefficiencies or additional costs that would result from introducing multiple maintenance, operations, training, network management, or other support systems • Orders placed to augment or maintain engineering and operational integrity of established telecommunications capability |
| Need to satisfy Minimum Revenue Guarantees (MRGs) | <ul style="list-style-type: none"> • Self-explanatory |

Appendix B: Fair Opportunity and Task Ordering Use Cases

As you begin to plan Fair Opportunity (FO) and structure Task Orders (TOs), let us know the issues that you face – and we will help. Whether it is a challenge, an opportunity, or a problem, GSA will address your issues in the form of a Use Case. We will respond with alternatives and suggestions. We will also regularly update this guide to share these Use Cases and your solutions with others facing similar issues.

Email us at ITCSC@gsa.gov and provide the following:

1. **Background.** Briefly describe your telecom requirements – services, volume, locations – that provide some context for the issue(s) that you face.
2. **Issue.** Explain your issue – in terms of a problem, challenge, objective, opportunity, or constraint that you face.

Use Cases prepared to date are provided below.

| Section | Description |
|---------------------------|---|
| Use Case Name | <i>Defining the Period of Performance of a TO</i> |
| Background | As the total Period of Performance (POP) of an Enterprise Infrastructure Solutions (EIS) contract is 15 years, agencies are seeking guidance on how to issue TOs that cover extended periods, up to the EIS contract end date. |
| Issue | <ul style="list-style-type: none"> • The prices on the EIS contracts are definitized only for the awarded period (currently the 5-year base period). • How can a TO POP that extends beyond the awarded period be accommodated? |
| Suggested Approach | <ol style="list-style-type: none"> 1) The period of performance is determined by the agency. The agency may need to do a Determination and Findings (D&F) justification. 2) The agency must request and evaluate pricing for the desired period of performance, including unpriced contract years. It is important for the agency to be extremely clear in the solicitation that this is the intent. Once options are priced and funding is available, the agency may exercise the options without the need for another FO. 3) The agency should include language in the solicitation that ties to the Economic Price Adjustment - Price Refreshment clause in Section H.19 of the EIS contract. Price refreshment will take place in EIS contract years 5 and 10 and may result in economically adjusted prices (EAPs). If the price refreshment results in pricing lower than the CLIN price, the CLIN price should be decreased to match the EAP. 4) In accordance with FAR 17.207, the Ordering Contracting Officer (OCO) should assess option year pricing to ensure it continues to be fair and reasonable in the out-years. If market pricing is better than available pricing plus any costs of disrupting continuity of service, the OCO may decide to renegotiate contract pricing or conduct a new FO. |

| Section | Description |
|-------------------------|---|
| | <p>5) If the agency’s regulations and policies allow the TO to extend beyond five years, that agency may award a longer POP using priced options. However, an EIS TO’s period of performance cannot extend beyond the EIS contract’s period of performance.</p> <p>Note: The agency should consult its Chief Financial Officer for guidance when operating under a Continuing Resolution.</p> |
| Links/References | FAR 17.207, EIS Contract Section H.7, EIS Contract Section H.19 |
| Category | Solicitation |

| Section | Description |
|---------------------------|---|
| Use Case Name | <i>Multiple TOs from a Single FO Solicitation</i> |
| Background | <ul style="list-style-type: none"> • An agency desires to include all data and voice services into a single solicitation to streamline the FO process to one acquisition that includes all requirements. • The agency contemplates awarding data and voice services to a single contractor but also wants the option to award data to one contractor and voice to another should the proposals indicate a particular contractors' strengths and/or pricing advantages. • The agency wants to use one solicitation to select multiple contractors for the same requirements: such as for a primary and backup, or for network redundancy/diversity. • The agency may also wish to select multiple voice providers based on their relative strengths in different geographic areas. |
| Issue | How can agencies best write their solicitations to retain flexibility on the number of TO awards that are eventually made? |
| Suggested Approach | <p>Section B, <i>Pricing</i>, should include as part of the introductory and background material a clear description of the agency's intent to separate voice and data pricing or define pricing by geographic area so that they can be evaluated separately.</p> <p>Section C, <i>Statement of Work</i>, should include as part of the introductory and background material a clear description of the agency's intent to separate voice and data requirements or define voice requirements by geographic area so that they can be evaluated separately.</p> <p>Section J, <i>Attachments</i>, should include separate artifacts for Voice and Data to maintain independence between the two categories of requirements. This would include pricing submission artifacts, as well as other attachments related to technical requirements.</p> <p>Section L, <i>Instructions to Offerors</i>, should include any pricing and proposal development instructions related to preparing the separate voice and data responses.</p> <p>Section M, <i>Evaluation Criteria</i>, should describe how the agency will evaluate responses and indicate that either a single award or multiple awards could result. The OCO should consult agency regulations and policies as well as the FAR.</p> <p>If the agency plans to award to multiple contractors, the OCO should clearly specify which requirements apply to each awardee. Consultation with the agency legal department is advised.</p> |
| Links/References | Fair Opportunity Ordering Guide Section 4.3 Award EIS Task Orders |
| Category | Solicitation |

| Section | Description |
|---------------------------|---|
| Use Case Name | <i>TO Funding using Bureau⁹ Codes</i> |
| Background | <p>An agency desires to include multiple services or services for multiple bureaus into a single FO.</p> <ul style="list-style-type: none"> • The agency PMO is comfortable managing TO funding for centrally-managed services but is uncomfortable managing TO funding for services that have previously been managed directly by bureaus. • The agency is comfortable with making a single award and issuing a single TO but may need to fund the TO from multiple funding sources. The agency needs to ensure that the TO is properly funded and managed. |
| Issue | Is it permissible under EIS to fund a TO from multiple funding sources such as from various bureaus? |
| Suggested Approach | <p>TOs may contain multiple accounting and appropriation codes, one for each of the line items or categories of line items being funded by that source.</p> <p>This allows an agency to fund the TO from multiple sources, e.g., department, bureau, and sub-bureau levels.</p> <ul style="list-style-type: none"> • A sub-TO funding bucket can be established to be monitored and managed by the Agency PMO for centrally-managed services. • Individual sub-TO funding buckets can be established to be monitored and managed separately by bureaus. <p>Agency Hierarchy Codes (AHCs) are a tool that can be used to manage sub-TO funding buckets. Under EIS, the AHCs are pass-through and EIS contractors will not be validating or managing these codes. The design, development, and management of AHCs for line-of-accounting requirements are the agency’s responsibility.</p> <p>Note: If the above approach is not viable due to agency regulations or accounting practices, the agency may need to issue one TO for centrally-managed services and separate TOs for each bureau’s directly-managed services.</p> |
| Links/References | None |
| Category | Task Order |

⁹ The term “bureau” is used in this Use Case to describe sub-agencies. This applies to components, operating divisions, and other nomenclature used to identify sub-agencies.

| Section | Description |
|---------------------------|---|
| Use Case Name | <i>Accommodating Expected Moves, Adds, Changes and Additional Quantities of Services or Additional Services in EIS Solicitations</i> |
| Background | <p>From EIS Contracting Frequently Asked Questions (FAQs)</p> <p>What are acceptable methods for producing a TO solicitation that takes into account the expected and largely routine moves, adds, changes, and natural network growth over the TO period of performance?</p> <p>Answer: FAR 16.505(a)(2) states in part that “Individual orders shall clearly describe all services to be performed or supplies to be delivered so the full price for the performance of the work can be established when the order is placed.” Ordering entities may use options to include additional services, locations, or quantities. Priced options or Optional CLINs need to be included in your solicitation when it is released. They must be priced, evaluated and included in your Total Evaluated Price in order to be exercised in accordance with FAR Part 17.2. Using Optional CLINs avoids the need for an agency to conduct a new fair opportunity or take an exception to fair opportunity. Optional CLINs represent a legitimate need based on such things as potential future requirements, forecasted data and estimated quantities but are ordered if and when the agency chooses to do so.</p> <p>They may also define a dynamic requirement (i.e., inclusive of moves, adds, and changes) over the period of performance of the TO. A combination of both is also allowable. The obligation of funds for options will occur when the options are exercised.</p> |
| Issue | Agencies need to have their FO solicitation and resulting TO(s) cover expected moves, adds, changes, network/bandwidth growth, and optional services. |
| Suggested Approach | <p>Agencies need to include in their solicitations language that covers options they would like priced for expected services.</p> <p>The following provides guidance and sample language (<i>in italics</i>) that can be adapted by agencies to fit their particular needs.</p> <p><u><i>[AGENCY] Section B. General Pricing and Coverage Requirements</i></u></p> <p><u><i>Guidance: List all the Optional CLINs/Services/Locations/Quantities in Section B and clearly label them as Optional.</i></u></p> <p><i>Section B or J - Price Evaluation Tables. If an agency includes a price evaluation table in its solicitation, create a tab in the spreadsheet for the Mandatory requirement and a separate Tab for the Optional CLINs/Services/Locations/Quantities so that offerors can price them.</i></p> <p><i>In addition to the mandatory requirement, for evaluation purposes, [AGENCY] has created a list of all Optional CLINs, locations, and quantities based on a forecast of the expected demand for service additions, changes, and other anticipated network changes to be acquired under this Task Order (TO). These estimated quantities are</i></p> |

| Section | Description |
|---------|---|
| | <p><i>included in the price evaluation tables found in Section J. The Offeror shall price all Optional CLINs, locations, and quantities identified in the list for the time periods specified.</i></p> <p><i>The quantities contained in the tables found in Section J.x are not a guarantee of future requirements: actual quantities may vary during the performance period. Further, [AGENCY] is not required to exercise and/or order any CLINs/quantities of services included in any priced options. If [Agency] does choose to exercise one or more of the priced options, it is not required to order any of the services included in the associated CLINs, but it may order a quantity between one and the maximum cumulative estimated quantity stated over the TO period of performance.</i></p> <p><i>For new requirements, the Offeror shall propose pricing consistent with the pricing and discounting used to award the original TO.</i></p> <p><i>As indicated in TO Section C.x and Optional CLIN x, [AGENCY] expects up to 200 office locations changing per year, or 2,000 over the 10-year period of performance of the TO. If the Offeror chooses to assign new [AGENCY] building NSCs to existing P Hubs, [AGENCY] will evaluate whether the assignments result in fair and reasonable prices for access arrangements. The Contractor shall submit an EIS Contract modification with the new NSC to P Hub mapping so that GSA can determine if the resulting prices are fair and reasonable. If the Offeror chooses to assign a new [AGENCY] building NSC to a new P Hub, the Offeror shall first submit an EIS Contract modification to add the new P Hub to the EIS Contract. The resulting price(s) may then be added to the TO via a TO modification.</i></p> <p><i>The Offeror shall price the TO periods defined in Table B.x. The Offeror need not populate a price table with a separate row for each TO year if the prices do not vary by TO year. Any TO pricing that extends beyond the end of the current EIS contract period shall be no higher than the economically adjusted prices negotiated for the next contract option period, as described in Clause H.19 of the EIS Contract (see guidance for a clause in H).</i></p> <p><i>[AGENCY] Section C. Project Scope states: Guidance: Include descriptions of the Optional CLINs/Services/Locations/Quantities and clearly label them as Optional.</i></p> <p><i>The TO will provide service to all existing [AGENCY] locations as well as any future sites as they become known. [AGENCY] anticipates up to 200 location changes each year. Moves to new locations as well as changes, additions, or deletions of service are necessary to provide [AGENCY] with the continuity of service required to fulfill its mission.</i></p> <p><i>[AGENCY] Section H.x Special Contract Requirements: Exercising Priced Optional CLINs</i></p> <p><i>Create a clause that allows you to execute the Optional CLINs. The prescription in the FAR for using FAR Clause 52.217-7 Option for Increased Quantity—Separately Priced Line Item states that it may be used for other than services but an agency may want to consider modifying the language to make it applicable to services and remove clause citation and rename it, e.g., Clause H.1 Ordering Optional CLINs/Services/Locations/Quantities - Separately Priced Line Item.</i></p> |

| Section | Description |
|--------------------------------|--|
| | <p><u>[AGENCY] Section H.x Special Contract Requirements: Price Extension</u></p> <p>All new price submissions shall be compliant with Section J.4.1 of the EIS Contract which stipulates that a TO-specific price for a non-ICB CLIN must be no higher than the corresponding contract price if the service is identical. [AGENCY] will evaluate the proposed pricing to determine if it is fair and reasonable and in the best interest of the agency. If the determination is favorable, the OCO will issue a modification to the Task Order to incorporate the agreed upon prices by reference and exercise the applicable option. If the determination is unfavorable, [AGENCY] reserves the right to conduct a new Fair Opportunity procurement (FAR Part 16.505) for the aforementioned option.</p> <p>The EIS Contract includes a clause in Section H.19 that requires contractors to refresh contract prices prior to GSA exercising Option Period 1 in FY22 and Option Period 2 in FY28. Subsequent price reductions on the contractor’s EIS contract shall reduce prices prospectively on this awarded task order from the effective date of the EIS contract price reduction modification. The contractor is required to notify the OCO, in writing, within 30 days of the executed modifications on the EIS contract to reduce prices per clause H.19. Notification shall include a copy of EIS SF30 and a list of effective CLINs affected by price reduction and request for the downward adjustment to the task order price.</p> <p><u>[AGENCY] Section L:</u></p> <p>Note: Section L should include specific instructions regarding what must be priced, i.e., all CLINs associated with mandatory requirements and optional CLINs for the base year and all option years.</p> <p><u>[AGENCY] Section M:</u></p> <p>Guidance: Include language for evaluating Optional CLINs/Services/Locations/Quantities and state that the proposed prices will be included in the Total Evaluated Price. This complies with FAR Part 17.2</p> <p>Instructions for identifying and pricing CLINs for the base period and all option years are identified in Section L. The OCO will evaluate all CLIN prices, as proposed by each offeror. Calculation of each Offeror’s total evaluated price will consist of the sum of all prices proposed for all CLINs required to be priced multiplied by corresponding projected quantities, inclusive of all priced options. .</p> |
| <p>Links/References</p> | <p>https://www.gsa.gov/eis</p> <p>Under EIS Resources, EIS Contracting Frequently Asked Questions (FAQs)</p> |
| <p>Category</p> | <p>Solicitation</p> |

| Section | Description |
|---------------------------|--|
| Use Case Name | <i>Solicitations that include Diverse, Redundant or Back-up Services from a Single Provider</i> |
| Background | <p>For Disaster Recovery (DR) and Continuity of Operations (COOP), the EIS contracts offer multiple services, including:</p> <p>Access solutions that use a combination of different services; e.g., wireline and wireless access.</p> |
| Issue | <p>Agency wants to award diverse, redundant or back-up services as part of a single solicitation to a single provider. This can be accomplished through diverse paths from a single EIS contractor.</p> |
| Suggested Approach | <p>In the solicitation:</p> <ul style="list-style-type: none"> • Section B: <ul style="list-style-type: none"> • Provide pricing instructions for access diversity that specify that these services are to be priced individually. • Instructions for pricing access arrangements should include how special access construction pricing can, or cannot, be applied. • Section C: Define technical requirements so that both primary and secondary services are listed separately and are described in detail. <ul style="list-style-type: none"> • Detail mandatory requirements including the level of diversity, as well as any optional requirements (for example: fully diverse with x feet of separation, collapsed infrastructure with both circuits using the same path, etc.). When construction is required to meet the requirements, this must be researched by the contractors and priced on a site-specific basis; therefore, the agency should allow sufficient time during proposal preparation for this process. • Requirements should include the level of detail (down to street-level drawings) that must be provided. • Requirements should be described in a way that will solicit a response that defines and commits the contractor to its process to maintain diversity. The agency must be aware that providers regularly “groom” network services to achieve the most efficient or cost-effective route. This process can “groom away” diversity that has been established. Therefore, it is critically important that the solicitation include a requirement to describe a process that will ensure that diversity is maintained. • Section L: <ul style="list-style-type: none"> • For Individual Case Basis (ICB) Access Arrangements: require the contractors to augment descriptions with all relevant information to define diversity, avoidance, or other customization of the circuit. • Proposal instructions should direct contractors to provide diagrams/maps addressing route diversity. |

| Section | Description |
|-------------------------|--|
| | <ul style="list-style-type: none"> • Section M: <ul style="list-style-type: none"> • The solicitation should clearly state whether a single TO or multiple TOs will be awarded. |
| Links/References | <p>EIS Service Guide: Access Arrangements</p> <p>EIS Contract References: B.2.9.1.6 and .7 Access Diversity and Avoidance Tables C.2.9.1.1 Access Arrangements Functional Definition, Diversity Options</p> <p>Special Construction: B.2.9.1.8 and .9 Special Access Construction Tables C.2.9.1.1 Access Arrangements Functional Definition, Special Construction Conditions G.3.3.3.3 Task Order Projects</p> <p>FOOG Use Case - Accommodating Expected Moves, Adds, and Changes in EIS Solicitations</p> |
| Category | Solicitation |

| Section | Description |
|---------------------------|---|
| Use Case Name | <i>Solicitations that include Diverse, Redundant or Back-up Services from Multiple Providers</i> |
| Background | <p>For Disaster Recovery (DR) and Continuity of Operations (COOP), the Enterprise Infrastructure Solutions contract offers multiple services, including:</p> <p>Access arrangements that use a combination of different services, e.g., wireline and wireless access.</p> |
| Issue | <p>Agency wants to award diverse, redundant or back-up services as part of a single solicitation to multiple EIS contractors.</p> |
| Suggested Approach | <p>To ensure the greatest competition and cooperation from the EIS contractors, agencies should consider using a single solicitation, requesting Primary and Secondary (Back-up) solutions from all respondents. In this scenario, the Primary awardee would implement the Primary solution and the Secondary awardee would deploy the back-up solution.</p> <ul style="list-style-type: none"> • Section B: <ul style="list-style-type: none"> • Provide instructions for pricing access diversity that specify these services are to be priced individually. • Instructions for pricing access arrangements should include how special access construction pricing can, or cannot, be applied. • Section C: Define technical requirements so that both primary and secondary services are listed separately and are described in detail. <ul style="list-style-type: none"> • Detail requirements that include the level of diversity that is mandatory as well as any optional requirements (for example: fully diverse with x feet of separation, collapsed infrastructure with both contractors using the same path, etc.). When construction is required to meet the requirements, this must be researched by the contractors and priced on a site-specific basis; therefore, the agency should allow sufficient time during proposal preparation for this process. • Include requirements that solicit a commitment to contractor cooperation. <i>Sample language: The contractor shall coordinate with other task order contractors to ensure each circuit being installed into [location(s)] is diverse from all others or designed in a manner approved by the agency.</i> • Requirements should be described in a way that will solicit a response that defines and commits the contractors to their process to maintain diversity. The agency must be aware that providers regularly “groom” network services to achieve the most efficient or cost effective route. This process can “groom away” diversity that has been established. Therefore, it is critically important that the solicitation include a requirement to describe a process that will ensure that diversity is maintained. • Section L: |

| Section | Description |
|-------------------------|---|
| | <ul style="list-style-type: none"> • Requirements should include the level of detail (down to street-level drawings) that must be provided. • Instructions should state that the agency will provide the primary awardee’s solution (under non-disclosure) to the secondary awardee. • For ICB Access Arrangements: require the contractors to augment descriptions with all relevant information to define diversity, avoidance or other customization of the circuit. • Proposal instructions should direct contractors to provide diagrams/maps addressing route diversity. • Section M: <ul style="list-style-type: none"> • The solicitation should clearly state whether a single TO or multiple TOs will be awarded per contractor. |
| Links/References | <p>EIS Service Guide: Access Arrangements</p> <p>EIS Contract References: B.2.9.1.6 and .7 Access Diversity and Avoidance Tables C.2.9.1.1 Access Arrangements Functional Definition, Diversity Options</p> <p>Special Construction: B.2.9.1.8 and .9 Special Access Construction Tables C.2.9.1.1 Access Arrangements Functional Definition, Special Construction Conditions G.3.3.3.3 Task Order Projects</p> <p>FOOG Use Case - Accommodating Expected Moves, Adds, and Changes in EIS Solicitations FOOG Use Case - Multiple TOs from a Single FO Solicitation</p> |
| Category | Solicitation |

| Section | Description |
|---------------------------|---|
| Use Case Name | <i>Transitioning to a Managed Network Solution under EIS</i> |
| Background | <p>The agency currently owns and operates telecommunications and networking equipment (e.g. routers, switches, channel banks) and desires to transition to a managed services solution under EIS. The agency views the migration to a managed service model proceeding in two phases. With the first phase, current government owned equipment will be furnished to the vendor and managed/operated through end of life. Under the second phase, new equipment will be implemented, owned, and operated by the vendor – providing the agency a fully managed solution.</p> |
| Issue | How can migration to a managed network solution be accomplished under EIS? |
| Suggested Approach | <p>EIS provides for managed service solutions, as described in Section C.2.8.1 [Managed Network Service]:</p> <p><i>Managed Network Service (MNS) enables an agency to obtain design and engineering, implementation, management, and maintenance services for agency networks. MNS provides the necessary technical and operational capabilities that ensure the availability and reliability of agencies' increasingly complex networks.</i></p> <p><i>The contractor shall use the appropriate labor and equipment as defined in Section C.2.10 [Service Related Equipment] and Section C.2.11 [Service Related Labor] in the TO.</i></p> <p><i>Under the MNS offering, the contractor provides overall management of an agency's network infrastructure, including real-time proactive network monitoring, troubleshooting and service restoration. The contractor is the agency's single point of accountability for all networks managed under this service, including operations, maintenance, and administration activities.</i></p> <p>In phase 1, the agency provides the vendor existing network infrastructure as Government Furnished Property (GFP). Per Section C.2.8.1.2 [MNS Features], the vendor operates and maintains the GFP based on performance metrics / SLAs established in the TO. In phase 2 at end-of-GFP-life, the vendor replaces the agency's network infrastructure as vendor-owned Service Related Equipment (SRE). The vendor continues to operate and maintain infrastructure during phase 2 based on the established performance metrics / SLAs.</p> <p>GSA offers the following technical and pricing considerations to successfully accomplish fair opportunity and structure the TO.</p> <p>Technical Considerations:</p> <p>Define agency requirements as a Performance Work Statement (PWS) as follows:</p> <ul style="list-style-type: none"> • Establish the scope of services based on tailored elements of Section C.2.8.1 [Managed Network Service]. • Define specific performance levels, metrics, and SLAs for managed services at the equipment and network levels for phase 1 and phase 2. Alternatively, the agency may instruct offerors to propose performance standards. |

| Section | Description |
|-------------------------|---|
| | <ul style="list-style-type: none"> • Require offerors to propose a phase 1 to phase 2 migration plan. • Define (or require offerors to propose) a mechanism to determine phase 1 end of life. Alternatively, define (or require offerors to propose) a specific period of performance for phase 1. • Provide in the solicitation detailed inventory of site infrastructure equivalent to the equipment parameters identified in Section B.2.10.2.1 [SRE Catalog – Product Specification Table] of the EIS contracts. <p>Include provisions for a pre-award site survey for all offerors.</p> <p>Pricing and TUC Considerations:</p> <p>Price phase 1 and 2 with fixed prices:</p> <ul style="list-style-type: none"> • Structure the TO with phase 1 / year 1 as the base period. Price subsequent years as options. Maximize the TO period of performance based on the network life expectancy. • Consider using existing ICB Contract CLINs for GFP maintenance • Consider using Task Order Unique CLINs (TUCs) to price non-recurring (NRC) and recurring (MRC) elements based on one of the following approaches: <ul style="list-style-type: none"> ○ Bundled on a network-wide basis. ○ Bundled on a site-by-site basis. ○ Unbundled on an equipment basis. • If priced on a site basis, consider categorizing sites by type based on size or other relevant characteristic – and require offerors to propose prices by site type. <p>Include option to purchase infrastructure/SREs at expiration of TO based on established terms and conditions per Section B.2.10.8 [Government Option to Assume Ownership].</p> |
| Links/References | <p>EIS Service Guide: Managed Network Services</p> <p>EIS Contract References:</p> <p>B.2.10.2.1 SRE Catalog – Product Specification Table</p> <p>C.2.8.1 Managed Network Services; C.2.8.1.2 Features</p> <p>C.2.10 Service Related Equipment</p> <p>C.2.11 Service Related Labor</p> |
| Category | Solicitation |

Appendix C: EIS Service Mapping to Networx, WITS, and GSA Regional Local Service

| Enterprise Infrastructure Solutions | | | | Networx | WITS | LSA |
|---|---|------------|---------------------|--|------------|----------------|
| Service Area | Service Name | Service ID | Service CLIN Prefix | Service ID | Service ID | Service ID |
| Data Service | Virtual Private Network | VPNS | VN | ATMS, CIPS, FRS, NBIPVPN, PBIPVPNS, L2VPNS | ATM, FRS | NBIP-VPNS, FRS |
| | Ethernet Transport | ETS | EN | EthS | GES | ETHS |
| | Optical Wavelength | OWS | OW | OWS | DTS | |
| | Private Line | PLS | PL | PLS | DTS | PLS |
| | Synchronized Optical Network | SONETS | SO | SONETS | | SONET |
| | Dark Fiber | DFS | DK | DFS | DFS | DFS |
| | Internet Protocol | IPS | IP | IPS | IAS | IP, DSL |
| Voice Service | Internet Protocol Voice | IPVS | VI | IPTelS, VOIPTS | VIP | VS, IP |
| | Circuit Switched Voice | CSVS | VS | CS, VS | SVS | VS |
| | Toll Free | TFS | TF | TFS, VOIPTS | SVS | TFS |
| | Circuit Switched Data | CSDS | CS | CSDS | CSD | |
| Contact Center Services | Contact Center | CCS | CC | CCS | | |
| Colocated Hosting Service | Colocated Hosting | CHS | CH | CHS | | |
| Cloud | Infrastructure as a Service | IaaS | IA | ECL, DHS, STORAGE | CLS | |
| | Platform as a Service | PaaS | PA | ECL | | |
| | Software as a Service | SaaS | SS | ECL | | |
| | Content Delivery Network | CDNS | CD | CDNS | | |
| Wireless | Wireless | MWS | WL | CPCS, MWLANS | | VS |
| Commercial Satellite Communications Service | Commercial Mobile Satellite | CMSS | CM | MSS | | S_SAT |
| | Commercial Fixed Satellite | CFSS | FS | FSS | | |
| Managed Services | Managed Network Service | MNS | MN | MNS | IAS | |
| | Web Conferencing | WCS | WC | WCS | WEC | |
| | Unified Communications | UCS | UC | | | |
| | Managed Trusted Internet Protocol | MTIPS | MT | MTIPS | | |
| | Managed Security Service | MSS | MS | IDPS, INRS, MEAS, VSS, SMEMS, MFS, AVMS | IAS | |
| | Managed Mobility | MMS | MM | | | |
| | Audio Conferencing | ACS | AC | ACS | ATS | ATS |
| | Video Teleconferencing | VTS | VC | IPVTS, VTS | TVS, VTS | VTS |
| DHS Intrusion Prevention Security | IPSS | DI | | | | |
| Access Arrangements | Access Arrangements | AA | AA | DAA | IAS | ACCESS |
| Service Related Equipment | Service Related Equipment | SRE | EQ | SEDS, LMR | CPE | EQUIPMENT |
| Service Related Labor | Service Related Labor | LABOR | LA | CSDS | OTH | |
| Cable and Wiring | Cable and Wiring | CW | CW | OTHER (Coordination) | VIW, HIW | |
| National Security/Emergency Preparedness | Telecommunications Service Priority (TSP) | NS/EP | NS | NSEP | NSE | NSEP |
| General Task Order Unique CLINS | General Task Order Unique CLINS | GEN | GN | OTHER | | |

Appendix D: Functional Specification – Multiple Transition Options

In some cases, agencies may choose to solicit multiple proposals from industry regarding the following:

- a) Network technology
- b) Ease of transition including speed
- c) Improved performance
- d) Best value pricing
- e) Contract administration efficiencies
- f) And others

One example of allowing industry to provide multiple options for a network transition and/or transformation is the following:

Agency can provide in the RFI or solicitation the current network configuration with inventories and locations. This should include performance standards that are currently in place under the agency's Network contract such as:

- a) Type of network technology currently in use e.g. private line, TDM, MPLS, hybrid, etc.
- b) Bandwidth by location
- c) Network availability
- d) Reliability
- e) Throughput if appropriate with measurements
- f) Repair times
- g) Any other significant measurement of performance

With the current network configuration and inventories, offerors should be instructed to provide either a like for like or a new technology or both. New technology should be compared to the current performance measurements to show the affect with a new network. Additionally, any new performance measurements can be detailed in the providers' proposal. This allows offerors to provide either the same like-for-like transition or the benefits of a newer technology. For example, the agency could detail its traditional TDM voice solution with numerous locations throughout the country. However, the solicitation will state that the offeror can provide the same solution or a new technology such as VoIP. This has been routinely stated as a functional or performance specification. It is imperative that the agency list its performance measurements for the TDM solution so that a new technology can be measured against the current configuration. This will allow the agency to do a trade-off analysis to determine best value.

Another example is for agencies data requirements. Assume that the agency has a MPLS virtual private network throughout the world. The agency lists its current performance measurements. Offerors are instructed to provide either the same technology (like-for-like) or another technology such as Ethernet. If, in this example, Ethernet is proposed, the proposal must clearly state the difference in performance from the existing network to an Ethernet solution.

Agencies should use evaluation factors to establish its priority for evaluation. For example, ease of transition can be a prime factor for an agency that needs to transition quickly. Or an increase in bandwidth may be more important for another agency. Obviously price will always be a major consideration. Also, a hybrid technology approach may be called for at different locations, e.g. remote locations. Again, industry can leverage the best technology approach for a given situation. One size may not fit all.

This functional, performance-based approach will allow agencies to decide on the best option availability from EIS providers. This should also significantly increase competition with the use of multiple proposals. This is not the only way to achieve the optimum solution. However, it allows for the agency to see the difference between the current solution and a new technology. Agency may already have a newer technology so a like-for-like transition can still be achieved with this approach. Flexibility is paramount for the agency decision makers.

Appendix E: Frequently Asked Questions

[What are the benefits of having task orders?](#)

[How many years can a task order's period of performance last under EIS?](#)

[What are acceptable methods for producing a task order solicitation that takes into account the potential of future services that cannot at this time be forecasted for quantity and geography?](#)

[What arrangements have been made for the transfer of service enabling devices \(SEDs\) from the legacy contracts to EIS?](#)

Visit [EIS Resources](#) for more FAQs.

What are the benefits of having task orders?

Answer: Task orders provide a formal contractual relationship between an ordering entity and the contractor. Contracts require the following elements: a) an offer; b) an acceptance of that offer which results in a meeting of the minds; c) a promise to perform; d) a valuable consideration (which can be a promise or payment in some form); e) a time or event when performance must be made (meet commitments); f) terms and conditions for performance, including fulfilling promises; g) performance.

Should there be some type of performance issue during the period of performance of the task order, the ordering entity can enforce the terms of the contract (i.e. service level agreement credits) or can terminate services under [FAR 52.249-8 Default \[Fixed-Price Supply and Service\]](#) or a special agency clause for the cancellation or termination of orders under communication service contracts with common carriers in accordance with [FAR 49.505\(c\)](#).

How many years can a task order's period of performance last under EIS?

Answer: [FAR 16.505](#) does not prescribe a timeframe for period of performance for task orders other than a five-year limit on task orders for advisory and assistance services. Agencies should review their FAR supplement for additional agency-specific guidance.

[FAR 17.204\(e\)](#) states:

“Unless otherwise approved in accordance with agency procedures, the total of the basic and option periods shall not exceed 5 years in the case of services, and the total of the basic and option quantities shall not exceed the requirement for 5 years in the case of supplies. These limitations do not apply to information technology contracts. However, statutes applicable to various classes of contracts, for example, the Contract Labor Standards statute (see [22.1002-1](#)), may place additional restrictions on the length of contracts.”

The Product Service Code (PSC) used for reporting information in Federal Procurement Data System (FPDS) combines Information Technology and Telecommunications in Category D. The agency should

verify whether its organization considers telecommunications to be IT. If telecommunications is not considered IT, the agency should follow the agency procedures for exceeding the 5-year limit.

What are acceptable methods for structuring a task order solicitation that takes into account the potential of future services that cannot at this time be forecasted for quantity and geography?

Answer: [FAR 16.505\(a\)\(2\)](#) states in part that “[i]ndividual orders shall clearly describe all services to be performed or supplies to be delivered so the full cost or price for the performance of the work can be established when the order is placed.” Ordering entities may use priced options to include additional services, locations, or quantities. They may also define a dynamic requirement (inclusive of adds, moves, and changes) over the period of performance of the task order. A combination of both is also allowable.

GSA believes that a task order with all the elements required in [FAR 16.505\(a\)\(7\)](#) could be awarded with a ceiling price if the requirement is described to allow for flexibility in the quantity of services. Because the requirement includes a maximum quantity, the quantity is not indefinite and therefore not an IDIQ under an IDIQ. For example, an agency may need up to 1000 IPVS (VOIP) lines in Washington, DC during the period of performance of the task order. The task order would include an obligation to cover all 1000 IPVS circuits. At task order award, the agency has 800 existing lines to be installed immediately. The remaining may be installed throughout the period of performance of the task order as long as the remaining 200 lines were priced and evaluated as part of the initial award.

What arrangements have been made for the transfer of service enabling devices (SEDs) from the legacy contracts to EIS?

Answer: The GSA Networx bridge contracts allow agencies the option to assume title or ownership of Service Enabling Devices (SEDs) as stated:

“B.4.8.4 Government Option to Assume Ownership. The Government may, at its sole discretion, following payment of the DNRC or at completion of the DMRC payment term, assume ownership of the SED(s), as described in Section H.23. Where the Government has assumed ownership of a SED, the user will have the option to continue receiving maintenance from the contractor. In this case, the contractor shall provide the same level of maintenance at the MMRC established for the former SED when it was contractor-owned. This continued support capability following a change in ownership is subject to the same termination of support provision provided for in B.4.8.3.”

The EIS contracts will allow agencies to require service providers to manage government-furnished property including routers. GSA recommends that any specific requirements for maintenance of government-owned routers be included in the fair opportunity solicitation. EIS CLIN MN50001 provides Government Furnished Property (GFP) maintenance, analogous to Networx MNS CLIN 289001 for GFE maintenance, see [Table B.2.8.1.5.2 \[MNS Feature Pricing Instructions\]](#) of the EIS contracts:

| NRC CLIN | MRC CLIN | CLIN Description | Charging Unit | Notes |
|----------|----------|--|---------------|---------------|
| MN51001 | MN50001 | Government Furnished Property Maintenance | Device | ICB |
| MN51010 | MN50010 | Network Testing | 15 minutes | ICB |
| MN31001 | MN30001 | Agency-Specific Network Operations Center (NOC) | Proposal | ICB |
| MN34001 | MN33001 | Agency-Specific Security Operations Center (SOC) | Proposal | ICB |
| MN52002 | MN52001 | Traffic Aggregation Service (DHS)* | ICB | ICB; DHS only |

Appendix F: Management and Operations – Contractor Deliverables

The following table provides a list of mandatory contractor deliverables relating to MOPS functions of Ordering, Billing, Inventory, SLA Management, Disputes, and Trouble Ticket Management. Please refer to the [EIS contracts Section F \[Deliveries or Performance\]](#) for full details of all contractor deliverables.

Note: By default, all deliverables for the agency are submitted by posting to the contractor's website. If an agency requires a different delivery mechanism (e.g., email), the task order solicitation should specify the required mechanism.

| # | MOPS Function | Deliverable Description Contract Section Reference | Deliverable Name | Frequency | Deliver To |
|----|---------------|---|--|---|----------------------------|
| 1. | Ordering | J.2.4.2 J.2.10.2.1.16 | Service Order Acknowledgement (SOA) | NLT one (1) business day after Service Order (SO) | GSA Conexus and agency COR |
| 2. | Ordering | J.2.4.2 J.2.10.2.1.20 | Service Order Rejection Notice (SORN) | NLT 5 days after SO | GSA Conexus and agency COR |
| 3. | Ordering | J.2.4.2 J.2.10.2.1.19 | Service Order Confirmation (SOC) | NLT 5 days after SO | GSA Conexus and agency COR |
| 4. | Ordering | J.2.4.2 J.2.10.2.1.11 | Firm Order Commitment Notice (FOCN) | Local access subcontractor required: <ul style="list-style-type: none"> • Within one (1) business day of receiving FOC date Local access subcontractor not required: NLT the earlier of: <ul style="list-style-type: none"> • 5 days after SOC, or • 10 days before the FOC date | GSA Conexus and agency COR |
| 5. | Ordering | J.2.4.2 J.2.10.2.1.18 | Service Order Completion Notice (SOCN) | NLT 3 days after service is installed and tested | GSA Conexus and agency COR |

| # | MOPS Function | Deliverable Description Contract Section Reference | Deliverable Name | Frequency | Deliver To |
|----|----------------------------------|---|---|--|---------------------------------|
| 6. | Ordering | J.2.4.2 J.2.10.2.1.17 | Service Order Administrative Change (SOAC) | NLT 7 days after Administrative Change Order | GSA Conexus and agency COR |
| 7. | Ordering | J.2.4.2 J.2.10.2.1.21 | Service State Change Notice (SSCN) | Within 24 hours of state change | GSA Conexus and agency COR |
| 8. | Billing | J.2.5.2 J.2.10.2.1.5 | Billing Invoice (BI) | Monthly, NLT 15 th business day | GSA Conexus and agency COR |
| 9. | Billing | J.2.5.2 J.2.10.2.1.24 | Tax Detail | Monthly, NLT 15 th business day | GSA Conexus and agency COR |
| 10 | Billing | J.2.5.2 J.2.10.2.1.13 | Monthly Billing Information Memorandum | Monthly, NLT 15 th business day (as needed) | Agency COR |
| 11 | Billing | J.2.5.2 J.2.6.2 J.2.8.2 J.2.10.2.1.4 | Billing Adjustment (BA) | Monthly, NLT 15 th business day (as needed) | GSA Conexus and agency COR |
| 12 | Disputes | J.2.6.2 J.2.10.2.1.9 | Dispute (D) | As needed | GSA Conexus and agency COR |
| 13 | Disputes | J.2.6.2 J.2.10.2.1.10 | Dispute Report (DR) | Monthly, NLT 15 th business day (as needed) | GSA Conexus and agency COR |
| 14 | Inventory | J.2.7.2 J.2.10.2.1.12 | Inventory Reconciliation | Monthly, NLT 15 th day of month | GSA Conexus |
| 15 | SLA Management | J.2.8.2 J.2.10.2.1.14 | Service Level Agreement Report (SLAR) | Monthly, NLT 15 th day of month | GSA Conexus, OCO and agency COR |
| 16 | SLA Management | J.2.8.2 J.2.10.2.1.22 | SLA Credit Request Response | Within 30 days of SLA Credit Request | OCO and agency COR |
| 17 | Trouble Ticket Management | J.2.8.2 J.2.10.2.1.25 | Trouble Management Performance Summary Report | Quarterly, NLT 15 days after the end of the FY quarter | Agency COR |

| # | MOPS Function | Deliverable Description Contract Section Reference | Deliverable Name | Frequency | Deliver To |
|----|---------------------------|---|--|--|------------|
| 18 | Trouble Ticket Management | J.2.8.2 J.2.10.2.1.24 | Trouble Management Incident Performance Report | Quarterly, NLT 15 days after the end of the FY quarter | Agency COR |

The following table is a key list of options relating to MOPS requirements that may be specified in the Task Order. [EIS contracts Section G \[Contract Administration Data\]](#) and [J.2 \[Contractor Data Interaction Plan\]](#) provides details of all optional requirements.

| # | MOPS Function | Description | Contract Section Reference |
|----|---------------|---|--|
| 1. | Ordering | Order Notifications Delivery Mechanism: <ul style="list-style-type: none"> • Service Order Acknowledgement (SOA) • Service Order Confirmation (SOC) • Firm Order Commitment Notice (FOCN) • Service Order Completion Notice (SOCN) • Service Order Rejection Notice (SORN) • Service Order Administrative Change (SOAC) • Service State Change Notice (SSCN) | J.2.4.3.2 J.2.10.2.1.16 J.2.10.2.1.19 J.2.10.2.1.11 J.2.10.2.1.18 J.2.10.2.1.20 J.2.10.2.1.17 J.2.10.2.1.21 |
| 2. | Ordering | Agency Hierarchy Code (AHCs); Agency Service Request Number (ASRN) | G.3.3.1.1, J.2.4.1.2 G.4.1.6, J.2.4.1.4 |
| 3. | Ordering | Customer Want Date for Services on the Task Order | G.3.3.1.3 |
| 4. | Ordering | Task Order Project: Specify as a TO requirement that TO is to be managed as a Task Order Project | G.3.3.3.3 |
| 5. | Ordering | TSP Orders | G.3.3.3.1, J.2.4.2.2 |
| 6. | Ordering | Administrative Setup: OCO/CORs Information | G.2.2 |
| 7. | Billing | Selection of system for delivery of Electronic Billing: Web Vendor/VPSS/IPP/Other | G.4.1.7 |
| 8. | Billing | Proration Type – Month Length vs Normalized 30 day month | J.2.5.1.5 |
| 9. | Billing | Billing Delivery Mechanism - <ul style="list-style-type: none"> • Billing Invoice (BI) • Billing Adjustment (BA) • Tax Details (TAX) | J.2.5.3.2, J.2.10.2.1.5 J.2.10.2.1.4 J.2.10.2.1.24 |
| 10 | Billing | Authorization of payment by Government Purchase Card | G.4.8 |
| 11 | Billing | Alternate Billing Start Date | G.4.1.2 |

| # | MOPS Function | Description | Contract Section Reference |
|----|-----------------------------|--|-------------------------------------|
| 12 | SLA Management | TO-unique Key Performance Indicators (KPIs) and Service Level Agreements (SLAs) [Service Performance, Provisioning SLAs, Service Related Labor SLAs] including Provisioning Intervals for ICB Services; Rapid Provisioning Services, and Project Provisioning. | G.8.2.1, G.8.2.2.2, G.8.2.2.3 |
| 13 | SLA Management | SLA Management Delivery Mechanism: <ul style="list-style-type: none"> • Service Level Agreement Report (SLAR) | J.2.8.2 J.2.10.2.1.14 |
| 14 | Disputes | Dispute Delivery Mechanism: <ul style="list-style-type: none"> • Dispute Report (DR) | J.2.6.2 J.2.10.2.1.10 |
| 15 | Direct Data Exchange | Additional Data Exchange Requirements specific to agency requirements | G.5.3.2.3 |