

Millennia

Frequently Asked Questions (FAQs)

Q: Does the prime/master contract specify a set fixed fee rate/percentage? Or are these to be negotiated at the Task Order level?

A: IAW Millennia contract Section B.2.5: PROFIT OR FIXED FEE, Profit or Fixed Fee will be negotiated on an individual Task Order (TO) basis. Per FAR Part 15.404-4(i), the TO Contracting Officer shall not negotiate a price or fee that exceeds the following statutory limitations imposed by 10 U.S.C. 2306(d) and 41 U.S.C. 254(b): (A) For experimental, developmental, or research work performed under a cost-plus-fixed-fee contract, the fee shall not exceed 15 percent of the contract's estimated cost, excluding fee. (B) For architect-engineer services for public works or utilities, the contract price or the works or utilities, the contract price or the estimated cost and fee for production and delivery of designs, plans, drawings, and specifications shall not exceed 6 % of the estimated cost of construction of the public work or utility, excluding fees. (C) For other cost-plus-fixed-fee contracts, the fee shall not exceed 10 % of the contract's estimated cost, excluding fee.

Note applicable Millennia contract Sections:

- B.2.3.1 **Travel** - Fee is not allowed.
- B.2.3.2 **Tools** - Fee is allowed.
- B.2.3.3 **Other Direct Costs** - Contract is silent as to the application of fee since it would need to be further defined as per contract section H.4.3, since it may possibly include tools, travel, or something else? Therefore, it is left up to the TO Contracting Officer's discretion to allow fee on Other Direct Costs.

Q: For Millennia Task Orders issued by GSA, is the CAF capped at \$25,000?

A: Yes. Also, any new money added (amt over what was negotiated on initial Task Order award) will be subject to .75% CAF collection.

Q: For cost reimbursement task orders are the labor ceiling rates hard rates? In other words, if the contractor's actual costs exceed the ceiling rates - can the contractor invoice for the actual rates or are they limited to invoicing up to the ceiling rate.

A: Yes, the ceiling rates are considered hard rates and invoices should reflect the negotiated ceiling rates established in the Basic Contract for the applicable Option Period. However, contractor's may bill by using a weighted average but only if approved at the Task Order level by the Administering Contracting Officer at time of Task Order award.

Q: Is a 5% fixed fee on subcontractor costs allowed under the Millennia GWAC?

A: The Millennia GWAC allows fees/handling fee on subcontractor costs and they will be negotiated at the Task Order level.

Q: Can we request contractors to provide subcontractor goals above the limits established at the prime contract level?

A: *An agency may issue subcontracting goals at the task order level separate from the goals established at the prime contract level. In Section H.18 of the Millennia contract it gives the minimum target subcontracting goals for small, SDB, and women-owned businesses. It has been reasoned that since this section reads "minimum target", agencies at the Task Order level who want to establish targets above this minimum are free to do so. The agency will perform their own thorough review of the plan and FAR 19.705; which takes into consideration: FAR 19.705-4(c): No goal should be negotiated upward if it is apparent that a higher goal will significantly increase the Governments cost or seriously impede the attainment of acquisition objectives. FAR 19.705-4(d)(2): In accordance with 15 U.S.C. 637(d)(4)(F)(iii), ensure that the goals offered are attainable in relation to: (i) the subcontracting opportunities available to the contractor, commensurate with the efficient and economical performance of the contract; (ii) the pool of eligible subcontractors available to fulfill the subcontracting opportunities; and (iii) the actual performance of such contractor in fulfilling the subcontracting goals specified in prior plans.*

Agencies will need to be cautious not to raise subcontracting goals to the point where equal opportunity/competition is limited. Also, be advised that agencies will not receive credit for establishing their own subcontracting goals. The prime contract level provides no pass through to agencies at the task order level . . . all credit resides at the prime contract level.

Q: Can we have an alternate/second Delegation of Authority CO?

A: *An alternate/second delegation of Administration Contracting Officer (ACO) authority is possible. However, both will be required to complete a training session prior to receiving this authority. The training session takes approximately one hour and can be conducted over the phone. It is required that you submit copies of each Contracting Officer's warrant via email to millennia@gsa.gov.*

Q: Do I need to synopsise my Task Order award? If not, what exception should I cite on the Small Business Coordination Record, DD Form 2579?

A: *No synopsis is required when using GWACs, IAW FAR 5.202(a)(6).*

Q: Is there a limitation on subcontractors?

A: *Under the Millennia GWAC, "The contractor will be allowed to propose new subcontractors in response to the specific requirements of the Task Order Requests (TOR) and will be allowed to add subcontractors over the life of the contract (H.18 Minimum Target Subcontracting Goals). There is no fixed list of subcontractors under the Millennia GWAC and there are no formal teaming arrangements. Any contractors wanting subcontracting opportunities would have to contact the Millennia Program Managers directly. You will find the names of the Millennia PMs, their telephone numbers, and their addresses on the Millennia website.*

Q: Can we write a Scope of Work (SOW) that focuses on one area and then add additional areas as needed in the future? In other words, how comprehensive does the SOW have to be if we only plan to focus on one area initially? We are aware that the requirements stated in the SOW will affect the competition between the contractors, so we are wondering how to handle this situation?

A: *Your Millennia SOW should be fairly comprehensive; however, you do not need to limit it to only the currently known requirements. You may write the SOW for your known requirements and include wording that states you may have future requirements relating to the current work which can not be identified at the present time. As long as all work remains clearly within the scope of Millennia. For example: Work will include requirements A, B & C. Also, there may be the future need for D, E, & F which cannot be clearly identified at the present time. This type of wording in your Millennia SOW will allow the Millennia industry Partners to provide you with comprehensive proposals to include that future work and limit the grounds for protests.*

Q: Does the Millennia contract support the full breadth of Help Desk functions, such as end user support, desktop management, etc?

A: *Yes, under the area of Software Engineering (C.3.2.1 Software Engineering), the scope encompasses all tasks necessary to assist agencies in the management of their software (application systems, data files, databases and interfaces) from initial conception and planning, through design and development, to maintenance, improvement, and conversion. Maintenance is included as a typical task, but not limited to the following: Program software maintenance program plans implementation software maintenance programs; provide on-site and off-site maintenance; provide help desk support; perform configuration management and change control; improvement/inventory and analyze existing software; prepare software improvement feasibility studies develop software improvement plans; Transition the improved system to operational environment.*

Q: Is phone system support (maintenance and operation) within the scope of the Communications functional area of the Millennia contract?

A: *The Millennia SOW provides for local area networks (LANs), metropolitan area networks (MANs), wide area networks (WANS), enterprise systems, Internet/Intranet-based networks, and any combination thereof, including all forms of digitization and incorporation of multiple media types, e.g., data digitized voice, video, or imagery as well as high bandwidth and demand bandwidth technologies. If the phone system support does not fall within this description, but is critical and related to the enterprise system, it may be classified as an Other Direct Cost (ODC).*

Q: Do we have to request proposals from all participating Millennia contractors? Or could we select a subset?

A: *Under the Millennia GWAC, each of the Millennia Contractors must be provided a fair opportunity to receive awards of each task order in accordance with FAR 16.505(b)(1). This means that a Task Order Request (TOR)/Request for Proposal (RFP) should be sent to each of the Millennia contractors. FAR Part 16.505(2) does allow for some exceptions to Fair Opportunity. All Exceptions to the Fair Opportunity must be fully approved IAW your agency*

policy and procedures. If your agency approves your approach, GSA would need a signed copy of the J&A or D&F for our files to provide to OMB, if requested.

Q: How would an agency sign up to use Millennia? To what extent is GSA involved throughout the process? What would GSA's role be after contract award?

A: The Millennia Ordering Guide describes the process in detail and can be found on the Millennia website. Agencies can sign up to use Millennia in one of two ways, with one method containing more GSA involvement than the other:

- CUSTOMER-MANAGED ACQUISITIONS:

This is also called Direct Order / Direct Bill (DODB) authority, in which the client agency contracting officer receives DODB training and a Delegation of Procurement Authority (DPA) from the Millennia PCO to issue, modify, and manage task orders. Client agency contracting officers will also need to provide copies of their contracting warrants and submit their SOW/SOO/PWS for review to determine that it is within scope of the prime contract. Under DODB authority, the client agency is responsible for its own acquisition and program/project management activities without GSA involvement.

- GSA-MANAGED ACQUISITIONS:

A client agency may elect to have GSA provide full or partial acquisition and/or program/project management services from cradle to grave. This includes Assisted Services provided by GSA's Federal Acquisition Service (FAS) Client Support Centers in which FAS provides end-to-end support services to the client agency through an Interagency Agreement (IA). The Millennia website—www.gsa.gov/millennia--provides comprehensive FAS assisted services contact information.

Q: Who makes the contractor selection? What involvement (if any) does GSA have in the competition? Does GSA have to approve the contractor selection?

A: Under Direct Order Bill (DODB) Authority, the task order contracting officer manages the entire acquisition, including the source selection. GSA's involvement includes providing support and oversight in reviewing and analyzing task(s) in terms of GWAC scope, support and oversight for ensuring that fair opportunity is provided to all Millennia contractors, and to answer questions that your task order contracting officer may have during the process. GSA does not approve the contractor selection under DODB Authority.

Q: Can we obtain the agency contact information from the past performance reports published on your website so that we can discuss their Millennia experience?

A: The Past Performance Survey Reports on the website are summary reports. Federal agencies with a need to know can request a Past Performance Survey on any of the Millennia contractors. Millennia Past Performance reports are loaded into the National Institutes of Health (NIH) Contractor Performance System (CPS). CPS is GSA's repository into the Past Performance Information Retrieval System (PPIRS).

Q: On the PPIRS system, how does the process of depositing of past performance information into PPIRS work for DoD and Civilian contracts?

A: Performance evaluations prepared by GSA employees (regardless of who the clients are -- DoD or civilian agencies) need to be uploaded to NIH (National Institute of Health) Contractor Performance System (CPS), via their website at <http://cps.od.nih.gov>. The evaluations are then automatically batch-loaded to the Past Performance Information Retrieval System (PPIRS), website at <http://www.ppirs.gov>, which is managed by Naval Sea Logistics Center Detachment Portsmouth. The DoD folks submit their contractor performance evaluations to the Contract Performance Assessment Reporting Systems (CPARS), website at <http://cpars.navy.mil/index.htm>, which then automatically batch-load the evaluations to PPIRS.

Q: What are the maximum and minimum amounts that can be awarded under the Millennia GWAC? Are these figures based on a total, multi-year award? Is there a minimum per year figure?

A: The Millennia GWAC is an Indefinite Delivery Indefinite Quantity (IDIQ) contract subject to limitations established for the Millennia GWAC Program. The Millennia GWAC program ceiling is \$25 Billion (\$25,000,000,000) over ten years. Therefore, the total value of all task orders placed under the program shall not exceed \$25 Billion. There is not a set minimum per year. The guaranteed minimum for each Millennia Contract in the program was \$100,000, but this minimum has already been satisfied for each Millennia Contract. The potential value of each Millennia Contract is decreased by an amount equal of the task orders awarded within the program. At the end of 2007, the cumulative total of \$7.1 Billion was awarded under the Millennia GWAC program, which means that a total of \$17.9 Billion will be available for award under the Millennia Contract at the start of 2008.. Task Order Level: The Millennia Contracts include FAR Clause 52.216-19 - Order Limitations (OCT 1995) in Section 1.4. The clause describes the Minimum Order as follows: "When the Government requires supplies or services covered by this Contract in an amount of less than \$250,000.00, the Government is not obligated to purchase, nor is the Contractor obligated to furnish those supplies or services under the Contract". The maximum task order would be the amount available under the GWAC Program (\$15.41 Billion). Presently, the average task order award amount under the Millennia GWAC is \$79.2 Million.

Q: What is the typical agency implementation? Would we generate a SOW for an entire range of services? Or could we start with a contract for a major function and phase in others at a later time? Is there a restriction on when new task orders can be issued?

A: Implementation really depends upon the complexity of your requirement and the funding available. Under Millennia Direct Order Direct Bill (DODB) Authority, your final acquisition strategy rests with your organization and the delegated task order contracting officer. The Millennia GWAC has a broad scope of information Technology (IT) Services, including new and emerging technologies, which will evolve over the life of Millennia. The scope of the support is intended to cover all requirements for IT, including computers, ancillary equipment, software, firmware and similar procedures, services (including support services), and related resources. (C.2 Scope). When developing your SOW, please keep in mind that the Millennia GWAC is considered to be a "Solutions-Based Contract". This term refers to contracts that encompass everything from the analysis of hardware/software/tools implementation to ongoing operational support of an IT Solution. For example, under the Software Engineering functional area, Millennia can support requirements from initial conception and planning, through design and development, to maintenance, improvement and conversion. All new task orders must be issued during the

effective period of the contract (I.5 52-216-22 Indefinite Quantity (OCT 1995). The Millennia GWAC is a ten-year contract with a five (5) year base period - April 28, 1999 through April 27, 2004; and five (5) year Option Period - April 28, 2004 through April 27, 2009. A modification was issued extending Millennia an additional six months from April 27, 2009 to October 27, 2009. Millennia task orders shall not extend more than five (5) years after October 27, 2009. IAW F.4 Performance Period, "The period of performance will be specified in each task order. No orders shall extend more than five (5) years after the expiration of the Millennia GWAC. Under Millennia DODB Authority, your designated personnel (project officer and contracting officer) would manage all phases of the project management and contracting for the task order. This would include the proper use of appropriate funds, etc.

Q: Can you tell me when the Millennia contracts expire?

A: The Millennia GWAC will expire on October 27, 2009. Millennia task orders shall not extend more than five (5) years after October 27, 2009, so the latest date a task order can have is October 27, 2014. Also, be aware that there are no ceiling rates for the contractors, past year 10; the rates for the out years would need to be negotiated at the task order level. (We are finding that most of the contractors are keeping close to those year ten ceiling rates).

Q: Are disaster recovery operations (off-site operations) supported?

A: Under the General Task (C.3.1), all aspects of computer security are included. For example: Backup operations; Continuity of operations; Contingency planning; System security analyses and implementation security certification; Security awareness training.

Q: Can agencies award task orders under both the Millennia and Millennia-lite GWAC vehicles?

A: Agencies can obtain Delegations of Procurement Authority for both GWAC vehicles. However, one GWAC cannot be competed against another GWAC or a GWAC with a Schedule for the same requirement. Either of these approaches could open your acquisition up to a protest.

Q: What are the administrative fees/contract access fees (CAF)?

A: GSA-issued Task Orders: When Assisted Acquisition Services are used, these services have an additional service charge. CAF fee shall be .75% of the total task order award with a cap of \$25,000.00 per task order. The CAF is also applicable to each cost modification made to a task order up to the \$25,000.00 cap. Client-Agency "Direct Order-Direct Bill" Task Orders: CAF fee shall be .75% of the total task order award. The contractor collects the CAF and rebates GSA the amount of the fee in U.S. dollars based on the total applicable amount.

Q: Is it true that DCAA Audits only DoD agencies and that it does it for free according to their schedule?

A: DCAA 'primarily' audits DoD agencies and military services, but not for free. Their operating \$\$ is up-front funded by all DoD agencies/military services each year. DCAA will provide audit services to civilian federal agencies for a fee approx., \$100-\$200 per hour.

Q: If FEDSIM needs DCAA audited rates etc., for a task order awarded to a civilian agency, who pays for it?

A: *FEDSIM will have to pay for it. If you have a task order for a civilian client agency and the task order clearly states that an audit shall be performed (for closeout), then someone should have raised the issue of "Who's going to pay for the audit service"? If the task order does not have such language built in, then I can only suggest that 'all concerned' should negotiate and decide: (1) Do we want an audit?; (2) If we do, who's going to pay for it?; (3) if we do not, are we willing to negotiate the final billing rates based on the contractor's empirical rates, etc.*

Q: Who shall we contact to start the audit process on our task order or contact if we have audit questions?

A: *GSA contracting officers need to contact the Office of Inspector General - Office of Audits, <http://oig.gsa.gov/>, and then they will arrange for audit services for you. They may be able to answer your questions or you can contact the appropriate DCAA office that maintains the contractor's financial records.*

Q: We are planning to compete a Cost Plus Award Fee task under Millennia. Would Millennia allow T&M subcontracts under the Cost Plus Award Fee Task Order?

A: *The Millennia contract does not allow for a T&M task order. However, a contract between a Prime and Subcontractor can take on any form and the Government does not regulate that agreement. A Millennia task order issued to the Prime contractor can have T&M subcontracts if that is the agreement made between the Prime and their Subcontractor.*

Q: If I want to submit a FOIA concerning the Millennia GWAC, who should I send the FOIA to?

A: *All GSA FOIA's should be sent to the following address: General Services Administration, FOIA Requester Service Center (XA), 1800 F Street, NW, Room 6001, Washington, D.C. 20405; FAX #: (202) 501-2727; EFOIA: gsa.foia@gsa.gov. Please check our website at: www.gsa.gov/foia for any changes to this information.*

Q: Can we incorporate Davis Bacon at the task order level on one of our task orders since it involves minor construction?

A: *Yes, but you have to look at each specific project to decide whether or not Davis Bacon should be incorporated into the task order. See FAR Part 22.402, this must be considered first.*