



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

February 4, 2008

M-08-10

MEMORANDUM FOR THE HEADS OF DEPARTMENTS AND AGENCIES

FROM: Karen S. Evans 
Administrator
Office of E-Government and Information Technology

Paul A. Denett 
Administrator for Federal Procurement Policy

SUBJECT: Use of Commercial Independent Risk Analysis Services Blanket Purchase Agreements (BPA)

The purpose of this memorandum is to alert you to the establishment of government-wide blanket purchase agreements (BPAs) for independent risk analysis services and encourage agency consideration of these vehicles to the maximum extent practicable.

In the event of a data breach, the Office of Management and Budget (OMB) Memorandum M-07-16, "Safeguarding Against and Responding to the Breach of Personally Identifiable Information," requires agencies to promptly conduct a risk analysis and be prepared to submit a report containing the findings to the Congressional Oversight Committees of the U.S. Senate and House of Representatives, as appropriate.

The General Services Administration (GSA), under the direction of OMB, has created a Government-wide vehicle for acquisition of independent risk analysis services. It focuses on the Government's need for independent risk analysis documenting the level of risk for potential misuse of sensitive information associated with a particular data breach. The use of a BPA will reduce administrative costs to the Government by acquiring commercial items and services from GSA Multiple Award Schedule contracts.

The BPAs offer a variety of services, including metadata analysis, pattern analysis, risk analysis, data breach analysis and response (one time assessment, not continuous monitoring), privacy impact analysis, statistical analysis, and reports on the probability compromised data has been used to cause harm. The breached data itself will be analyzed for evidence of organized misuse. The BPAs do not obligate funds and the government is obligated only to the extent that authorized task orders are issued under the BPA. There is no limit on the dollar value of task order purchases made under the BPA, and the period of performance of the GSA BPAs generally will not exceed five years.

When a new requirement for independent risk analysis services arises, agencies shall review the pricing and terms and conditions of the GSA BPAs, in addition to any other independent risk analysis services they may be considering in their market research. Procedures for placing orders on the BPAs are set forth in Attachment 1. If an agency decides to acquire independent risk analysis services other than through the GSA BPAs, the agency shall send a notification to GSA, with a copy to the OMB E-Government Administrator, explaining how the proposed contract offers a better value to the agency.

Access to this information will allow GSA to review the BPAs and ensure they offer best value independent risk analysis services. Accordingly, the notice should identify the pricing and terms and conditions of the award. Notices shall be prepared in coordination with the agency's Office of the Chief Acquisition Officer and the Office of the Chief Information Officer and submitted at least 10 days prior to making an award, except in the event of unusual and compelling urgency, in which case the notice shall be provided as soon as practicable.

Please address any questions regarding the use of the GSA BPA to Mr. Houston Taylor, Director of GSA's Services Acquisition Center, at (703) 605-2688.

Attachment

cc: Chief Acquisition Officers
Chief Information Officers
Chief Financial Officers
Chief Human Capital Officers

**Independent Risk Analysis Services
Blanket Purchase Agreement Information**

Government Points of Contact

U.S. General Services Administration
Crystal Plaza 4, 2200 Crystal Drive, 7th Floor
Arlington, VA 22202

BPA Contracting Officer
Houston Taylor
E-mail: houston.taylor@gsa.gov

Alternate:
Dennis Harrison
E-mail: dennis.harrison@gsa.gov

BPA Holders

Identity Theft Guard Solutions, LLC

BPA #: GS-23F-IRA01
MAS Contract#: GS-23F-0037T
Date of Award: 01-Oct-07
Address: 8625 SW Cascade Avenue, Suite 310
Beaverton, OR 97008
POC: Eric Landry; eric.landry@identitysafeguards.com
Tel: 800.298.7558
Fax: 800.298.8457

SRA International Inc.

BPA #: GS-23F-IRA02
MAS Contract#: GS-23F-0037T
Date of Award: 01-Oct-07
Address: 4300 Fair Lakes Court
Fairfax, VA 22033
POC: George Shalhoub, Sr. Contracts Administrator
Tel: 703-284-5000
Fax: 703-284-5001

General BPA Ordering Procedures

- (a) *General*. Ordering activities shall use the procedures in this subsection when ordering services under this BPA.
- (b) *Statement of Work (SOW)*. Ordering activities shall prepare SOWs that include, at a minimum, work to be performed, location of work, period of performance, deliverable schedule, applicable performance standards, and any special requirements.
- (c) *Request for Quotation (RFQ) procedures*. The ordering activity shall provide the RFQ to include at a minimum the SOW and evaluation criteria.

- 1) *Orders at or below the micro purchase threshold.* Ordering activities may place orders at or below the micro-purchase threshold with any BPA-holder. The ordering activity should attempt to distribute orders at or below the micro-purchase threshold among all BPA holders.
- 2) *Orders exceeding the micro-purchase threshold.*
 - (i) The ordering activity shall develop an SOW in accordance with the instructions stated in paragraph (b) above.
 - (ii) The ordering activity shall provide the RFQ (including SOW and evaluation criteria) to each BPA-holder.
 - (iii) The ordering activity shall request that BPA-holders submit firm-fixed prices to perform services identified in the SOW. This does not preclude the use of Labor Hour or Time and Material (T&M) task orders.
- (d) *Evaluation.* The ordering activity shall evaluate all responses received using the evaluation criteria provided to the BPA-holders. The ordering activity is responsible for considering the level of effort and the mix of labor proposed to perform specific tasks being ordered, and for determining that the total price is reasonable. Place the task order with the BPA-holder that represents the best value (see FAR 8.404 (d)). After award ordering activities shall provide timely notification to unsuccessful BPA-holders. If an unsuccessful BPA-holder requests information on an award that was based on factors other than price alone, a brief explanation of the basis for the award decision shall be provided.
- (e) *Minimum documentation.* The ordering activity shall document:
 - 1) The BPA-holders who responded, noting the BPA-holder from which the service was purchased;
 - 2) A description of the service purchased;
 - 3) The amount paid;
 - 4) The evaluation methodology used in selecting the BPA-holder to receive the task order;
 - 5) The rationale for any tradeoffs in making the selection;
 - 6) The price reasonableness determination required by paragraph (d) of this subsection; and
 - 7) The rationale for using other than—
 - (i) A firm-fixed price task order; or
 - (ii) A performance-based task order.