

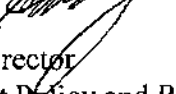


U.S. Department of Justice
Justice Management Division
Management and Planning Staff

JAN 17 2007

Washington, D.C. 20530

MEMORANDUM FOR BUREAU PROCUREMENT CHIEFS

FROM: H. B. Myers 
Assistant Director
Procurement Policy and Review Group

SUBJECT: Procurement Guidance Document 07-01, Blanket Purchase Agreements for
Commercial Credit Monitoring Services

The attached Office of Management and Budget (OMB) Memorandum M-07-04 advises agencies that the General Services Administration (GSA) has established Blanket Purchase Agreements (BPAs) against Federal Supply Schedules for commercial credit monitoring services. To help protect individuals whose personally identifiable information has been lost or stolen, these BPAs offer a variety of protection levels, depending on the degree of risk, vulnerability, and exposure encountered, and supports a consistent approach to mitigating the adverse impacts of personal data loss.

There is no limit on the dollar value of task order purchases made under the BPA and the period of performance of the BPA will not exceed 5 years. Agencies shall review the pricing and terms and conditions of the BPAs in addition to any other credit monitoring services they may be considering in their market research. Procedures for placing orders on the BPAs are set forth in Attachment I of the OMB policy letter.

If an agency decides to acquire credit monitoring 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. 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 (OCIO) 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.

To meet the above notification requirement as expeditiously as possible, all draft notifications originating in the Department will be submitted to the Senior Procurement Executive (PE) and the PE's staff will coordinate with the OCIO. After receiving the concurrence of the above DOJ offices, components may submit the notifications to GSA and OMB.

If you have any questions regarding this procedure, please call Larry Silvis on (202) 616-3754.

Attachment





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

December 22, 2006

M-07-04

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 Credit Monitoring Services Blanket Purchase Agreements (BPA)

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

Loss of certain types of personal information and data can lead to identity theft and financial loss. To help protect affected individuals if their personally identifiable information has been lost or stolen, credit monitoring services may be utilized when the agency has determined that mitigation efforts, including credit monitoring, are required to mitigate potential damage due to a data security breach. To assist in making these determinations, agencies should follow the recommendations developed by the President's Identity Theft Task Force and provided in OMB's September 20, 2006 memorandum "Recommendations for Identity Theft Related Data Breach Notification."

The General Services Administration (GSA), under the direction of OMB, is leading and managing a credit monitoring services initiative. This initiative includes the establishment of BPAs against Federal Supply Schedule contracts to provide the government a fast and effective way to order commercial credit monitoring services. This initiative will leverage the government's spending power by offering reduced prices and enable improved oversight and better reporting.

The BPAs offer a variety of protection levels, depending on the degree of risk, vulnerability, and exposure encountered, and supports a consistent approach to mitigating the adverse impacts of personal data loss. 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 will not exceed five years.

When a new requirement for credit monitoring services arises, agencies shall review the pricing and terms and conditions of the GSA BPAs, in addition to any other credit monitoring 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 credit monitoring 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 credit monitoring 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

**Credit Monitoring 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

Website

www.gsaadvantage.gov/strategicsourcing

BPA Holders

Bearak Reports

BPA #: GS-23F-A0013
MAS Contract#: GS-23F-0125S
Date of Award: 14-Aug-06
Address: 1257 Worcester Road Suite 308
Framingham, MA 01701
POC: Judith Leary: judy@bearak.com or jleary@bearak.com

Equifax Inc.

BPA #: GS-23F-A0014
MAS Contract #: GS-22F-9663D
Date of Award: 14-Aug-06
Address: 1550 Peachtree Street, NW
Atlanta, Georgia 30309
POC: Melissa Thomas: melissa.thomas@equifax.com

Experian Consumer Direct

BPA #: GS-23F-A0015
MAS Contract #: GS-23F-0356P
Date of Award: 14-Aug-06
Address: 18500 Von Karman Avenue Suite 900
Irvine, CA 92612
POC: Tim Olson: tim.olson@experian.com

Ordering Procedures

In accordance with Federal Acquisition Regulation (FAR) 8.405-3 GSA, in partnership with any ordering agency, will establish multiple BPAs with Federal Supply Schedule (FSS) contract holders.

- (a) *General.* Any ordering agency shall use the procedures in this subsection when ordering services priced at hourly rates as established by the FABS Schedule contracts. The applicable services shall be Special Item Numbers (SIN) 520 16 Business Information Services.
- (b) *Statement of Work (SOW).* Any ordering agency 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.* Any ordering agency shall provide the RFQ to include at a minimum the SOW and evaluation criteria.
 - 1) *Orders at or below the micro purchase threshold.*
 - (i) Any ordering agency may place orders at or below the micro-purchase threshold (\$2500) with any BPA-holder. Any ordering agency should attempt to distribute orders at or below the micro-purchase threshold among all BPA holders.
 - 2) *Orders exceeding the micro-purchase threshold.*
 - (i) Any ordering agency shall develop an SOW in accordance with the instructions stated in paragraph (b) above.
 - (ii) Any ordering agency shall provide the RFQ (including SOW and evaluation criteria) to at least three BPA-holders.
 - (iii) Any ordering agency 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.
 - 3) *Orders exceeding the maximum order threshold of \$1,000,000.*
 - (i) Any ordering agency shall provide the RFQ (including SOW and evaluation criteria) to additional BPA-holders. When determining the appropriate number of BPA-holders, any ordering agency may consider, among other factors, the following:
 - A. The complexity, scope and estimated value of the requirement.
 - B. The market search results.
 - (ii) Seek price reductions.
 - 4) Any ordering agency shall provide the RFQ (including the SOW and evaluation criteria) to any BPA-holder that requests a copy of it.
- (d) *Evaluation.* Any ordering agency shall evaluate all responses received using the evaluation criteria provided to the BPA-holders. Any ordering agency 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 any ordering agency 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.* Any ordering agency shall document:

- 1) The BPA-holders considered, 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.