



# GSA's IT Schedule 70 Modification Guidance Package

**Solicitation Number: FCIS-JB-980001-B**

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## **1. PURPOSE OF THE MODIFICATION GUIDANCE PACKAGE**

This guidance will assist in completing and submitting the information necessary to request modification(s) to your GSA Information Technology (IT) Schedule 70 Government contract.

Please contact your Contracting Officer (CO) or Contract Specialist (CS) to assist with any questions that you may have. Find your CO and CS here:

<https://www.gsaelibrary.gsa.gov/ElibMain/home.do>

## **2. GETTING STARTED**

The IT Schedule 70 Program will only accept contractor initiated modification requests via the GSA eMod system which can be accessed at <http://eoffer.gsa.gov/>. Each modification request shall require the submission of a Cover Letter on company letterhead detailing the desired changes to the contract and signed by an authorized negotiator of the contract. The letter shall always detail the type of modification requested and the reason for the modification.

Please utilize the guidance and applicable modification checklist provided within this guidance package when preparing a modification request.

## **3. eMOD TRAINING**

Information and training relating to the eMod system is located in the GSA Vendor Support Center (VSC) and eOffer websites. Consistent with current practices, modification requests initiated via the eMod process must be submitted by an authorized contract representative. Under this process, an authorized contract representative must obtain a digital certificate before initiating an eMod. A digital certificate is an electronic credential that identifies a specific individual who is working for a specific organization. It is strongly recommended to have more than one authorized negotiator with a digital certificate.

## **4. DIGITAL CERTIFICATION REQUIREMENT**

Modification requests cannot be entered into the eMod system without a current digital certificate. The following link will provide guidance on utilizing the eMod system, obtaining digital certificates, and the eMod training guide: <http://eoffer.gsa.gov>.

## **5. TDR vs NON TDR SINS**

On June 23th, 2016, GSA published a final rule to capture Transactional Data Reporting (TDR) on procurements across all of its Federal Supply Schedules (FSS), including IT Schedule 70. TDR acceptance is optional. The following Special Item Numbers (SINs) are under the TDR Pilot:

- 132-8 - IT Hardware;
- 132-32 - IT Software;
- 132-33 - IT Software;
- 132-34 - IT Software;
- 132-54 - Satellite Services; and
- 132-55 - Satellite Services.

For non-TDR contracts, disclosure of your company's "Commercial Sale Practices" is required. Please ensure all discounts, concessions, rebates, etc. are fully disclosed on the form. All information is auditable by the CO, Inspector General (IG), Administrative Contracting Officer (ACO), or Industrial Operations Analysts (IOA). Please see the attached Clause and template.

## 6. FAS SALES REPORTING

Sales reporting portal here

<https://srp.fas.gsa.gov/>

- a. Please ensure that sales are being reported and the Industrial Funding Fee (IFF) is being paid in a timely manner.
- b. As a result of this rule, IT Schedule 70 handles contracts that are flagged as: Non-TDR - (1) requires vendors to report every three months their total GSA sales, and (2) commercial sales practices need to be disclosed.
- c. TDR - (1) requires vendors to report every month the price the federal government paid for an item or service purchased through GSA, and (2) commercial sales practices information is not required

## 7. RESOURCES

- a. The terms and conditions for each SIN are available as an attachment to the Solicitation. <http://www.fbo.gov/spg/GSA/FSS/FCI/FCIS-JB-980001-B/listing.html>
- b. GSA has created "Vendor Toolbox" to help vendors learn more about the MAS process and requirements and help make sure they have the best chance of success. The link to the Vendor Toolbox is: <https://vsc.gsa.gov/>
- c. GSA has also created "eOffer/eMod Help Center" to provide vendors step by step instructions on submitting a modification. The link to the eOffer/eMod Help Center is <https://eoffer.gsa.gov/AMSupport/> Note: eMod works more efficiently in the Chrome browser.
- d. Information about contract option modifications is available here: <https://vsc.gsa.gov/administration/modOptions.cfm#open>

- e. The Federal Acquisition Regulation (FAR) and General Services Administration Acquisition Regulation (GSAR) are available at this website:  
<https://www.acquisition.gov/>

## 8. HELPFUL HINTS FOR THE ADMINISTRATION OF YOUR CONTRACT

- a. Please ensure the SIP file is accurate and reflects the most recent changes that have been approved by the CO. It is best to inform the CO/CS assigned to the contract of the pending changes, as most changes require a modification. The SIP file must be uploaded at least annually to avoid suspension in GSA Advantage [https://vsc.gsa.gov/sipuser/startup\\_kit.cfm](https://vsc.gsa.gov/sipuser/startup_kit.cfm). Note: The SIP file should contain the complete GSA Price List to include the cover page and terms and conditions as specified in clause I-FSS-600, Contract Price Lists.
- b. Contractor action on MAS modifications is mandatory. All other modifications will not be processed until all outstanding MAS modifications have been acted upon; check compliance with MAS modifications here: <https://mcm.fas.gsa.gov/>. If you need a new PIN for a MAS modification, please contact your ACO to resend. Find your ACO here: [https://vsc.gsa.gov/tools/aco\\_ioa.cfm](https://vsc.gsa.gov/tools/aco_ioa.cfm) One of the considerations for exercising an option is that all MASS modifications are acted upon. The Government still reserves the right not to exercise an option if contract terms and conditions are not met.
- c. Attachments submitted with modification requests shall be in accordance with the most current solicitation refresh.
- d. **Subcontracting Plans:** Expired subcontracting plans may hinder your company's ability to process contract actions. GSA's system requires the subcontracting plan expiration date to process modifications. If that date has expired, the modification will not be processed. Please ensure the subcontracting plan is submitted timely. Contact your assigned ACO with any questions you may have regarding the subcontracting plan.
- e. **Commercial Supplier Agreements/EULA/TOS:** If an additions modification includes submission of Commercial Supplier Agreements (CSAs), End User License Agreements (EULAs), Terms of Service (ToS), or other similar legal instruments or agreements these documents must be reviewed and approved prior to awarding the modification. Vendors shall clearly define what products and

services are included in the CSA, along with submitting the document in an editable format.

- f. Please ensure System for Award Management (SAM) registration is active.

## 9. ADMINISTRATIVE MODIFICATIONS

When a contractor logs into the eMod system to submit an administrative or deletion modification request, the CO will receive a notification that your action. Administrative modifications are unilateral right of the government meaning that you will not be required to provide a digital signature after submitting you request. The CO will view the request, and the contractor will then receive notification (and if approved, an SF30) that your modification has been approved or rejected. The following are common administrative modification:

- **Administrative Modifications:** Update of – authorized negotiators, contract administrator, phone number, fax number, email address, website URL, authorized resellers, etc.
- **Deletion Modifications:** Deletion of – Products, labor categories, special item number (SIN).

### Sample of Administrative Modifications:

- a. **Address Change:** This modification type will update the company address. Clause references are 52.215-6 PLACE OF PERFORMANCE (OCT 1997), 552.232-82 CONTRACTOR'S REMITTANCE (PAYMENT) ADDRESS (MAY 2003), or G-FSS-900-C CONTACT FOR CONTRACT ADMINISTRATION (JUL 2003). Note: Address changes should be completed in the company's SAM record. This change in SAM will automatically initiate an address change modification in our system.
- b. **Contract Administrator/Point of Contact (POC):** This modification type will update the name, address, telephone, fax of the Contract Administrator. The clause reference is G-FSS-900-C CONTACT FOR CONTRACT ADMINISTRATION (JUL 2003).

NOTE: You should email your ACO to let him/her know that your POC has been updated. Also, when personnel changes result in a new POC, that new individual should also be added as an authorized negotiator.

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| <a href="#">Contract Administrator/ POC Modification Submission Checklist</a> |  |
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| Cover Letter on company letterhead detailing the desired changes to the contract, and signed by an authorized negotiator of the contract. |  |
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- c. **Authorized Negotiator:** This modification type will update any information that changes an authorized negotiator. This includes removing an outdated authorized negotiator, adding a new negotiator, or updating spelling or punctuation of a name to match the digital certificate. The clause reference is K-FSS-1 AUTHORIZED NEGOTIATORS (MAR 1998).

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| <b>Authorized Negotiator Modification Submission Checklist</b>  |  |
| Cover Letter on company letterhead detailing the desired changes to the contract, and signed by an authorized negotiator of the contract.   |   |
| Agent Authorization Letter, if applicable   |   |
| Letter shall specify if signing or non-signing authorized negotiator, if applicable for the modification action.  |   |
| Letter shall include requested authorized negotiators and post-award delegations (i.e., submit contract modification requests, negotiate contract modifications, sign contract modifications, and submit GSA Advantage! Price List): <ul style="list-style-type: none"> <li>● Name</li> <li>● Title</li> <li>● Address</li> <li>● Phone Number; and</li> <li>● Email Address</li> </ul> |   |

- d. **Industrial Funding Fee (IFF) POC:** This modification type will update any information found in the “72A Rep or IFF POC” field in FSSOnline/OCMS (GSA’s internal systems). This information can also be seen in the FAS Sales Reporting Portal. The clause reference is G-FSS-900-C CONTACT FOR CONTRACT ADMINISTRATION(JUL 2003).

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| <b>IFF POC Modification Submission Checklist</b>  |  |
| Cover Letter on company letterhead detailing the desired changes to the contract, and signed by an authorized |   |

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| negotiator of the contract. |  |
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## 10. ECONOMIC PRICE ADJUSTMENTS (EPA) MODIFICATION REQUESTS

There are four EPA clauses applicable to Schedule 70 contracts.

GSA prices are based on a commercial price list.

- For TDR Contracts: 552.216-70 -- ECONOMIC PRICE ADJUSTMENT - FSS MULTIPLE AWARD SCHEDULE CONTRACTS (DEVIATION IV - JUL 2016)
- For Non-TDR Contracts: 552.216-70 -- ECONOMIC PRICE ADJUSTMENT - FSS MULTIPLE AWARD SCHEDULE CONTRACTS (SEP 1999) (ALTERNATE I - SEP 1999) (DEVIATION - APR 2007)

Market Rates

- For TDR Contracts: I-FSS-969 -- ECONOMIC PRICE ADJUSTMENT - FSS MULTIPLE AWARD SCHEDULE (OCT 2014) (ALTERNATE II - JUL 2016)
- For Non-TDR Contracts: I-FSS-969 -- ECONOMIC PRICE ADJUSTMENT-FSS MULTIPLE AWARD SCHEDULE (OCT 2014)

Note: If at the time of award an escalation rate under Clause I-FSS-969 was negotiated into the contract, a separate modification request to increase pricing is not required.

Note: It is possible for both clauses to apply to one contract. For example, a vendor has the IT Professional Services Special Item Number (SIN) 132-51 (and discloses to the Government that they do not have a commercially published price list) and also has SIN 132-8 (and discloses to the Government that they do have a commercial published price list for products). In this case, both clauses would apply to one contract. *Ensure the correct clause citation is provided in the cover letter when submitting the modification request.*

### **Non-TDR Contracts: GSAR 552.216-70, Based on a Commercial Price List**

When requesting an EPA, submit a detailed cover letter, documentation to support the request, including all items required by the EPA Modification Checklist. Applicable EPA clause is 552.216-70 ECONOMIC PRICE ADJUSTMENT–FSS MULTIPLE AWARD SCHEDULE CONTRACTS (SEP 1999) (ALTERNATE I - SEP 1999) (DEVIATION - APR 2007).

An EPA should only be requested if you have increased your List/Retail pricing to your commercial customers. If you have not increased your List/Retail pricing to your commercial customers, you cannot increase the pricing on your GSA Contract.

If the price increase requested is not considered fair and reasonable, the Government will deny in partial, or in total the EPA request.

Contractors may request price increases under the following conditions:

- (1) Increases resulting from a reissue or other modification of the Contractor’s commercial catalog/pricelist that was used as the basis for the contract award.
- (3) Increases are requested after the first 30 days of the contract period and prior to the last 60 days of the contract period.
- (4) At least 30 days elapse between requested increases.

If the contractor requesting the price increase is other than the Original Equipment Manufacturer (OEM), submit a notice from a manufacturer or supplier regarding price increases and a copy of the revised OEM price list.

If the price discount relationship between the Government and the Basis of Award (BOA) customer has not changed and remains as previously disclosed include a “certification statement” explaining that there has been no disruption that would trigger a price reduction, in accordance with 552.238-75 PRICE REDUCTIONS (JUL 2016).

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| <a href="#">Non-TDR Contracts: EPA Based on Commercial Price List Modification Submission Checklist</a>   |  |
| Signed/Dated Cover Letter shall include the price increase strategy (i.e., overall EPA price increase of (for example: 5% total price increase)) or provide the range of the price increase (for example: 2% to 10%).   |   |
| Cover Letter shall reference the applicable EPA Clause: 552.216-70 ECONOMIC PRICE ADJUSTMENT–FSS MULTIPLE AWARD SCHEDULE CONTRACTS (SEP 1999) (ALTERNATE I - SEP 1999) (DEVIATION - APR 2007)   |   |
| Spreadsheet showing current list and GSA Schedule Pricing, and the newly proposed commercial pricing and GSA Schedule pricing with and without IFF pricing, with the percentage increase by product listed in a separate column. ( <a href="#">EPA template</a> ) |   |
| New Commercial Price List that includes effective date  |   |
| Updated GSA Price List (Reference I-FSS-600 -   |   |

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| CONTRACT PRICE LISTS (OCT 2016))   |  |
| Updated CSP-1 Format only if the CSP information has changed. If the CSP-1 information has not changed, indicate that there has been no change in the cover letter. ( <a href="#">CSP-1: CSP Template</a> ) Note: If the CSP-1 Format has changed, a revised terms and conditions modification should be submitted before considering the EPA request. |  |
| Supporting Pricing Documentation to include one or more of the following: <ul style="list-style-type: none"> <li>• Provide a sampling of invoices for the product affected by the modification, which shows the price increases.</li> <li>• Previously Awarded Contracts/Orders (Government or Commercial contracts)</li> </ul>                        |  |
| Notices of price increases from manufacturers or suppliers (as applicable)   |  |

**TDR Contracts: GSAR 552.216-70, Based on a Commercial Price List**

When requesting an EPA, submit a detailed cover letter, documentation to support the request, including all items required by the EPA Modification Checklist.

If the price increase requested is not considered fair and reasonable, the Government will deny in partial, or in total the EPA request. Applicable EPA clause is 552.216-70 - ECONOMIC PRICE ADJUSTMENT - FSS MULTIPLE AWARD SCHEDULE CONTRACTS (DEVIATION IV - JUL 2016).

Contractors may request price increases under the following conditions:

- (1) Increases are requested before the last 60 days of the contract period.
- (2) At least 30 days elapse between requested increases.

Documentation supporting the reasonableness of the price increase shall be submitted with the request for a price increase.

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| <a href="#">TDR Contracts: EPA Based on Commercial Price List Modification Submission Checklist</a>                       |  |
| Signed/Dated Cover Letter shall include the price increase strategy (i.e., overall EPA price increase of (for example: 5% |   |

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| total price increase)) or provide the range of the price increase (for example: 2% to 10%).   |  |
| Cover Letter shall reference the applicable EPA Clause: 552.216-70 ECONOMIC PRICE ADJUSTMENT–FSS MULTIPLE AWARD SCHEDULE CONTRACTS (DEVIATION IV – JUL 2016)  |  |
| Spreadsheet showing current list and GSA Schedule Pricing, and the newly proposed commercial pricing and GSA Schedule pricing with and without IFF, with the percentage increase by product listed in a separate column. ( <a href="#">EPA template</a> ) |  |
| New Commercial Price List that includes effective date, if applicable   |  |
| Updated GSA Price List (Reference I-FSS-600 - CONTRACT PRICE LISTS (OCT 2016))  |  |
| Notices of price increases from manufacturers or suppliers (as applicable)  |  |

**Non-TDR & TDR Contracts: I-FSS-969 ECONOMIC PRICE ADJUSTMENT (Market Rates)**

If the price increase requested on market rates is not considered fair and reasonable, the Government will deny in partial, or in total the EPA request. Price adjustments may be effective on or after the first 12 months of the contract period on the following basis:

**(b)(1) Adjustments based on escalation rates negotiated prior to contract award.**

Normally, when escalation rates are negotiated, they result in a fixed price for the term of the contract. No separate contract modification will be provided when increases are based on negotiated escalation rates. Price increases will be effective on the 12-month anniversary date of the contract effective date.

**(b)(2) Adjustments based on an agreed-upon market indicator prior to award.**

The market indicator, as used in this clause, means the originally released public index, public survey or other public-based market indicator. The market indicator shall be the originally released index, survey or market indicator, and not seasonally adjusted. Any price adjustment shall be based on the percentage change in the designated (i.e. indicator identification and date) market indicator from the initial award to the latest available as of the anniversary date of the contract effective date, subject to paragraph (e), below. If the market indicator is discontinued or deemed no longer available or

reliable by the Government, the Government and the Contractor will mutually agree to a substitute. The contract modification reflecting the price adjustment will be effective upon approval by the Contracting Officer.

a. The market indicator generally used by GSA is The Department of Labor, Bureau of Labor Statistics, Table 5 Compensation (not seasonally adjusted): Employment Cost Index for total compensation, for private industry workers, by occupational group and industry, Occupational group and industry: Professional, scientific, and technical services. <https://www.bls.gov/news.release/eci.t05.htm>

b. Conditions of Price change using a market indicator:

(1) No more than three (3) increases will be considered during each succeeding 12-month period of the contract.

(2) Increases are requested before the last 60 days of the contract period, including options.

(3) At least 30 days elapse between requested increases.

(4) In any contract period during which price increases will be considered, the aggregate of the increases during any 12-month period shall not exceed 10 percent (10%) of the contract unit price in effect at the end of the preceding 12-month period. The Government reserves the right to raise the ceiling when market conditions during the contract period support such a change.

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| All Contracts: EPA Based on Market Rates Modification Submission Checklist   | ✓ |
| Signed/Dated Cover Letter shall include the price increase strategy (i.e., overall EPA price increase of (for example: 5% total price increase) or provide the range of the price increase (for example: 2% to 10%).   |   |
| A copy of the index, survey or pricing indicator (Market Rate Sheet) showing the price increase and the effective date   |   |
| Spreadsheet showing current list and GSA Schedule Pricing, and the newly proposed market pricing and GSA Schedule pricing with and without IFF, with the percentage increase by labor category/service listed in a separate column. <a href="#">(EPA template)</a> |   |
| Updated GSA Price List (Reference I-FSS-600 -  |   |

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| CONTRACT PRICE LISTS (OCT 2016))  |   |
| <b>Non-TDR Contracts:</b> The following must also be submitted for EPA Based on Market/Best Rates   | ✓ |
| Cover Letter shall reference the applicable EPA Clause: I-FSS-969 ECONOMIC PRICE ADJUSTMENT—FSS MULTIPLE AWARD SCHEDULE (OCT 2014)  |   |
| Updated CSP-1 Format only if the CSP information has changed. If the CSP-1 information has not changed, indicate that there has been no change in the cover letter. ( <a href="#">CSP-1, CSP Template</a> ) Note: If the CSP-1 Format has changed, a revised terms and conditions modification should be submitted before considering the EPA request.  |   |
| Supporting Pricing Documentation to include one or more of the following: <ul style="list-style-type: none"> <li>• Provide a sampling of invoices for the product affected by the modification, which shows the price increases.</li> <li>• Quote Sheets</li> <li>• Previously Awarded Contracts/Orders (Government or Commercial contracts)</li> </ul> |   |
| <b>TDR Contracts:</b> The following must also be submitted for EPA Based on Market/Best Rates   | ✓ |
| Cover Letter shall reference the applicable EPA Clause: I-FSS-969 ECONOMIC PRICE ADJUSTMENT – FSS MULTIPLE AWARD SCHEDULE (OCT 2014) (ALTERNATE II – JUL 2016)  |   |

## 11. PERMANENT PRICE REDUCTION MODIFICATION REQUESTS

Voluntary permanent price reductions may be accepted at anytime.

A temporary price reduction for a sale, which has defined start and end dates, is handled as an updated Schedule Input Program (SIP) file. The information must be entered as a temporary price reduction with an end date.

**For Non-TDR Contracts:** The applicable clause is 552.238-75 PRICE REDUCTIONS (JUL 2016). A price reduction modification shall be submitted *as soon as possible, but not later than 15 calendar days from the effective date*, if the following occurs:

(i) Revises the commercial catalog, pricelist, schedule or other document upon which contract award was predicated upon to reduce prices;

(ii) Grants more favorable discounts or terms and conditions than those contained in the commercial catalog, pricelist, schedule or other documents upon which contract award was predicated; or

(iii) Grants special discounts to the customer (or category of customers) that formed the basis of award, and the change disturbs the price/discount relationship of the Government to the customer (or category of customers) that was the basis of award.

If the price discount relationship between the Government and the BOA customer has not changed and remains as previously disclosed include a “certification statement” explaining that there has been no disruption that would trigger a price reduction, in accordance with the Price Reduction Clause at 552.238-75.

**For TDR Contracts:** The applicable clause is 552.238-75 PRICE REDUCTIONS (JUL 2016) (ALTERNATE I – JUL 2016). The following applies:

- a. The Government may request from the Contractor, and the Contractor may provide to the Government, a temporary or permanent price reduction at any time during the contract period.
- b. The Contractor may offer the Contracting Officer a voluntary price reduction at any time during the contract period.

| All Contracts: Permanent Price Reduction Modification Submission Checklist  |  |
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| Signed/Dated Cover Letter explaining the reason for the price reduction, and Indicates if this price reduction affects the Government Only, or Commercial and Government customers. |   |
| Spreadsheet of the affected SIN(s) for the products/services that shows the old price and the new price (showing the price reduction).  |   |
| Updated GSA Price List (I-FSS-600 - CONTRACT PRICE LISTS (OCT 2016)) with the proposed price reductions included.   |   |
| New Commercial Price List that includes effective date, if  |   |

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| applicable.   |   |
| <b>Non-TDR Contracts: The following must also be submitted for Permanent Price Reduction Modifications</b>  | ✓ |
| Cover Letter shall reference the applicable Price Reduction Clause: 552.238-75 PRICE REDUCTIONS (JUL 2016)  |   |
| Updated CSP-1 Format only if the CSP information has changed. If the CSP-1 information has not changed, indicate that there has been no change in the cover letter ( <a href="#">CSP-1, CSP Format</a> ) Note: If the CSP-1 document has changed, a revised terms and conditions modification should be submitted before considering the EPA request. |   |
| <b>TDR Contracts: The following must also be submitted for Permanent Price Reduction Modifications</b>  | ✓ |
| Cover Letter shall reference the applicable Price Reduction Clause: 552.238-75 PRICE REDUCTIONS (JUL 2016) (ALTERNATE I –JUL 2016)  |   |
| Cover letter shall indicate if and how the price reduction affects the GSA discount for the items subject to the modification.  |   |

## 12. DELETION OF PRODUCTS OR SERVICES MODIFICATION REQUESTS

If products or services are being discontinued or no longer sold to the Government, a deletion of products or services modification shall be requested. The applicable clauses are:

- For TDR contracts: 552.238-81 MODIFICATION (FEDERAL SUPPLY SCHEDULE) (APR 2014) (ALTERNATE II – JUN 2016)
- For Non-TDR contracts: 552.238-81 MODIFICATIONS (FEDERAL SUPPLY SCHEDULE) (APR 2014) (ALTERNATE I – JUN 2016)

The Government reserves the right to reject any subsequent offer for the same item or a substantially equal item at a higher price during the same contract period, if the CO/CS determines that the higher price is unreasonable compared to the price of the deleted item.

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| <b>All Contracts: Deletion of Products or Services Modification Submission Checklist</b> | ✓ |
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| Signed/Dated Cover Letter explaining the reason for the discontinuation or deletion from the contract.   |  |
| Cover Letter shall reference the applicable clause: For TDR contracts: 552.238-81 MODIFICATION (FEDERAL SUPPLY SCHEDULE) (APR 2014) (ALTERNATE II – JUN 2016); For Non-TDR contracts: 552.238-81 MODIFICATIONS (FEDERAL SUPPLY SCHEDULE) (APR 2014) (ALTERNATE I – JUN 2016) |  |
| List/spreadsheet of the model number(s) and/or the labor categories/ services that are to be deleted and the SIN(s) affected.  |  |
| Updated GSA Price List (Reference I-FSS-600 - CONTRACT PRICE LISTS (OCT 2016)) after removal of the deleted products or services.  |  |

### 13. MODEL NUMBERS OR SERVICE DESCRIPTION CHANGES MODIFICATION REQUESTS

Model number changes are for products that have the same function, and for models that have not had significant changes. Service description changes are for revising education and/or work experience, and minor changes to functional description. Minor changes should not result in a price increase. Any significant changes should be submitted as an add products or services modification type. The applicable clauses are:

- For TDR contracts: 552.238-81 MODIFICATION (FEDERAL SUPPLY SCHEDULE) (APR 2014) (ALTERNATE II – JUN 2016)
- For Non-TDR contracts: 552.238-81 MODIFICATIONS (FEDERAL SUPPLY SCHEDULE) (APR 2014) (ALTERNATE I – JUN 2016)

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| All Contracts: Model Numbers or Service Description Changes Modification Submission Checklist   |  |
| Signed/Dated Cover Letter explaining the reason for the Model Numbers or Service Description Changes. Also, include a statement that the changes will not result in a change to the GSA price.  |   |
| Cover Letter shall reference the applicable clause: For TDR contracts: 552.238-81 MODIFICATION (FEDERAL SUPPLY SCHEDULE) (APR 2014) (ALTERNATE II – JUN 2016); For Non-TDR contracts: 552.238-81 MODIFICATIONS (FEDERAL SUPPLY SCHEDULE) (APR 2014) |   |

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| (ALTERNATE I – JUN 2016)   |  |
| List/spreadsheet of the model number(s) and/or the labor categories/ services that are to be changed and the SIN(s) affected. This should include the current information and the requested changes. |  |
| Updated GSA Price List (Reference I-FSS-600 - CONTRACT PRICE LISTS (OCT 2016)) include the revised model numbers or service descriptions.  |  |

#### **14. ADDITION OF SPECIAL ITEM NUMBER (SIN), PRODUCTS, OR SERVICES MODIFICATION REQUESTS**

Additional SINs, New models, new brands, additional products and/or services can be added to your IT Schedule 70 contract through a modification request. New items and/or services will not be added to the contract unless the CO/CS can determine that the prices offered are “fair and reasonable.” Some SINs have special submission instruction requirements. *Refer to the Solicitation for further specific required documentation.* The applicable clauses are:

- For TDR contracts: 552.238-81 MODIFICATION (FEDERAL SUPPLY SCHEDULE) (APR 2014) (ALTERNATE II – JUN 2016)
- For Non-TDR contracts: 552.238-81 MODIFICATIONS (FEDERAL SUPPLY SCHEDULE) (APR 2014) (ALTERNATE I – JUN 2016)

If the manufacturer and the brand offered is not already awarded under the current contract, clause I-FSS-644 DEALERS AND SUPPLIERS (OCT 1988) requires companies to provide a Letter of Supply (LOS) from the manufacturer and, if applicable the official distributor for each new brand offered. See the Solicitation for a [letter template](#).

In accordance with the terms of Schedule 70, items produced in non-designated countries are excluded from consideration for award. A list of designated countries can be found in clause 52.225-5 TRADE AGREEMENTS (AUG 2018).

Ancillary supplies and/or services (SIN 132 100) are support supplies and services which are not within the scope of any other SIN on this schedule. *These supplies and/or services may only be ordered in conjunction with or in support of supplies and/or services purchased under another SIN(s).* Items under SIN 132 100 provide a solution to a customer requirement. This SIN may be used for orders and blanket purchase agreements that involve work or a project that is solely associated with the supplies and/or services purchased under this schedule. This SIN EXCLUDES purchases that are

exclusively for supplies and/or services already available under another schedule, and is limited to information technology (IT) products and/or services. The Service Contract Labor Standards (SCLS) may be applicable to the services offered under SIN 132 100. The following language shall be included at the end or beginning of each detailed position description. “Nonprofessional labor categories must be incidental to, and used solely to support professional services, and cannot be purchased separately.

Note: It is the offerors/contractor's responsibility to identify labor categories that are SCLSSCA applicable as a part of their price proposal. The solicitation price proposal instructions requires the contractor is to:

- “indicate which proposed labor categories are subject to the SCA by placing a double asterisk (\*\*) next to the labor category name.”
- map the identified SCLS/SCA labor categories to the SCA-equivalent labor category title (titles/descriptions available at <https://www.wdol.gov>.
- Identify the WD# that the labor categories offer is predicated on. Note that the applicable revision number for any Wage Determination number is the revision number identified in the solicitation index of wage determinations.

**Addition of Special Item Number (SIN) Modification Submission Checklist**

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| All Contracts: Addition of SIN Modification Submission Checklist   |  |
| Signed/Dated Cover Letter explaining the reason for the additions.   |   |
| Cover Letter shall reference the applicable clause: For TDR contracts: 552.238-81 MODIFICATION (FEDERAL SUPPLY SCHEDULE) (APR 2014) (ALTERNATE II – JUN 2016); For Non-TDR contracts: 552.238-81 MODIFICATIONS (FEDERAL SUPPLY SCHEDULE) (APR 2014) (ALTERNATE I – JUN 2016)   |   |
| Cover Letter shall include TAA Compliant Statement.  |   |
| Cover Letter shall include GSA Basic Discount  |   |
| Cover Letter shall include Prompt Payment Discount. (If none offered, show the Net term, i.e., Net 30 days. How does this compare with already awarded payment discounts? The payment discount applies to the entire contract. If your contract already has a payment discount awarded, the new SINs are also covered by the existing payment discount.) |   |

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| Cover Letter shall include Quantity/Volume Discount.  |   |
| Cover Letter shall include Other Discounts/Concessions, if applicable.  |   |
| Cover Letter shall include Delivery (Days ARO):<br>Normal: _____ Days ARO<br>Expedited: _____ Days ARO<br>(552.211-78 COMMERCIAL DELIVERY SCHEDULE<br>(MULTIPLE AWARD SCHEDULE) (FEB 1996))   |   |
| Cover Letter shall include FOB Terms i.e., destination  |   |
| Cover Letter shall include Minimum Order Limitation and Maximum Order for the SIN.  |   |
| Cover Letter shall include if the SIN will be subject to Cooperative Purchasing, Disaster Recovery and/or American Recovery Reinvestment Act.   |   |
| Cover Letter shall include the estimated change in contract value. Note: For Non-TDR contracts, This value shall be the same amount listed in the CSP-1 Format.   |   |
| Cover Letter shall include Place of Performance. (FAR 52.215-6 PLACE OF PERFORMANCE (OCT 1997))   |   |
| Cover Letter shall include any hazardous material to be delivered under this contract. (FAR 52.223-3 Hazardous Material Identification and Material Safety Data (Jan 1997) Alternate I (July1995))  |   |
| Include any information requested by FAR 52.212-3(f), OFFEROR REPRESENTATIONS AND CERTIFICATIONS – COMMERCIAL ITEMS (OCT 2018), that may be necessary to assure compliance with FAR 52.225-1 Buy American-Supplies (May 2014), in Cover Letter. |   |
| SIN specific submission instruction requirements  |   |
| Complete and submit the terms and conditions document for the proposed SIN(s). See attachment "Critical Information Specific to Schedule 70." for additional information.   |   |
| <b>Non-TDR Contracts:</b> The following must also be submitted for Addition of SIN(s)   |  |
| CSP-1 Document for the new SIN(s) ( <a href="#">CSP-1</a> , <a href="#">CSP</a> )   |   |

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| <a href="#">Template</a> ) |  |
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**Addition of IT Professional Services Modification Submission Checklist**

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| <b>All Contracts: Addition of IT Professional Services Modification Submission Checklist</b>  |  |
| Signed/Dated Cover Letter explaining the reason for the additions.  |   |
| Cover Letter shall include GSA Basic Discount in Cover.   |   |
| Cover Letter shall include Quantity/Volume Discount.  |   |
| Cover Letter shall include Other Discounts/Concessions, if applicable.  |   |
| Cover Letter shall include Delivery (Days ARO):<br>Normal: _____ Days ARO<br>Expedited: _____ Days ARO<br>(552.211-78 COMMERCIAL DELIVERY SCHEDULE (MULTIPLE AWARD SCHEDULE) (FEB 1996))  |   |
| Cover Letter shall include FOB Terms destination  |   |
| Cover Letter shall include the estimated change in contract value.  |   |
| Cover Letter shall reference the applicable clause: For TDR contracts: 552.238-81 MODIFICATION (FEDERAL SUPPLY SCHEDULE) (APR 2014) (ALTERNATE II – JUN 2016); For Non-TDR contracts: 552.238-81 MODIFICATIONS (FEDERAL SUPPLY SCHEDULE) (APR 2014) (ALTERNATE I – JUN 2016). |   |
| Completed Labor Categories Tab of the Price Proposal Template ( <a href="#">Template</a> )  |   |
| Labor Category Descriptions including education and experience, as applicable   |   |
| Professional Compensation Plan setting forth salaries and fringe benefits proposed for the professional employees who will work under the contract in accordance with FAR 52.222-46 Evaluation of Compensation for Professional Employees (Feb 1993)                          |   |

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| Commercial Price List, Internal Labor Rates, Market Rate Sheet, etc   |   |
| Labor Category Matrix, if applicable  |   |
| Updated GSA Price List (Reference I-FSS-600 - CONTRACT PRICE LISTS (OCT 2016)) with the proposed services and terms and conditions (See attachment "Critical Information Specific to Schedule 70")  |   |
| <b>Non-TDR Contracts: The following must also be submitted for Addition of IT Professional Services</b>   |  |
| Updated CSP-1 Format ( <a href="#">CSP-1</a> , <a href="#">CSP Template</a> )   |   |
| Supporting Pricing Documentation to include one or more of the following: <ul style="list-style-type: none"> <li>● Provide a sampling of invoices for the product affected by the modification, which shows the price increases.</li> <li>● Quote Sheets</li> <li>● Previously Awarded Contracts/Orders (Government or Commercial contracts)</li> </ul> |   |

**Addition of Products Modification Submission Checklist**

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| <b>All Contracts: Addition of Products Modification Submission Checklist</b>  |  |
| Signed/Dated Cover Letter explaining the reason for the additions.  |   |
| Cover Letter shall reference the applicable clause: For TDR contracts: 552.238-81 MODIFICATION (FEDERAL SUPPLY SCHEDULE) (APR 2014) (ALTERNATE II – JUN 2016); For Non-TDR contracts: 552.238-81 MODIFICATIONS (FEDERAL SUPPLY SCHEDULE) (APR 2014) (ALTERNATE I – JUN 2016). |   |
| Cover Letter shall include TAA Compliant Statement in   |   |
| Cover Letter shall include GSA Basic Discount in Cover.   |   |
| Cover Letter shall include Quantity/Volume Discount.  |   |
| Cover Letter shall include Other Discounts/Concessions, if  |   |

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| applicable.  |   |
| Cover Letter shall include Delivery (Days ARO):<br>Normal: _____ Days ARO<br>Expedited: _____ Days ARO<br>(552.211-78 COMMERCIAL DELIVERY SCHEDULE<br>(MULTIPLE AWARD SCHEDULE) (FEB 1996))  |   |
| Cover Letter shall include FOB Terms i.e., destination or origin.  |   |
| Cover Letter shall include the estimated change in contract value.   |   |
| Letter of Supply, if adding a new manufacturer only.<br>( <a href="#">Template</a> )   |   |
| Energy Star Compliant Statement, if applicable   |   |
| Submit the Commercial Supplier Agreements (CSAs), End User License Agreements (EULAs), Terms of Service (ToS), if applicable   |   |
| Price Proposal Template  |   |
| Products Categories Tab of the Price Proposal Template<br>( <a href="#">Template</a> )   |   |
| Commercial Price List  |   |
| Product Literature   |   |
| Updated GSA Price List (Reference I-FSS-600 - CONTRACT PRICE LISTS (OCT 2016)) with the proposed additions, pricing inclusive of IFF, and terms and conditions. For the applicable terms and conditions for the proposed SIN(s), please refer to the Critical Information Specific to Schedule 70 document.  |   |
| <b>Non-TDR Contracts: The following must also be submitted for Addition of Items</b>   |  |
| CSP-1, Commercial Sales Practices Format for the items being proposed and ensure you indicate the offered discount for the new items. Please note that the commercial sales figures provided on the CSP must only be for the new items/services/brands/SIN(s) that are proposed to be added to the contract. If multiple brands or SINs are proposed for |   |

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| <p>addition to the contract, commercial sales shall be broken down by SIN. (<a href="#">CSP-1, CSP Template</a>)</p>   |  |
| <p>Supporting Pricing Documentation to include one or more of the following:</p> <ul style="list-style-type: none"> <li>• Provide a sampling of invoices for the product affected by the modification, which shows the price increases.</li> <li>• Quote Sheets</li> <li>• Previously Awarded Contracts/Orders (Government or Commercial contracts)</li> </ul> |  |

## 15. REREPRESENTATION OF SIZE STATUS MODIFICATION REQUESTS

To be eligible for award as a small business, an offeror must represent in good faith that it is a small business at the time of its written representation. A contractor that represented itself as a small business concern before contract award must rerepresent its size status for the North American Industry Classification System (NAICS) code in the contract upon the occurrence of any of the following:

- a. Within 30 days after the execution of a novation agreement or within 30 days after modification of the contract.
- b. Within 30 days after a merger or acquisition of the contractor that does not require novation or within 30 days after modification of the contract.
- c. Within 60 to 120 days prior to the date specified in the contract for exercising any option.

If a contractor rerepresents its size status from Other Than Small Business to Small Business, a modification request shall be submitted.

A contractor must rerepresent its size status in accordance with the size standard that corresponds to the NAICS code that was initially assigned to the contract. The FAR reference is 19.301-2. The clause reference is 52.219-28 POST-AWARD SMALL BUSINESS PROGRAM REREPRESENTATION (JUL 2013).

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| <p><a href="#">All Contracts: Rerepresentation of Size Status Modification Submission Checklist</a></p>                |  |
| <p>Signed/Dated Cover Letter explaining the reason for the business size representation, i.e., changing from small</p> |   |

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| business to other than small business, or changing from other than small business to small business.                            |  |
| Include NAICS code of Schedule 70 preponderance of work in cover letter.  |  |
| Cover Letter shall reference the applicable clause:<br>52.219-28, POST-AWARD SMALL BUSINESS PROGRAM REREPRESENTATION (JUL 2013) |  |
| Current SAM.gov record  |  |

## 16. NOVATION AND CHANGE-OF-NAME AGREEMENTS MODIFICATION REQUESTS

- Novation agreement” is a legal instrument by which, among other things, the transferor guarantees performance of the contract, the transferee assumes all obligations under the contract, and the Government recognizes the transfer of the contract and related assets.
- Change-of-name agreement” is a legal instrument executed by the contractor and the Government that recognizes the legal change of name of the contractor without disturbing the original contractual rights and obligations of the parties.

Generally, the contracting officer responsible for the largest unsettled (unbilled plus billed but unpaid) dollar balance of contracts shall be the contracting officer responsible for executing a novation and/ or change-of-name agreements.

- If you have only one task order/delivery order awarded against your Schedule 70 contract, contact that agency's contracting officer regarding a Novation and Change-of-Name agreements modification.
- If you have multiple task orders/delivery orders awarded against your Schedule 70 contract, determine the task order/delivery order that has the largest dollar value including options. Contact that agency's contracting officer regarding a Novation and Change-of-Name agreements modification.
- If there are no task order/delivery order against your Schedule 70 contract, contact your Schedule 70 CO/CS Novation and Change-of-Name agreements modification.

The FAR reference is 42.12 - Novation and Change-of-Name Agreements. The clause reference is 552.212-4(c) 552.212-4 CONTRACT TERMS AND CONDITIONS – COMMERCIAL ITEMS (JAN 2017) (DEVIATION – FEB 2007) (DEVIATION - FEB 2018), Changes, and authority is 42.12 for modification.

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| <p><a href="#">All Contracts: Novation Modification Submission Checklist When an Ordering Agency Executes the Novation Agreement</a></p>  |   |
| <p>Signed/Dated Cover Letter explaining the reason for the novation.</p>  |   |
| <p>Copy of the SF-30, Amendment of Solicitation/Modification of Contract, signed and dated by a Government Contracting Officer and a representative of your company, which implements the novation agreement.</p>   |   |
| <p><a href="#">All Contracts: Novation Modification Submission Checklist When GSA Executes the Novation Agreement</a></p>   |  |
| <p>A Cover Letter (Signed/Dated) explaining the reason for the novation.</p>  |   |
| <p>The Cover Letter shall reference the applicable authority: FAR 42.12 - Novation and Change-of-Name Agreements</p>  |   |
| <p>Novation Agreement (<a href="#">Format Referenced in the FAR</a>)</p>  |   |
| <p>Document describing the proposed transaction, e.g., purchase/sale agreement or memorandum of understanding.</p>  |   |
| <p>A list of all affected contracts between the transferor and the Government, as of the date of sale or transfer of assets, to include:</p> <ul style="list-style-type: none"> <li>(i) Contract number and type;</li> <li>(ii) Name and address of the contracting office;</li> <li>(iii) Total dollar value, as amended; and</li> <li>(iv) Approximate remaining unpaid balance.</li> </ul> |   |
| <p>Evidence of the transferee's capability to perform.</p>  |   |
| <p>An authenticated copy of the instrument affecting the transfer of assets; e.g., bill of sale, certificate of merger, contract, deed, agreement, or court decree.</p>   |   |

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| A certified copy of each resolution of the corporate parties' boards of directors authorizing the transfer of assets.   |  |
| A certified copy of the minutes of each corporate party's stockholder meeting necessary to approve the transfer of assets.  |  |
| An authenticated copy of the transferee's certificate and articles of incorporation, if a corporation was formed for the purpose of receiving the assets involved in performing the Government contracts. |  |
| The opinion of legal counsel for the transferor and transferee stating that the transfer was properly effected under applicable law and the effective date of transfer.                                   |  |
| Balance sheets of the transferor and transferee as of the dates immediately before and after the transfer of assets, audited by independent accountants.  |  |
| Evidence that any security clearance requirements have been met.  |  |
| The consent of sureties on all contracts, if bonds are required, or a statement from the transferor that none are required.   |  |

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| <b>All Contracts: Change-of-Name agreements Modification Submission Checklist</b>  |  |
| Signed/Dated Cover Letter explaining the reason for the Change of Name.  |   |
| Cover Letter shall reference the applicable authority: FAR 42.12 - Novation and Change-of-Name Agreements  |   |
| Change-of-Name Agreement ( <a href="#">Format Referenced in the FAR</a> )  |   |
| Document affecting the name change, authenticated by a proper official of the State having jurisdiction.   |   |
| Opinion of the contractor's legal counsel stating that the change of name was properly effected under applicable law and showing the effective date. |   |

## 17. SMALL BUSINESS SUBCONTRACTING PLAN MODIFICATION REQUESTS

If a contractor rerepresents its size status from Small Business to Other Than Small Business, or changes its size status from a novation, a Small Business Subcontracting Plan Modification Request must be submitted. FAR reference 19.7 - The Small Business Subcontracting Program. Clause Reference 52.219-9 SMALL BUSINESS SUBCONTRACTING PLAN (AUG 2018) (ALTERNATE II – NOV 2016)

You can select one of the following Subcontracting Plan types:

- Commercial plan is a subcontracting plan (including goals) that covers the offeror's fiscal year and that applies to the entire production of commercial items sold by either the entire company or a portion thereof (e.g., division, plant, or product line).
- Individual subcontracting plan is a subcontracting plan that covers the entire contract period (including option periods), applies to a specific contract, and has goals that are based on the offeror's planned subcontracting in support of the specific contract, except that indirect costs incurred for common or joint purposes may be allocated on a prorated basis to the contract.
- Master subcontracting plan is a subcontracting plan that contains all the required elements of an individual subcontracting plan, except goals, and may be incorporated into individual subcontracting plans, provided the master subcontracting plan has been approved.

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| All Contracts: Small Business Subcontracting Plan Submission Checklist   |  |
| Signed/Dated Cover Letter explaining the reason for submitting a Small Business Subcontracting Plan                                  |   |
| Cover Letter shall reference the applicable clause: 52.219-9 SMALL BUSINESS SUBCONTRACTING PLAN (AUG 2018) (ALTERNATE II – NOV 2016) |   |
| Small Business Subcontracting Plan ( <a href="#">Model Subcontracting Plan Template</a> )  |   |