

IT Schedule 70 Industry Meeting

Q&A

As of July 30, 2012

Acquisition Operations

- 1.) I've had a hard time reaching my Contracting Officer (CO). If I can't reach my CO, how can I resolve my issues?**

If you're not able to reach your CO directly, please send an email to IT.Center@gsa.gov and include your contract number, the name of your contracting officer, and your question/concern. You will receive an initial response within two business days.

- 2.) While I understand the need to save money, is there any possibility that you will be hiring additional contracting officers? Mine is excellent and incredibly overloaded. Simple eMod requests take months to be handled due to her workload.**

While we don't anticipate hiring additional contracting officers at this time, we are doing several things to address the significant workload by shifting resources to critical areas. For example, we have shifted some workload from the contracting staff by establishing a team to focus on the "no sales" contracts and there will be more on that later. This initiative allows the contracting staff to focus on the productive contracts. Another example is that IT Schedule Programs has redeployed contracting staff out of their organization into the Center for IT Schedule Operations (Acquisition Operations staff).

- 3.) What is the target timeframe for modifications and new awards?**

On average, we manage 5,000 plus active contracts; award approximately 600 new offers and process 13,000 modifications annually. Our current performance targets are 16 days for the processing of modifications and 95 days for new offers. We are performing better than target on modifications and about 2 weeks behind our target for new offers.

- 4.) While encouraged by initiatives to reduce modification cycle time, what we're seeing in practice is a significant increase in the modification rejection rate for issues that were previously addressed by the issuance of clarification requests. It seems that the resubmission required doubles everyone's efforts. Please comment.**

Rejections occur when there are deficiencies with the submissions that prevent contracting officers to proceed with an effective evaluation. When this is the case, the modification will be rejected along with information outlining the deficiencies. If you feel that is not the approach being taken, let us know and we will address that. Please send an email to IT.Center@gsa.gov with your contract number, the name of your contracting officer and the details of your concern. You will receive an initial response within two business days.

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- 5.) **My contracting officer has let me know she only works 2 days per week. Is there a specific reason why GSA hires part time contracting officers? It seems universal concern from industry partners that COs cannot complete tasks in a timely manner. Please comment**

IT Schedule 70 does not have part time contracting officers. If you are not receiving a response from your contracting officer in a timely manner, please send an email to the IT.Center@gsa.gov with your contract number and the name of your contracting officer. In addition, please provide the outstanding tasks that are not being completed in a timely manner. You will receive an initial response within two business days.

- 6.) **Why does it appear that all GSA Schedule 70 COs act independently rather than having them all on the same page? Some COs have stricter rules and interpretations than others which puts some contract holders at a disadvantage in comparison to their competitors.**

Contracting officers are given the authority to exercise sound business judgment as it pertains to contract actions. This authority is inherent with the warrants that they possess. However, COs are to exercise their independent judgment within the parameters of applicable laws, regulations, policies, and guidance. If you feel that you are being treated unfairly and/or placed at a disadvantage, please contact the respective Branch Chief, or you may send an email to the IT.Center@gsa.gov, with your contract number and name of your contracting officer, along with the specific information regarding your pending contract action(s). You will receive an initial response within two business days.

- 7.) **We have a subcontractor that provides the IT professional services for the products currently on our GSA Schedule 70 Contract. May we add the subcontractor's services to our contract using their rates and past performance qualifications? Our customers often require these services, and are balking at the open market services. We would prefer to add these specific services to our contract for a full GSA buy.**

The IT Schedule 70 contracts for professional services are awarded to vendors that provide the services directly. You will not be able to add your subcontractor's services to your contract as they are not your services being provided by your company.

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- 8.) The initiative to increase speed to market is a top priority for our customer base. We carry a large manufacturer on contract that provides thousands of updates per month. We have pre-negotiated discounts established at our initial award, yet the time to approve our modifications takes weeks, if it happens at all, due to our CO's instruction that she must determine fair and reasonable pricing each and every time a mod is submitted, an impossible task when there are hundreds of items proposed for addition on each mod request. Additionally, we are consistently asked for invoice substantiation for new technology or products that have not yet been sold. Please comment.

Establishing a fair and reasonable price for awarded products and services is a requirement for government contracting officers. To support this determination, COs will ask for invoices in support of the pricing proposed for the products submitted for the award. While invoices are one form of supporting documentation, our solicitation provisions allow for other forms of supporting documentation to be submitted. If the product has not yet been sold, then you are permitted to provide other supporting documentation for the product.

Demand-Based Model

- 1.) What agency is responsible or is driving the "Demand Based Model"? Can you post the Federal Register reference so vendors can view it?

The link for the Federal Register Posting is as follows:

<https://www.federalregister.gov/articles/2012/07/23/2012-17882/multiple-award-schedule-mas-program-continuous-open-season-operational-change>

- 2.) When will the Demand Based Model Start?

The Demand Based Model (DBM) appeared in the Federal Register the week of July 23, and should be in effect late this year.

With DBM, FAS is proposing to modify its current practice of having a continuous open season for all new Schedule offers. Instead, FAS would individually assess, on an annual basis, each Schedule to determine whether a continuous open season should continue or whether specific Schedules, or a Special Item Number (SIN) should be temporarily closed, in whole or in part. The decision to substantiate closing of a schedule, in whole or in part (i.e. at the SIN level) is driven by the following:

- *Federal demand*
- *Existing sources*
- *Sales performance under existing contracts*
- *Changing market dynamics*

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- *Socio-economic considerations*
- *Other available data to determine if a Schedule or SIN is saturated.*

This change is necessitated by GSA's role to serve as the "Government's Savings Agency". As such, FAS must:

- *Ensure we offer Federal agencies the best possible choice of services and products at highly competitive prices*
- *Create an environment which drives effective and meaningful competition and leads to successful delivery from our contractors*
- *Add value to the customer experience*

Digitization

1.) What do you mean by digitizing contracts? Is this creating .PDFs?

By digitizing contracts, we mean we are taking all of our paper-based contract files and making them electronic so we're getting out of the paper world. At the beginning of FY12, we moved to 100% eMOD or eOFFER which changed how we process offers and modifications. The digitization effort is a look back at the existing contracts that are in paper form and converting them to an electronic format. We will support several different platforms from PDF to Word and Excel and so forth.

Our reality is that as we look forward to the move to 1800 F St. NW and its associated space restrictions, we won't have the ability to store all of those contracting files. Digitization supports the move and a more mobile workforce by making contract files "virtual".

2.) After the contracts are digitized, are they available to industry electronically or are these documents proprietary?

The terms and conditions of IT Schedule 70 contracts have been available electronically for a number of years on GSA Advantage! and eLibrary. Once we have a service or product that is awarded, we make the awarded terms and conditions along with the pricing available for view, not only for industry, but also the customer agencies. As for the actual contract file that constitutes all documents, this is for the contracting officers' use and will NOT be visible by industry as some of that information is not releasable to the public.

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eTools

- 1.) The ability to log in to our account and do the simplest things (i.e., changing an email address) is ridiculously difficult. What are your plans to streamline and upgrade the interface?**

For issues that are administrative in nature, your first point of contact is your contracting officer. However, if you are having system issues, please contact the eOffer/eMod help desk directly at eOffer@gsa.gov or 1-866-472-9114.

- 2.) We have bid on many opportunities on eBuy, but have not had too much success. Based on the debrief, a lot of them are already marked and they know who they want. It is really discouraging. How can GSA make the competition more transparent and fair?**

Recently there have been some policy changes in trying to enhance competition under the Multiple Awards Schedules program and specifically the implemented section 863 of the 2009 National Defense Authorization Act which essentially says that if you are procuring anything over \$150,000 you either need to give fair opportunity by posting a RFQ to eBUY or receive three quotes. So there have been some policies to make competition more transparent. In general, a best practice is to try to get to the customer early in the acquisition planning process. A lot of times customer agencies are doing things to assure capable companies are out there to meet their requirement. For example, they can post a request for information on eBUY which indicates the customer earlier in the process may not know exactly what solution is going to meet the requirement; that is your opportunity to get in with the customer and tell them about your capabilities and make sure they are including you in the competition whether they choose to use eBUY or not.

- 3.) Are there any plans to simplify/replace/improve the Schedule Input Program (SIP)?**

GSA has an enterprise acquisition pricing functionality that we are slowly rolling out; the intent of that is for you to provide pricing information with your submission of the offer and the modification and only to do that once. FAS will be able to capture the pricing information real-time once the offer or modification is awarded. The customer can view pricing on schedule contracts immediately that will completely eliminate the current process of SIP.

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4.) What is your timeline for eliminating the SIP program?

Under the current Enterprise Acquisition Solution (EAS) project, the SIP program will no longer be necessary as each Schedule is added to the rollout. Currently, Schedules 520 and 599 are using the new Formatted Price List (FPL) which takes the place of the SIP program. When contractors accept the Mass Mods and complete the training, they are no longer required to use SIP. FAS plans to continue rolling out all the Service Schedules first and will begin the Product schedules in FY13.

5.) Can you please provide some more training to the GSA Contracting Officers on how to properly use e-mod?

GSA contracting officers do not actually use eMod themselves. The eMod system is a vendor interface system. However, COs do have access to training guides published by the Office of Acquisition Management on the use of eMod. In addition, quarterly system release notes are forwarded to the COs alerting them of new system functionality and changes.

6.) We recently renewed our GSA contract, but GSA still has problems approving the file in EDA and the Federal Procurement Data System (FPDS). How do I effectively have my contract renewal approved and reflected in EDA and FPDS in a timely manner?

GSA has been working with DoD concerning FAS contracts being uploaded to the DoD's Electronic Document Access (EDA) program. FAS has submitted over 99% of existing contract files to EDA over the past several months. GSA does not actually approve files before they are submitted to EDA. GSA COs must approve an "Appendix C" which is required by DoD before the Schedule contract may be posted on DoD eMall. The contractor is responsible for supplying the CO with the document and forwarding the signed document and package to eMall.

7.) Is there a plan to change how products with multiple sources on GSA Advantage! will be displayed? It seems to be causing confusion by showing just one price point initially versus before when all sources prices were displayed.

GSA Advantage! has recently changed the way products are being displayed. This was for several reasons. Instead of showing 75 separate line items for the same software package, GSA Advantage! is only showing one (1). This helps reduce the number the search results that are returned and makes it easier for the customer to find the product they are looking for. In addition, the "Add to Cart" feature has been removed on the initial search results page, forcing the customer to review the "Product Detail" page. The "Product Detail" page forces the customer to view all vendors who sell the exact same product and provides them the ability to compare price, delivery, min order etc., so they can make a better purchasing decision without having to

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review multiple listings of the same product. In the past, they were not required to view additional sources and could simply add an item to the cart without viewing additional suppliers.

8.) Why does GSA allow so many non-Trade Act Agreement (TAA) products to be on GSA Advantage! under Schedule 70?

Supplies and Services under the MAS program are required to be TAA compliant. GSA actively monitors compliance through a number of mechanisms and GSA contracting officers take action as appropriate if non-compliance exists.

9.) Why aren't Blanket Purchase Agreement (BPA) prices visible under GSA Advantage!?

BPA prices are visible on GSA Advantage!. A link exists on the front page to view all BPAs currently on GSA Advantage!. Popular BPAs such as the FSSI Office Products are listed within this area. Some BPAs may not be visible to certain customers based on their login. For example, some BPAs are established only for DoD use, thus civilian agencies would not have access to them.

End User License Agreements (EULAs)

1.) What is average turnaround time for EULA review by Legal?

The turnaround time varies as all EULAs are different. Right now, we're looking at an average 30 day window. When COs submit the agreements for review, there is usually a discussion on the anticipated award timeframe and legal counsel tries to work within those constraints.

We have been working with our legal counsel to make the internal review process more efficient.

2.) Will there be an announcement to Industry of approved EULAs?

We are working on establishing a central repository for all approved EULAs. This may take some time as we are working with the CIO on priorities. We are also looking at interim possibilities of the way to efficiently communicate approved EULAs.

3.) With regard to EULAs, are there plans to hire full-time additional resources to help the review process?

There are no plans at this time to hire additional resources to help with the review process. However, we are working on other important changes to mitigate the time it takes to review EULAs. We are in the final stages of putting together some changes that you should see coming out in the near future.

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Evergreen (20-year contract)

- 1.) **If we have already submitted our option to extend our contract and we are in our 14th year, how will this affect our filing for a dual contract?**

This should not affect your filing. Once the contractor's Schedule contract enters its 14th year, the Center will allow contractors to submit their last option period package for the existing contract and a proposal for a new contract concurrently. Please inform your CO of your intent to pursue the dual contracts so these two contractual actions may be handled accordingly.

- 2.) **Will the IT Center permit a contractor to concurrently submit their last option period rates and their proposal for a new contract? This would allow for an overlap so a contractor can provide continuing services without disruption.**

Once the contractor's Schedule contract enters its 14th year, the Center will allow contractors to submit their last option period package for the existing contract and a proposal for a new contract concurrently. Please inform your CO of your intent to pursue the dual contracts so these two contractual actions may be handled accordingly.

- 3.) **When are proposals due to renew existing Schedule 70 contracts?**

In exercising the next option period for existing Schedule contracts, contractors will receive an automated email 210 days prior to the Schedule contract expiration. This email provides the contractor the choice to either decline the opportunity to be evaluated for an option or to proceed with the option eligibility process. If the contractor wishes to be evaluated, the option letter outlines the initial requirements needed from the contractor.

As for those Schedule contracts entering into its 14th year, the Center will allow contractors to submit their last option period package (to include rates or pricing) for the existing contract and proposal for a contract concurrently. The new contract represents an opportunity for continuity of services so customer agency can have the requirements fulfilled. For the contractor, the dual contracts allows it to continue to provide the offerings that meet the government needs and establish additional long term relationship with customers.

"Integrations Contract"

- 1.) **My question isn't directly related to Schedule 70, but has some relevance to overall use of the different GSA vehicles. We heard a lot about the "Integrations" contract a year ago, but haven't heard anything recently. Is this effort still moving forward?**

"Integrations" was the working title for a new government-wide multiple award contract vehicle for integrated complex professional services. The program now has an official name, OASIS (One

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Acquisition Solution for Integrated Services), its own webpage (www.gsa.gov/oasis), and its own community and blog on GSA Interact. We are using the community to broadly push and share information about development of the vehicle. The next major event will be the release of the draft RFP this summer.

Low/ No Sales Initiative

1.) Can you please provide more specifics on how will you be helping out the contractors with low or no sales?

The initial start will be the discussions that our team will have with you, the contractor. That will be a dynamic conversation to look at what you are doing from a company perspective as well as what tools GSA provides that may be of assistance.

Our Vendor Support Center, which is a website that is hosted by the Acquisition Management Office, has a number of tools and a wealth of information that helps contractors with the goal of being successful on multiple award programs. There are other initiatives that are underway that will be rolling out in the future with respect to providing assistance to contractors in completing a thorough assessment upfront before becoming a MAS vendor. By doing an assessment, you gain a better understanding of the market you're looking to get into, the competition within the industry to determine the viability of that success, and whether or not you will be successful under the multiple awards schedule program. Please visit the GSA Vendor Support Center website (<https://vsc.gsa.gov>) for more information.

There are some additional resources at interact.GSA.gov, including webinars. One webinar, "Schedules Contractor Success – Marketing Matters!", provides information on how to market your company to the federal government.

2.) What if this is a new contract with no sales to date?

We will follow the parameters of the clause I-FSS-639 that states that you must achieve sales of \$25,000 in the first two years and \$25,000 every year thereafter. So we will not necessarily be reaching out to contractors that have zero sales in less than two years.

3.) What do you consider no sales? No sales for the life of the contract or if you don't meet the \$25,000 sales goal for the year?

Per clause I-FSS-639, the requirement is \$25,000 in sales in the first two years of your awarded contract and \$25,000 in sales each year thereafter.

The idea is to determine what you are doing to obtain business for this particular contract. There may be future sales in your pipeline that we don't know about or some opportunities that need to be discussed so this is part of the conversation that we referenced earlier.

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- 4.) **How are you addressing the fact that many customers prefer paying a large premium to purchase supplies/services as a sub to an existing prime contractor (example: SEWP) than purchase supplies/services via GSA? This is a large cause of "low sales" and is clearly not an IT 70 contractor fault.**

We're trying to make the schedule program a viable flexible program so it can meet all of our customers' needs, so customer agencies will not have to use other vehicles. With our modernization programs and initiatives moving forward, we're trying to make the schedules program the vehicle of choice for all agencies.

Contractors can help by keeping us informed. Any information you provide about your customers and their needs will assist us in our outreach efforts. Our Marketing/Outreach team continues to work with federal agencies to let them know how Schedule 70 can help them achieve their mission and goals. In addition, there are Customer Service Directors (CSDs) located throughout the country that provide training and can speak to your customers, government to government, about the benefits of the Schedules Program. For more information and a list of CSDs, please go to www.qsa.gov/csd.

- 5.) **What is the approximate dollar threshold for a "low-sales" contractor?**

Per clause I-FSS-639, the dollar thresholds are \$25,000 in sales for the first two years and \$25,000 each year thereafter. Anything that falls below this threshold may be considered "low sales".

- 6.) **If we have pending awards but have zero sales and cross the 2 year timeline do we lose the opportunity?**

There is a possibility that your schedule contract will be cancelled. That will be based on the discussion you have with our team.

- 7.) **We are generating revenue from the State, but not able to generate the business from GSA and afraid of not reaching \$25,000.**

To assist new and current schedule contractors with generating sales and doing business with the government, GSA has created various web training tools and sponsors numerous training sessions where we discuss practical marketing tips and successful strategies with contractors. Please reference the following links for more information on training:

<http://www.qsa.gov/portal/event/getEvents/future/category/22104/hostUri/portal>

Hopefully, the information provided by GSA will enable you to meet sales requirement outlined in I-FSS-639.

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Marketing/Outreach

1.) How do I get notified about the next quarterly meeting?

We will be publicizing our meetings in our industry newsletter, "Industry Source", and posting the information on our website, www.gsa.gov/schedule70. We will also send out an e-mail to all Schedule 70 contractors notifying them of the upcoming meetings. We will launch a web page devoted specifically to information relating to the Quarterly Industry Partnership Meetings where you can get the latest updates and historical information from these meetings. If you would like to be added to the mailing list for the "Industry Source" newsletter, please send your request via email to IT.Center@gsa.gov.

2.) When marketing the GSA IT Schedule 70 who is the best person in the agencies to contact?

Most agencies have several procurement points of contact, so it can be daunting to find a starting point. Specific procurements in FedBizOpps and eBuy will reference the procurement POC; you could reach out to that individual to inquire about other opportunities. Also, monitor the agency's website for potential procurements. If you're a small business, the agency should have a Small Business Technical Advisor (SBTA) on staff to address your questions. Similarly, you may contact the Office of Small Disadvantaged Business Utilization (OSDBU). Finally, you could engage the Chief Procurement Official or Chief Financial Officer's (CFO) Office.

Don't forget the free training sessions offered by IT Schedule 70, and FAS <http://www.gsa.gov/portal/category/27104>.

3.) Does the Schedule 70 Office have any plans to actively market the new National IT Commodity Program (NITCP) BPAs that have been and will be awarded by the NITCP Office in Atlanta, GA?

The IT Center has a collaborative relationship with the program office managing the NITCP Blanket Purchase Agreements. The NITCP is led by Teresa Carrington in the ITS regional office in Atlanta (Teresa.carrington@gsa.gov). There have been numerous outreach events discussing the establishment of the BPAs and the mission of the NITCP, most notably, at GSA Expo. The program office conducted a number of dedicated sessions and direct conversations to engage customer agencies interested in the actual awards made thus far. In addition, the NITCP awards for tablets and mobile solutions are posted to the Strategic Sourcing corridor in GSA Advantage! (www.gsaadvantage.gov). The awarded tablets or mobile solutions are loaded in GSA Advantage! and are identified with the "BPA" icon. Ordering activities can utilize eBuy or GSA Advantage! to procure the offerings from the NITCP BPAs. NITCP has a dedicated web page (<http://www.gsa.gov/portal/category/102051>) that has been established to provide information specific to what the NITCP offers.

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4.) How can you leverage your 70 schedule to capitalize on more commercial contracts?

*As it relates to “Commercial Contracts” (e.g. outside the government), some of your successes are some of the things you can and **should** highlight to your commercial clients. Similar capabilities, similarly scoped projects, etc., can all be part of what you market to **all** customers, federal and commercial.*

5.) What is GSA doing to increase sales with ordering activities who are now utilizing other contract vehicles? We are losing out on opportunities with contracting officers using other contract vehicles.

We are doing many things within Schedule 70 to increase sales with ordering activities. We look forward to sharing more about those evolving plans in future communications with IT Schedule 70 contractors.

We are reaching out to contracting officers in agencies throughout the federal government promoting the benefits of Schedule 70 and offering no-cost, tailored training. We also created and fielded a quarterly newsletter designed to inform customers and promote our value added services such as on-site and web training specially tailored to an agency’s needs, Schedule 70 Helpline, statement of work (SOW) scope review, technical assistance, and eTools designed to streamline market research and the entire procurement process – all at no cost to our customers.

We have partnered with the Federal Acquisition Institute to start making Multiple Award Schedules available and we're working very closely with the officials in the Office of Federal Procurement Policy to update certification programs to offer this training to the acquisition workforce to educate them on the value of using multiple award schedules.

If you, as an IT Schedule 70 contractor, would like us to provide training to your customers, please let us know as we are available to assist you. Please email your request to IT.Center@gsa.gov.

Policy

1.) There are several RFPs we evaluated that had extensive "bonding" requirements that precluded us from bidding due to the amount and risk if the contract was terminated. Are there any government programs designed to help small business with this challenge?

Bonding requirements are typically associated with construction procurements, which are applicable to under FAR Part 36, not FAR Part 8.4. For more information on bonding, please reference the FAR Part 28 Bonds and Insurance for further guidelines on bonding for federal government contracts.

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2.) Is FSSI going to spread to Schedule 70 or other schedules?

FAS ITS worked with OMB, customer agencies, and the IT Center to develop the requirements for the Federal Strategic Sourcing Initiative (FSSI) wireless technology Blanket Purchase Agreements (BPAs). The RFQ was released November 15, 2011. The purpose of the FSSI Wireless acquisition is to provide a procurement vehicle for a centralized government-wide cellular devices and services program that will meet the majority of the federal government's wireless service needs offered by the cellular industry. We are continuously reviewing current and future initiatives for suitability as an FSSI.

Pricing

1.) Will MAS make pricing more visible? Too many vendors have "call for pricing" on their schedules.

To ensure greater transparency, FAS has proceeded with the implementation of the Enterprise Acquisition Solution (EAS) Formatted Pricelist (FPL) on services schedules such as Schedule 520 and Schedule 599. The use of the FPL template by offerors and contractors is a new way of electronically submitting proposed pricing under the FSS program. The template provides a standard, data-driven method to submit complete pricing information upfront with the initial offer or price-related modification in eOffer/eMod. Capturing this information upfront helps to ensure that the information needed for evaluation and award is complete, reducing the back and forth that is sometimes necessary to gather all of the documentation that accompanies a contract pricing action. The streamlined process also permits any resultant awarded pricelist to be posted directly on GSA Advantage!, eliminating the need for acquisition personnel to review and approve a submitted pricelist in the Contracting Officer Review System (CORS). For contractors, SIP is eliminated, and future contract modification pricing actions are simplified. For customers, market research and best value determinations are conducted with up-to-date, accurate pricing data.

2.) We are seeing ordering activity contracting officers use "Open Market" Buys in lieu of GSA Buys. In this instance, how can we compete when pricing is below our contracted GSA pricing?

The contracted GSA pricing is a ceiling price and should be negotiated by the ordering activity, or discounted by the Contractor, which would make the contractor's pricing more competitive with open market pricing.

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3.) We have seen SEWP contractors bid much lower than their SEWP contract pricing when buys are posted as Open Market!

*As outlined in FAR 8.402(f), an ordering activity contracting officer may add items not on the Federal Supply Schedule - or "open market items" - to a Federal Supply Schedule blanket purchase agreement (BPA) or an individual task or delivery order **only** if (1) all applicable acquisition regulations pertaining to the purchase of the items not on the Federal Supply Schedule have been followed, (2) the ordering activity contracting officer has determined the price for the items not on the Federal Supply Schedule is fair and reasonable, (3) the items are clearly labeled on the order as items not on the Federal Supply Schedule, and (4) all clauses applicable to items not on the Federal Supply Schedule are included in the order.*

As for NASA Solutions for Enterprise-Wide Procurement (SEWP) program, GSA does not manage this program and cannot address the ordering procedures and guidance for open market buys for that contract program. Please reference www.sewp.nasa.gov for specific questions and guidance on NASA SEWP.

4.) Do you have any plans to allow contractors to negotiate out-year escalation pricing as allowed by C.27 B in lieu of year to year EPAs?

There are two Economic Price Adjustment (EPA) clauses incorporated into the Schedule 70 contracts: I-FSS-969 (no commercial price list) and 552-216-70 (commercial price list). Commercial offerings based on a commercial price list are subject to clause 552.216-70. Commercial offerings not based on a commercial price list are subject to clause I-FSS-969. Schedule offerings based on a commercial price list are applicable to clause 552.216-70, and out-year pricing is not negotiated. When pricing is awarded on the basis of an established commercial price list, only the contractor's current rates are to be reflected in the FSS contract. The increase must be directly related to the reissuance or modification of the catalog or price list that was the basis for the FSS contract.

For awarded Schedule offerings not based on a commercial price list, clause I-FSS-969 enables the government and the vendors to negotiate to use a fixed rate and market indicators for annual economic price adjustments, whereby out-year pricing may be established. It requires no contract modification to execute the price increase because the rate is established in the contract.

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5.) How can a vendor get a list of their products that have been assigned an NSN?

A National Stock Number (NSN) is simply the official label applied to an item of supply that is repeatedly procured, stocked, stored, issued, and used throughout the federal supply system. It is a unique identifier. When a NSN is assigned to an item of supply, data is assembled to describe the item. Some data elements include information such as an item name, manufacturer's part number, unit price, and physical and performance characteristics. NSNs are an essential part of the military's logistics supply chain used in managing, moving, storing, and disposing of material.

The Department of Defense operates a system called WebFLIS, the web-based Federal Logistics Information System. This is an excellent and comprehensive search tool for finding NSN-related information. http://www.dlis.dla.mil/webflis/pub/pub_search.aspx

6.) Our proposal is rated acceptable and was a half of million dollars less than the winner but still lost.

The Multiple Award Schedule (MAS) program is direct acquisition program. In a direct acquisition, customer agencies may use FAS contract vehicles such as MAS contracts to place orders directly with FAS contractors. In this type of direct acquisition, FAS is not involved in the placement of the order, but manages the award and administration of the base Schedule contracts.

Please contact the ordering activity which issued the Request for Quote (RFQ) or solicitation. They will be able to provide feedback on your proposal submission. In addition, the RFQ or solicitation stated evaluation criteria may provide you insight as to why the ordering activity did not select your proposal. Furthermore, we recommend you contact the ordering activity to get further insight on its award process for this requirement.

Service Contract Act (SCA)

1.) Please verify when the Department Of Labor and GSA collaborated and the effective date of the decision regarding the Service Contract Act.

We are having ongoing conversations with the Department of Labor regarding the implementation of the Service Contract Act for the Schedules program.

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2.) Could you please go over the applicability of the Service Contract Act to Professional Services?

Historically, GSA has determined applicability of Service Contract Act (SCA) to Schedule contracts at the schedule level (i.e. if the principal purpose of the schedule is professional services such as Information Technology (IT) Schedule 70 and Financial and Business Solutions (FABS) Schedule 520, SCA was not originally deemed to apply). However, with recent developments in industry and the evolution of the scope of many of the schedules, it is possible to have a task order placed against a “professional services” schedule that has the primary purpose of providing service through a “service employee.” Therefore, the task order would be subject to the SCA. In order to ensure that the relevant task orders are compliant with SCA, all schedules under which any services are provided (both professional and non-professional) must contain the applicable SCA clauses and provisions. The SCA will apply to all nonprofessional services to be provided under the schedule contract except for any pricing offered for services outside of the United States.

3.) Will the SCA labor categories in the 1400 series be applied to the IT 70 Schedule labor on an individual contract basis?

The Service Contract Act will be applicable to those Information Technology occupations under the 1400 series awarded under each respective Schedule contract.

4.) I am still confused on the SCA. Are you saying that the SCA will now be applicable to professional services? And if so, will there be new labor categories in the SCA created?

Historically, GSA has determined applicability of Service Contract Act (SCA) to schedule contracts at the schedule level (i.e. if the principal purpose of the schedule is professional services such as Information Technology (IT) Schedule 70 and Financial and Business Solutions (FABS) Schedule 520, SCA was not originally deemed to apply). However, with recent developments in industry and the evolution of the scope of many of the schedules, it is possible to have a task order placed against a “professional services” schedule that has the primary purpose of providing service through a “service employee.” Therefore, the task order would be subject to the SCA.

In order to ensure that the relevant task orders are compliant with SCA, all schedules under which any services are provided (both professional and non-professional) must contain the applicable SCA clauses and provisions. The SCA will apply to all nonprofessional services to be provided under the schedule contract except for any pricing offered for services outside of the United States.

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Small Business

- 1.) **As a small business, can I qualify for FSSI OS2 BPA as Schedule 70 MAS contract holder, today?**

In support of OMB's Federal Strategic Sourcing Initiative (FSSI), GSA has established a number of BPAs offering significant discounts to the low prices already available on GSA's Schedule 75 for Office Supplies, but not Schedule 70. Fifteen BPAs were established to support the OS2 initiative.

- 2.) **In terms of partnering, most large primes would rather pay the fine for not meeting SBA goals instead of paying a small business partner or sub. Is this common practice and how can we avoid investing a lot of time and money helping with a proposal only to lose out at the end?**

Our contracting officers review all available information for an indication that the contractor has made a good faith effort to comply with the plan. Large companies are required to make a "good faith" effort to meet the negotiated small business subcontracting goals. The fact that the contractor failed to meet its subcontracting goals does not, in and of itself, constitute a failure to make a good faith effort. FAR 19.705-7, GSAR 519, and clause 52.219-16, which is incorporated in all Schedule 70 contracts, outline some of the actions the contracting officer can take when a contractor fails to make a good faith effort.

- 3.) **I am schedule 70 MAS contract holder and small business, what BPA opportunities are available? How do I pursue them?**

The Center is not involved in the establishment of the ordering activities' Blanket Purchase Agreements (BPAs), but it does manage the award and administration of the base schedule contracts. FAR 8.405-3 states that ordering activities may establish BPAs under any schedule contract to fulfill its recurring needs. The ordering activities also determine whether to establish single or multiple BPAs.

Please reference the following links for more information on Blanket Purchase Agreements:

<http://www.gsa.gov/portal/event/getEvents/future/category/22104/hostUri/portal>

<http://www.gsa.gov/portal/category/100643>

- 4.) **Is there a guide for small businesses for us to be able to take advantage of the small business initiative?**

GSA sponsors numerous training sessions where it discusses practical marketing tips and successful strategies for contractors. Please reference the following links for more information on training for GSA schedule utilization of small businesses:

www.gsa.gov/portal/content/113371

www.gsa.gov/portal/content/136231

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- 5.) **Our GSA contract was awarded while we were a small business. Today, we have exceeded the small business thresholds. Please confirm that we maintain our small business size standard and may bid as such until the time where we are required to re-represent our size at the time of our next extension. What is the best way to communicate this to our customer base when our ORCA and CCR records are kept current and reflect that we are a large business?**

Reference clause 52.219-28, which is incorporated in all Schedule 70 contracts. A contractor retains the size they are at award for the life of that contract UNLESS they re-certify their size under the contract. The "recertification rule" states small business contractors are required to recertify at 1) novation, 2) merger/acquisition, and 3) option. A large business contractor is never required to recertify but if they choose to do so, it has to be under one of the three conditions listed above.

Contractors initially awarded as an "other than small" will retain this size on their schedule contract until they recertify. They can only re-certify if they are going through a novation, merger/acquisition, or option. SBA did not change the recertification rule when they updated the size standards earlier this year. The contractor has to be small under their schedule contract in order to be eligible for a small business set-aside order.

- 6.) **We have recently been awarded our first Schedule 70 contract and as a small business, what is my best approach to ensure our product line and services are marketed to the right potential customers?**

GSA sponsors numerous training sessions where it discusses practical marketing tips and successful strategies for contractors. Please reference the following link for more information on marketing workshops and seminars:

<http://www.gsa.gov/portal/event/getEvents/future/category/22104/hostUri/portal>

Solicitation

- 1.) **What is GSA doing to better manage out of scope offerings on other schedules, such as MAS 75, for technology products?**

As the commodities become more complex and their use more robust, this center continues to work with the Office of Acquisition Management and the other FAS acquisition centers to ensure the offerings solicited and awarded are within scope of the respective schedules. Each center utilizes subject matter experts to assist with such evaluations. In cases where their offerings are not clearly aligned, the Office of Acquisition Management and the respective acquisition center initiate a schedule improvement to resolve any lingering ambiguity in the scope of the offerings. In the case of items listed under Schedule 70 and Schedule 75, the acquisition centers managing

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the respective schedule program have been diligently working to resolve any overlaps and out of scope issues.

2.) What type of services would fall under the new SIN 132-99?

IT Schedule 70 contractors can propose new commercial IT offerings, within the scope of the IT Schedule 70, via a new offer or contract modification (Clause 552.243-72). This new commercial IT offering can be proposed anytime. It must be a commercial IT product, service, or solution existing in the commercial market, but not yet introduced to the Federal Government as defined by FAR Part 2. It also may perform a new task or procedure not currently available under any GSA contract or SIN.

The S70 contracting officers shall use appropriate business judgment when determining whether there are no existing Schedule 70 Special Item Number (SIN) with similar items available. Contractors must understand that there are no guarantees that their proposed offering will be recognized and accepted as a new commercial service, product, or solution that falls under an existing SIN

3.) We were getting caught up on some of our IT Mass mods and noticed that in Mod 30 GSA appears to be adding clause 52.232-7 to IT Schedule 70. Am I missing something? Isn't this the non commercial T&M clause which was replaced by 52.212-4 Alt I in all GSA schedule contracts? Wouldn't this be in conflict with 52.212-4 Alt I?

Time and Materials and Labor-Hour contracts, both commercial and non-commercial are "best effort" contracts that may be used only when it is not possible at the time of placing the contract to estimate accurately the extent or duration of the work or to anticipate costs with any reasonable degree of certainty. Service related MAS Solicitations and Contracts, such as Schedule 70, are required to use clause 52.232-7, as applicable. Payment on Time and Materials and Labor-Hour orders is in accordance with FAR Clause 52.232-7 (Feb 2007). The center will further discuss the applicability of this clause with GSA legal and policy office so that we can provide clear guidance in the near future.

4.) Are you doing anything to scrub the listed items for Schedule 70 that are also being listed on Schedule 56 and or 51V? For example, 3 parts, same part number, but listed as 3 different SINS and 3 separate schedules.

The IT industry is characterized by a number of key trends and emerging technologies which have the potential to transform the way businesses currently use IT, and carry out their operations. New commercial offerings can consist of product, service, function, task, or attribute that may provide a more economical or efficient means for federal agencies to accomplish their mission.

As the commodities become more complex and their use more robust, this center continues to work with the Office of Acquisition Management and the other FAS acquisition centers to ensure the offerings solicited and awarded are within scope of the respective schedules. Each center

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utilizes subject matter experts to assist with such evaluations. In cases where there offerings are not clearly aligned, the Office of Acquisition Management and the respective acquisition center initiate a schedule improvement to resolve any lingering ambiguity in the scope of the offerings. In the case of items listed under Schedule 70, Schedule 51V, and Schedule 56, the acquisition centers managing the respective schedule program have been diligently working to resolve any overlaps and out of scope issues.

State and Local / Cooperative Purchasing

- 1.) Isn't State and Local decline due to huge budget cuts at State and Local levels? Out of your control.**

Even though tax revenues are declining throughout state and local government entities, they are still purchasing IT products and services. These entities are currently updating their infrastructure as they haven't replaced their IT in a number of years; necessity dictates that they must do so in order to operate efficiently and stay abreast of technological advances. State and local sales through June 30, 2012 are up 2% and we foresee numerous opportunities in this market and have enhanced our outreach efforts to focus keenly on the state and local market.

- 2.) Is the state of Texas permitted to buy off of the GSA Schedule 70 if a company has cooperative purchasing on their schedule? We were under the impression that they needed to purchase of their state specific contracts?**

Texas is authorized to purchase using Schedule 70; however, Texas Multiple Award Schedule (TEXMAS) is their preferred IT procurement vehicle. Under certain circumstances, state and local government entities may use Schedule 70 instead of TEXMAS. Please contact the Texas state agency managing the TEXMAS contract for more information and you can find that information out on the web.