

Using GSA Schedules for Professional Services

February 14, 2008

Handout Contents

Agenda

Presentation Slides (as note-taking sheets)

A. List of GSA Multiple Award Schedules

B. Some Service SINs on GSA Multiple Award Schedules

C. NAICS Codes Cross-Referenced to GSA Schedules with Services

D. FAR SubPart 8.4

E. Some Reasons Federal Agencies Use GSA Multiple Award Schedules

F. Monette, E., "Conducting Scope Determinations for IDIQ Orders," *Contract Management*, January 2006 (pp. 58-60)

G. Extract from the "GSA Order Checklist"

H. Think Simplified (Not FAR Part 15)

I. Resources for Additional Training

*Sign-In Sheet

*Training Survey Form

*Print-out these last two pages, complete them in hard-copy, and fax them to 253-931-7573 (or -7174) Attn Maureen after the webinar in order to get your certificate.

Agenda

“Using GSA Schedules for Professional Services”

Presented by Brad Powers and Dave Clemens,
Contracting Officers, Federal Acquisition Service, Management Services Center (Region 10, Auburn WA)

Thursday February 14, 2008

8:00 am to 12 noon Pacific Time

(11am – 3pm Eastern Time, 10am – 2pm Central Time, and 9am – 1pm Mountain Time)

Summary: This live web-based seminar covers the contracting issues raised by ordering agency Contracting Officers in procuring professional services from the GSA Schedules. After defining the scope of the GSA professional service schedules, we review the Request for Quote and Task Order award processes, particularly the differences between FAR Subpart 8.4 and FAR Part 15 procedures. Schedule contract clauses will be examined. We then explore how to use Contractor Teaming Agreements and Blanket Purchase Agreements for complex or recurring services. This FAR-based training is tailored for those in the GS-1102 Contract Specialist/Officer and related series, but Program Managers and other who generate service contract requirements, plan service contract acquisitions, and conduct market research for professional service procurements can also benefit. This training assumes basic familiarity with the GSA Schedules program and basic FAR-based ordering terminology /procedures. The webinar is four hours in total duration, including breaks and question periods. It is certified for 3.0 Continuous Learning Points in accordance with CLP policies.

8:00 9:10 Overview of GSA Professional Services Schedules

GSA multiple-award contracts for services provide Federal agencies with direct access to industry expertise in a broad range of professions, including environmental services, engineering, technology, research & development support, management consulting, project management, finance, database design, accounting, graphic design, and media. From legal services to sign language interpretation, from running a warehouse and distribution network to preparation of specialized environmental impact studies, the GSA Schedules offer streamlined methods for the acquisition of innovative and flexible professional services solutions. This presentation covers the professional services included (*and excluded*) from GSA’s service Schedules with particular emphasis on, managerial/organizational consulting, project management, environmental services, professional engineering, logistics solutions, and language services.

9:10-9:20 Break

9:20 10:40 Topics in Task Order Contracting

Once you’ve decided on the appropriate GSA Schedule or Schedule, what are the steps in soliciting, evaluating, and awarding a Schedule Task Order? We will use the GSA Task Order Checklist to review Schedule ordering. We will discuss the Request for Quote (RFQ), mixing open-market items with Schedule items, “ODC’s,” different types of task orders (FFP, LH, T&M) and best-value task order source selection. How do you know which clauses contained in the Schedule contract? We will review the clauses in the FAR Part 12 commercial MOBIS (Schedule 874) contract, contrasting it with a FAR Part 15 contracting vehicle. In addition, we will review performance incentives, options, protests, and some Schedule pricing issues.

10:40-10:50 Break

10:50 12:00 Complex Service Requirements: Contractor Teaming Arrangements & Blanket Purchase Agreements for Services

Learn how your ordering agency can acquire complex and recurring requirements through GSA Schedules. Many comprehensive and complex service requirements can be accommodated under the Schedules program through the use of Blanket Purchase Agreements (BPAs) and Contractor Teaming Arrangements (CTAs).

What do I need in order to participate?

Webinar audio will be provided by a phone line. The PowerPoint slides will be shown on a commercial web site as we discuss the issues. You will need an Internet-connected computer in order to display the presentation slides. You may wish to also connect a projector in order to display the website images in your conference/training room. In addition, you will need a muted speaker-phone in order to call in and hear us. You will have the ability to type in questions to us during the webinar. It is not necessary to download any software to participate in the webinar. *If there are others in your office who would be interested in this webinar, you may wish to log onto the webinar from a shared conference room. This allows us to offer more training to more locations with a limited number of phone lines.* Registration instructions will follow by e-mail and will be on a first-come, first-served basis once event registration is open on the GSA website.

Where can I send my service Schedules ordering questions so they can be addressed during the webinar?

E-mail your questions to R10.Webinar@gsa.gov by January 31, 2008.

Is this webinar right for me?

- 1) The material presented will duplicate that of our June 2007 webinar. If you participated in that previous webinar, please pass this notice along to co-workers or others who did not attend our 2007 webinar.
- 2) The focus on this webinar is using the Schedules for professional **services**. This webinar does **not** cover Schedules ordering for **products** (supplies) nor will this webinar include any training on using GSA websites (GSA eLibrary, GSA *Advantage!*®, and GSA eBuy). If you are interested in learning about these online Schedule eTools or want to know more about ordering products from Schedule vendors/GSA Global Supply, please send an e-mail to the address shown above and we will put you in touch with a local GSA contact in your area.
- 3) In order to register, you should be serving in an acquisition-related (contracting or program) position in a Federal government agency. (In addition, employees of state or local governments interested in using the Schedules for disaster preparedness and response may also register.) If you are a current or prospective GSA contractor, please contact us at the e-mail address above for some suggestions on separate training for contractors.

Using GSA Schedules for Professional Services



The webinar will begin at 8am PST (11am EST)

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Webinar Administration

- You need the training survey & sign-in sheet from the webinar handout to complete in hardcopy.
- Print your name & e-mail address on the sign-in sheet.
- "Raised hand" feature will be used
- Type in questions to *Moderator*, don't wait for question breaks. Identify yourself in text.
- Please mute your telephone
- Questions we don't get to during the webinar will be answered in writing and posted at www.gsa.gov/mgmtservices

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U.S. General Services Administration

Federal Acquisition Service

Using GSA Schedules for Professional Services

Brad Powers & Dave Clemens
GSA Management Services Center (Auburn WA)
February 14, 2008 Webinar

Learning Objectives

- Overview of GSA Professional Services Schedules
- Basic Schedule Ordering – Overview of the Task Order Process
- Task Order Contracting: What Does the Schedule Contract Say?
- Complex Service Requirements: Contractor Teaming Arrangements & Blanket Purchase Agreements

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Supplementary Handout

Agenda

- A. List of Multiple Award Schedules
 - B. Some Service SINS
 - C. NAICS Codes Cross-Referenced to Service Schedules
 - D. FAR SubPart 8.4
 - E. Why Federal Agencies Use GSA MAS
 - F. "Conducting Scope Determinations for IDIQ Orders"
 - G. Extract from "GSA Order Checklist"
 - H. Think Simplified (Not FAR Part 15)
 - I. Resources for Additional Training
- Sign-In Sheet
Training Survey Form

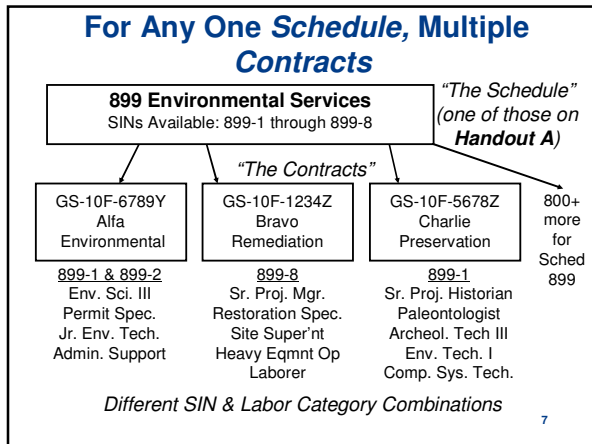
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Scope of Professional Service Schedules

- Review scope of services Schedules
- Understand examples of in-scope and out-of-scope tasks

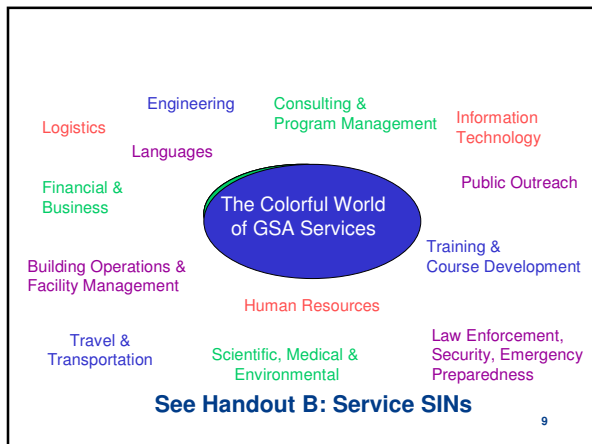


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Questions?

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Did You Know Schedules Can Be Use for...?

- Recycling computer monitors (Environmental)
- Food service for soldiers in Iraq (Logistics)
- Agency reorganizations [even GSA's] (MOBIS)
- Aircraft electronic maintenance (Logistics)
- Commercial activity (A-76) studies (MOBIS)
- Translation of Osama bin Laden tapes (Language)

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GSA Professional Services Schedules

- Professional Engineering Services (PES)
- Logistics Worldwide (LOGWORLD)
- Language Services
- Consolidated Schedule
- Environmental Services
- Mission Oriented Business Integrated Services (MOBIS)
- Advertising and Integrated Marketing Services (AIMS)
- Financial and Business Solutions (FABS)
- Other Schedules With Services

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Professional Engineering Services

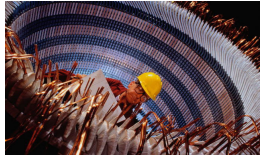


GSA Schedule 871

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Some Engineering Sub-Disciplines

Chemical
Aerospace
Aeronautical
Civil
Electrical

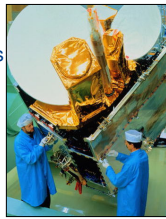


Marine/Naval
Mechanical
Mining
Petroleum
Industrial

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Professional Engineering Services

- 871-1 Strategic planning for technology programs/activities
- 871-2 Concept development & requirements analysis
- 871-3 System design, engineering & integration
- 871-4 Test & evaluation
- 871-5 Integrated logistics support
- 871-6 Acquisition & life cycle management



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Services Not Included in PES



- ✗ Architecture and engineering services under the Brooks Act, FAR Part 36
- ✗ Products, services, & materials already solicited under other FSS Schedule contracts (IT, environmental advisory, hazardous materials management advisory, paper, chemicals, pharmaceuticals, laboratory instruments)
- ✗ Research & Development if Cost-Type required

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FAR Part 36

- Construction and Architect-Engineering services as set forth in FAR Part 36 (including construction, alteration or repair of buildings, structures, or other real property) are outside the scope of all GSA Schedules, including PES.
- Carefully review FAR 36.601 definition of A&E for applicability to your PWS.

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What About Construction Management?

Construction management, a niche area related to design and construction, is allowable under PES. It is neither design nor construction, but engineering project management or oversight on a construction project. Of course, the work must still fall outside the FAR 36.101 definition of A&E.

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Logistics Worldwide Services (LOGWORLD)



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Logistics Services

- 874-501 Supply and Value Chain Management
- 874-502 Acquisition Logistics
- 874-503 Distribution and Transportation Logistics
- 874-504 Deployment Logistics
- 874-505 Logistics Training
- 874-506 Support Products
- 874-507 Operations and Maintenance Logistics Management & Support

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Some LOGWORLD Tasks

- Design & Fabrication (in support of a logistics effort/process)
- System Testing
- Range & Communications Engineering (But any IT must be related to logistics application/task. No volume purchases or software development not related to Logistics tasks.)
- Remote site logistics support (National & International)
- Food Service / Motor Pool / Courier Service

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More LOGWORLD Tasks

- Spares Support (to include purchase support if items are listed on GSA contract)
- Inventory Management
- Analysis of Distribution Points – Air, Road, Water, Rail or Pipeline
- Material Handling Training / Forklift Certification
- Planning (Scenarios, databases, after action review support, archive operational lessons learned)
- Train and mentor foreign military services in logistics methods and techniques

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Not Within LOGWORLD Scope

- ×Manufacturing (but LOGWORLD can manage manufacturing process)
- ×Security (if not part of a larger logistics support task)
- ×Engineering Services
- ×IT systems integration, network services
- ×Volume purchase of IT hardware
- ×Software development, database design not specifically related to logistics
- ×Household goods moving/storage
- ×Commercial passenger airline services



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Language Services

- **382-1 Translation Services**
 - **382-2 Interpretation Services**
 - **382-3 Training Services and Educational Material**
- but not this Schedule for:*
- Training not related to language (country briefings)
 - IT hardware & software
 - Language training requiring software licensing
 - Medical transcription services

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Consolidated Schedule

- For contractors with two or more Schedules (e.g., IT and MOBIS)
- One GSA contract, so just one Task Order to award/administer
- Scope defined by its 13 Schedules
www.gsa.gov/consolidated
- Contractor can offer their entire business line₂₄

Questions?

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Environmental Services

899-1 Environmental Planning Services & Documentation
899-2 Environmental Compliance Services
899-3 Environmental Occupational Training Services
899-4 Waste Management Services
899-5 Reclamation, Recycling & Disposal Services
899-6 Environmental Advisory Services
899-7 Geographic Information Services
899-8 Remediation Services (included related lab testing)

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Some Environmental Tasks

- Environmental Impact Statements
- Develop programs or regulations
- Risk Analysis or Vulnerability Assessments
- Environmental Compliance Audits
- Spill Prevention
- Environmental Training
- Permitting
- Waste Management Plans or Studies
- Establish/operate HAZMAT, electronics, CRT, battery or chemical recycling programs

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Environmental Schedule NAICS

541620 Environmental Consulting Services
562920 Material Recovery Facility
562112 Hazardous Waste Collection
541380 Lab Services *[check scope]*
562910 Remediation Services

Handout C: NAICS Code Cross-Reference

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Not Environmental Schedule



- Any task typically requiring construction (Davis-Bacon) labor categories (e.g., lead paint/asbestos removal)
- Architect & Engineer contracts
- Mapping (Part 36, Brooks Act)
- Remediation requiring construction
- Radioactive/nuclear waste
- Office trash and land-fill items
- Water purification equipment

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MOBIS Services

874-1 Consulting Services
874-2 Facilitation Services
874-3 Survey Services
874-4 Training Services
874-5 Support Products
874-6 Competitive Sourcing Support
874-7 Program Integration and Project Management Services

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Some MOBIS Tasks


- Quality Management
- Business Process Re-engineering
- Strategic & Business Planning
- Benchmarking
- Competitive Sourcing
- Activity-Based Costing
- Financial Management Analysis
(related to mission improvement effort)

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More MOBIS Task Examples

- Statistical Process Control
- Surveys
- Individual & Organizational Assessments & Evaluation
- Process Improvements
- Process Modeling and Simulation
- Performance Measurement

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Not Within MOBIS Scope

- × Financial Management, Financial Audits
- × Engineering Services
- × IT Systems Integration, Network Services
- × IT Hardware/Software not specifically related to MOBIS consulting/project management efforts
- × Administrative Support (unless directly related to MOBIS consulting/project management efforts)
- × Human Resources Services/HR ADR

MOBIS Focus = Management, Not Contracting for Daily Operations 33

Advertising & Marketing

- 541-1 Advertising Services
- 541-2 Public Relations Services
- 541-3 Web-Based Marketing Services [SB]
- 541-4 Specialized Marketing Services [SB]
- 541-5 Integrated Marketing Services

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Financial & Business Solutions

- 520-1 Program Financial Advisor
- 520-2 Transaction Specialist
- 520-3 Due Diligence & Support
- 520-4 Debt Collect
- 520-5 Loan Servicing & Asset Management
- 520-6 Professional Legal Services
- 520-7 Financial & Performance Audits
- 520-8 Complementary Audit Services

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FABS (continued)

- 520-9 Recovery Audits
- 520-10 Transportation Audits [SB]
- 520-11 Accounting
- 520-12 Budgeting
- 520-13 Complementary Financial Management
- 520-14 Audit & Financial Training Service [SB]
- 520-15 Recurring Commercial Financial Management Services
- 520-16 Business Information Services

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Other Schedules With Services

- Facilities Maintenance & Management (03FAC)
- Office, Imaging, and Document Solutions (36)
- Transportation, Delivery, and Relocation Services (48)
- Training (69)
- Information Technology (70)
- Security [and other services] (84)
- Temporary Staffing (736)
- Human Resources & EEO (738X)

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Questions?


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Ordering Procedures & Contract Issues

- Schedules as Priority Source
- Ordering (RFQ Process, Quotes, Evaluation)
- Types of Orders
- GSA Orders vs. Open Market Procurement
- "Other Direct Costs"
- Limited Sources?
- Scope Issues
- GSA Task Order Checklist (Not FAR Part 15)
- NAICS and Size
- Pricing
- Protests
- Schedules Contracting Overview
- What Does the Schedule Contract Say?

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Priority Sources – Services ...Not Mandatory Use, But...

- AbilityOne = JWOD (NIB, NISH, etc.)
- Federal Supply Schedules 
- Federal Prison Industries (UNICOR) or other commercial sources

Shall Consider Schedules Before Open-Market Service Sources (FAR 8.002)
*How have you documented your contract file to show Schedules were considered in preference to lower-ranking acquisitions?
(How has FAR 8.002 compliance been documented in your file?)*

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Basic Schedule RFQ Process

- Requirements Identification
- Acquisition Planning 
- Market Research 
- Develop Performance Work Statement
- Develop & Distribute RFQ(w/ Eval Factors)
- Evaluate Quotes Received
- Task Order Award

RFI/Draft RFQ

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Prepare & Distribute RFQ

- Select non-conflicting order clauses
- Determine Schedule(s)/SIN(s) required for PWS
- FAR Clauses for "commercial" services in GSA Schedule contract already
- Define quote submittal requirements (instructions) and deadline
- Service Contract Act applicable?
- Obtain necessary approvals (non-DoD, Advisory & Assistance, legal, etc.)
- Provide to at least 3 Schedule holders (e-mail, eBuy, fax)

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Contents of RFQ for GSA Task Order (Keep It Simple)

1. What Will the Contractor Do? (PWS)
2. What Does the Government Think is Important for Award? (Evaluation Factors)
3. What Does the Government Need to See? (Quote Submittal Instructions)
4. What Are the Order's Terms & Conditions (if any) Not Already in the Schedule Contract? (add non-conflicting clauses)
5. Which Schedule(s) and SINs Are Required by the Gov't to Meet PWS Requirements?

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Schedule Ordering (FAR 8.405-2)

Orders placed against a MAS using FAR 8.4 (Handout D) procedures are considered to be issued using full and open competition.

- Micropurchase: Place orders with any Schedule contractor, but should "rotate" buys.
- Micropurchase to Maximum Order Threshold (MOT): Provide RFQ (PWS + Eval Factors + Submittal instructions) to at least three contractors*
- Above MOT or if establishing BPA: As above* plus an "appropriate number of additional contractors"

*[plus, for DoD > \$100k]...and reasonably ensure at least three quotes rcvd or use eBuy...
(DFARS 208.405-70 & PGI 208.405-70)

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Receive & Evaluate Quotes

- Oral Proposals?
- Clarification of Minor Irregularities & Errors
- Technical Review
- Past Performance Review
- Communications (Not "Conducting [Part 15] Discussions")
 - Discount from GSA Schedule Price
 - Reasonableness of Labor Mix/Total LOE

Evaluate Solely on Evaluation Criteria

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Best Value Evaluation

- The expected outcome of an acquisition that, in the Government's estimation, provides the greatest overall benefit in response to the requirement.
- Best Value Continuum: From *price predominates* (Low-Price Technically Acceptable) to *technical/past performance predominates*
- Best Value permits tradeoffs between price and non-price factors as part of Risk Analysis. The ordering activity may be willing to pay more for (show relative importance in RFQ):
 - Achieving Socioeconomic Objectives (but not "Set Aside" Task Orders)
 - Better Past Performance
 - Better Technical Approach
 - Better Management Capability

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Level of Effort Task Orders

- Time & Material [FAR 16.601]
 - Direct labor at fixed, hourly, fully-burdened rates
 - Materials at cost and handling costs
- Labor Hour [FAR 16.602]
 - Like T&M, but contractor supplies no materials
- Fixed Price is preferred over LOE
 - Requires more surveillance and control than FFP
 - Use only where duration and extent of work cannot be estimated
 - CO determination, sometimes higher approval, required
 - Include ceiling price contractor exceeds at its own risk
- New **Commercial T&M/LH** Clauses effective 2/12/2007 (FAC 2005-15)
 - Consider adding new provision FAR 52.216-31 to T&M/LH order RFQs

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GSA Orders (vs. Open Market)

- No FedBizOpps synopsis for GSA Orders
- Prices on *FSS Authorized Price List* (GSA web-posted) already determined fair & reasonable, but Ordering Officer determines Best Value and reasonableness of overall LOE and labor mix.
- Competition (CICA) requirements already met, no competing outside Schedules
- Unrestricted (not "Set Aside" but can be eval factor), except for certain Schedules/SINs where award is reserved by GSA

Handout E: Why Use Schedules?

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Other Direct Costs (ODCs)

Three Categories of "ODCs":

1. Contract Support Items (on Schedule contract)
2. Open-market items ("Incidentals") (not on Schedule contract)
3. Reimbursables: Lodging, Transportation & Per Diem

- All ODCs must be within the scope of the contract and awarded SIN(s)...not "MOBIS laptops"
- ODCs support, are not the primary purpose of the order
- ODCs may not duplicate costs already included in the contract price
- ODC prices must be determined fair and reasonable by a CO somewhere (if not at Schedules level, then Task Order level)

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1. Contract Support Items

- Commercial Items
- Items included in the MAS contract
 - Contract award or modification
 - Not to be separately ordered without the services
 - Can be included on orders like Schedule labor
- Items for which the Schedule CO has already determined the price fair and reasonable
- Example: items awarded, priced, and listed under a "Support Products" SIN (but a separate *product-only* SIN not required)

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2. Open-Market Items

("Incidentals")

- Items not awarded under that Federal Supply Schedule contract
- No assumption of price reasonableness (or scope!)
- Schedule T&Cs don't apply unless cited
- Open-market items purchased IAW all applicable acquisition regulations (FAR 8.402(f))
 - FAR Part 5 – Publicizing contract Actions
 - FAR Part 6 – Competition Requirements
 - FAR Part 12 – Acquisition of Commercial Items
 - FAR Part 13 – Simplified Acquisition Procedures
 - FAR Part 14 – Sealed Bidding
 - FAR Part 15 – Contracting by Negotiations
 - FAR Part 19 – Small Business Programs

Can Be Mixed With Schedule Items ONLY if All Clauses Included and Ordering Officer Determines Prices Fair & Reasonable and Within Scope

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3. Travel Reimbursables

- Federal Travel Regulation
 - 41 CFR, Chapters 300 – 304
 - Travel policies for Federal civilian employees and others authorized to travel at Gov't expense
- Joint Federal Travel Regulations
 - USC, Title 37 and 10
 - Availability of contract fares or prices to government contractors
- Local travel in the performance of a task order
 - Reimbursable IAW ordering agency regulations

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FAR Parts Not Applicable to Schedule Orders/BPAs

- Synopsis requirements in Part 5
- All of Part 6 (8.405-6 is "Limiting Sources")
- All of Part 13 (except 13.303-2(c)(3))
- All of Parts 14 and 15
- All of Part 19 (except 19.202-1(3)(iii))

However, if mixing open-market items (totaling over micropurchase) then all otherwise exempt regulations apply to those items.

FAR 8.404(a), 8.405-5(a), and 8.405-6(a)

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How Can Need for Quoted Open Market Items Be Reduced?

- Contractor requests GSA CO to add to Schedule contract by modification
- Agency RFQ preference for all-Schedule order (Schedule contractors team with each other)
- Agency procures and furnishes items as GFP/GFE (need those clauses in Task Order)

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Questions?

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GSA “Limited Source Justification”

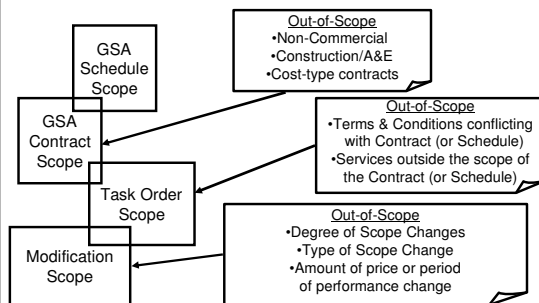
(FAR 8.405-6)

- Only one source capable of responding due to the unique or specialized nature of the work
- New work is a logical follow-on to an existing order (excluding previous orders placed previously under “sole source” requirements)
- Item is peculiar to one manufacturer (a brand name item, available on various Schedule contracts, is an item peculiar to one manufacturer); or
- An urgent and compelling need exists and following the ordering procedures would result in unacceptable delays

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In-Scope or Out-of-Scope?

(See Handout F on Scope Determination)



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Some Limitations

- Broad Acquisition Limitations
 - Commercial Services (FAR 2.101)
 - Personal Services (FAR 37.104)
 - Inherently Governmental Functions (FAR 7.503)
- Schedules Program Limitations
 - Architect/Engineer Contracts (FAR 36.601-4)
 - Cost-Reimbursement Type (FAR 16.3)
 - Construction (FAR 2.101)
 - Services Limited by the SIN Description

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Scope Determination Steps

- Search *eLibrary* for keywords in the SIN descriptions
- Read about that Schedule (references, FAQs, POC) at that Schedule's web page at gsa.gov (not *eLibrary*, Handout B web links)
- Read scope pages in that Schedule's standing RFP on FedBizOpps. There's more to scope than a few *eLibrary* sentences!
- Talk to your CSD (and provide your PWS) to contact that Schedule's POC (shown at Schedule's web page and *eLibrary* SIN page) at a GSA Acquisition Center
- [Careful] Use keywords from your PWS in a advanced Services-only search at GSA *Advantage!*@.

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Scope Determination Pitfalls

- Failure of Ordering Officer to Show Schedule and SINs on RFQ
- "Whatever GSA Schedule You Have" (the chosen contractor)
- "Labor Category Shopping" rather than determining the SINs required to accomplish the PWS.
- "Schedule A or Schedule B" (treating Schedule scopes as interchangeable)

**"Wrong Schedule" Order is Protestable by
"Right Schedule" Contractor**

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The GSA Order Checklist

Found under "Documents" in *Reference Center* at *GSA Center for Acquisition Excellence*:

<http://cae.gsa.gov>

where you can take the free online course "**Using GSA Schedules – Customer (Services)**"

Handout G: Extract from GSA Order Checklist

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Pricing in Task Order Quotes

- Compare with website-posted GSA *Advantage!* price list.
- Scrutinize non-Schedule services & items
- Labor rates on Schedule contract are already fully-loaded
- Question additional G&A, esp. on travel (paying twice?)
- Don't pay a separate "Industrial Funding Fee" (that 0.75% already included in contract price)
- If concerned about what is included in price, contact the Schedule CO
- Schedule contractors CAN discount from pricelist
- Contract labor rates assume "normal" bid & proposal expense - - may get "no quote" if unusual quote requirements for Task Order/BPA
- Escalated order prices for periods where Schedule option not yet exercised?

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GSA Schedule Contract Fundamentals

- Standing solicitation - offers accepted throughout the year with no closing date (uniform updating, mass mods conform all Schedule contracts to existing solicitation)
- Part 12 Multiple Award IDIQ (FFP w/EPA)
- Task Orders (FFP, LH, and/or T&M)
- Three 5-year option periods for 20 year total
 - Task Order performance could extend beyond since performance continues even if Schedule option not exercised (or contract terminated)
 - However, agency couldn't award new orders or BPAs without existing Schedule contract

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Schedule Pricing & EPA Methods

1. **Established Commercial Price List/Equivalent**

Requires a Modification Request from Contractor for Increase to Take Effect

2. **Negotiated Escalation Prior to Award**

A. Fixed Escalation for Term of Contract (Multi-Year Pricing 20 Years)

Price Increases Automatically Effective on the Anniversary of Contract (No Modification)

B. Adjustments Based on Market Indicator (Yearly Mod)

Based on a Published Index, Survey or Market Indicator

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Are Schedule Prices the Best Prices?

- **Contract Level**
 - Contract Pricing Objective: "Most Favored Customer"
 - Price Reductions Clause
 - Inspected during contractor assist visits
 - Ordering agencies pay no fee to GSA to use the Schedules directly [direct vs assisted acquisition]
- **Task Order Level**
 - Shall seek discounts (FAR 8.405-1(d)) if:
 - Task Order exceeds "Maximum Order Threshold"
 - BPA regardless of estimated value
 - Encouraged to seek discounts for all orders
 - Make best-value determination, total price/LOE/labor mix reasonableness

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NAICS Codes & Business Size

- **Schedule Contract Level**
 - Schedules have one or multiple NAICS Codes in RFP
 - Awarded with just one NAICS Code representing preponderance of work, determining size.
 - Size re-certified: 5-year option or merger/acquisition
- **Task Order Level**
 - NAICS Code on order must be one of those on that Schedule and must represent preponderance of work on order
 - Ordering Officer can re-certify size at order level: one size on Schedule contract and another size for order possible
- **BPA Level**
 - NAICS Code & size *not relevant* (since order controls)

13 CFR §121.404 (71 FR 66443, eff. 6/30/2007) 66

Think Simplified (Not FAR Part 15)

- No competitive range determination
- No “discussions” vs “communications”
- Any (non-arbitrary, not biased) evaluation system
- Lack of past performance need not be neutral
- No price/cost realism analysis of Schedule rates
- Not a “negotiated procurement,” not a “competition”
- Asking for Part 15-like quote details risks:
 - No quote
 - Held to Part 15 standards on protest

See Handout H on “Not Part 15”

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Order Protests?

- Standing as interested party: must hold Schedule contract
- Differing Agency/GAO/Court standards of review
- FAR 16.505(a)(9) grounds limitation doesn't apply
- Possible Grounds
 - Evaluation (inconsistent/bias/past performance)
 - Conflict of Interest/Incumbent preference
 - Procedural (looked like Part 15, e.g., debriefing)
 - Wrong Schedule
 - Non-Schedule purchases disguised as Schedule procurements (open market items violated CICA)

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Questions?

69

What Does the Schedules Contract Say?

Where Can I Read the Contract Clauses?

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Search FedBizOpps Schedule RFP

- Standing solicitation periodically replaced (GSA says “refreshed”)
- All contracts updated with mass modifications to match the most recent FedBizOpps-posted “refresh”
- Opens as a searchable *Word* document
- Use <Edit> <Find> in *Word* to locate words or phrases of interest.
- Good method both for numbered clauses and for other “free text”

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Ordering-Relevant Items in Contract Solicitation

- Table of Contents (or search in *Word*)
- SF1449 (Commercial Part 12, NAICS Code, Unrestricted)
- Additional scope information not found at GSA eLibrary
- FAR 52.212-4 and related Part 12 clauses
- "Maximum Order" for that Schedule described
- Economic Price Adjustment clauses
- Price Reductions clause not triggered by Federal orders
- Contractor Team Arrangements
- Blanket Purchase Agreements
- SubContracting Plan required for Large businesses
- Incorporates WDs for Service Contract Act for some Schedules
- Also: (of background interest for Ordering Officers)
 - How GSA evaluates offers for a Schedule contract
 - What offers provide with their Schedule contract proposal

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From the "Indefinite Quantity" Schedule Contract Clause

(d) Any order issued during the effective period of this contract and not completed within that period shall be completed by the Contractor within the time specified in the order. The contract shall govern the Contractor's and Government's rights and obligations with respect to that order to the same extent as if the order were completed during the contract's effective period.

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From the "Performance Incentives" Schedule Contract Clause

- (a) Performance incentives may be agreed upon between the contractor and the ordering office on individual orders or Blanket Purchase Agreements under this contract in accordance with this clause.
- (b) The ordering office must establish a maximum performance incentive price for these services and/or total solutions, on individual orders or Blanket Purchase Agreements.
- (c) Incentives should be designed to relate results achieved by the contractor to specified targets. To the maximum extent practicable, ordering offices shall consider establishing incentives where performance is critical to the agency's mission and incentives are likely to motivate the contractor. Incentives shall be based on objectively measurable tasks.

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Changes for 2008

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Questions?

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Two Flexible Schedule Tools

1. Blanket Purchase Agreements (BPAs)
2. Contractor Teaming Arrangements (CTAs)

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1. Blanket Purchase Agreements



Why Establish a Schedule BPA?

- Opportunity to negotiate better discounts
- Satisfy recurring requirements
- Reduce administrative burden
- Leveraging buying power through volume
- Support field offices/other contracting offices
- Quicker order turn-around
- Can incorporate non-conflicting terms & conditions
- Can include contractor teaming
- No funding required to establish BPA
- No synopsis, no competition outside Schedules to establish or use BPA

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Blanket Purchase Agreements



- Simplified Acquisition Method
- Anticipated Repetitive Needs
- Qualified Source(s)
- Single or Multiple Award



The Contractor's Perspective

- Recurring source of orders
- Volume
- Quicker turnaround on orders
- Expectation of price discounting

The Government's Perspective

- Flexibility in exact services, LOE, and period of performance
- Efficiencies by having summary invoicing and consolidated payment
- Expectation of best pricing for each Task Order

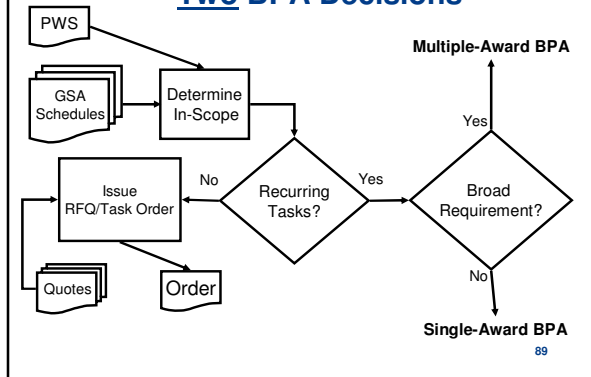
87

What's in a BPA?

- Scope
- Estimated value/level of effort (not ceiling)
- Duration
- GSA Schedule(s) & Contract(s)
- Participating offices/agencies
- Invoicing/billing procedures
- Ordering procedures (*if multi-award*)
- Terms & conditions
- Discount terms
- Types of orders to be placed
- BPA Termination

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Two BPA Decisions



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Single-Award BPA

1. Issue BPA RFQ (PWS)
2. Receive & Evaluate BPA Quotes
3. Award One BPA

Then, for Each Recurring Task:

1. Issue Task Order RFQ (PWS) *to sole BPA-holder*
2. Evaluate the Quote
3. Award Task Order

One Best Value Evaluation: Who Gets the BPA?

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Multiple-Award BPA

1. Issue BPA RFQ (PWS)
2. Receive & Evaluate BPA Quotes
3. Award Multiple BPAs

Then, for Each Recurring Task:

1. Develop Task Order Evaluation Criteria
2. Issue Task Order RFQ (PWS) to "an appropriate number" of BPA-holders (FAR 8.402-3(b)(2))*
3. Evaluate the Multiple Quotes: Best-Value Source Selection
4. Award Task Order

*Two Best Value Evaluations: Who Gets the BPA? Who Gets the Task Order?
To "all BPA holders" if DoD (DFARS PGI)

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Questions on BPAs?

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2. Contractor Teaming Arrangements



Two Ways to Satisfy Multi-Domain (Schedule/SIN) Requirements

1. One GSA Contractor holds all needed domains, so teaming not required:
 - a. As separate single-Schedule contracts, and/or
 - b. On the Consolidated Schedule
- OR
2. GSA Schedule holders **team** across domains.

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Many Contractors Hold Multiple Schedule Contracts

	70	871	874	874V	899
	IT	PES	MOBIS	LOG	ENV
Company A	X				
Company B	X	X	X	X	
Company C	X	X	X		
Company D	X	X	X	X	X
Company E	X	X	X	X	X
Company F	X		X		
Company G	X	X	X	X	X
Company H	X	X	X	X	
Company I	X	X	X	X	X
Company J	X	X	X		

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Consolidated Schedule

- Only for contractors with two or more Schedules (e.g., PES and MOBIS)
- One GSA contract, so just one Task Order for agency to award/administer
- Contractor can offer their entire business line on a single contract
- Includes most service Schedules and some related product Schedules (including IT)

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MAS Subcontracting

- Only Prime must have a Schedule contract
- Only Prime has privity of contract (and interface) with Government
- Ordered and invoiced at Prime's Schedule rate (less agency discount) where "mappable" (min. education, qualification, and experience)
- Limited to SINs and labor categories on the Prime's Schedule contract
- Prime can't "delegate" responsibility
- Some Schedules place limitation on subcontracting (must not more than 50% of order total), but that restriction varies from Schedule to Schedule. Ordering agencies can add clause, of course.

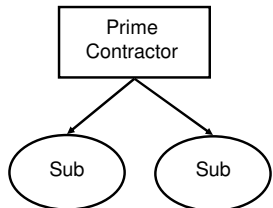
97

Schedule Teaming

- Each Team Member must have a Schedule contract
- Each Team Member has privity of contract (and can interface) with Government
- Ordered and invoiced at each Team Member's Schedule rate (less negotiated discount)
- Total Schedule solutions possible
- Each member can be responsible for specified duties in teaming agreement
- Can reduce the need for open-market items on a GSA Task Order

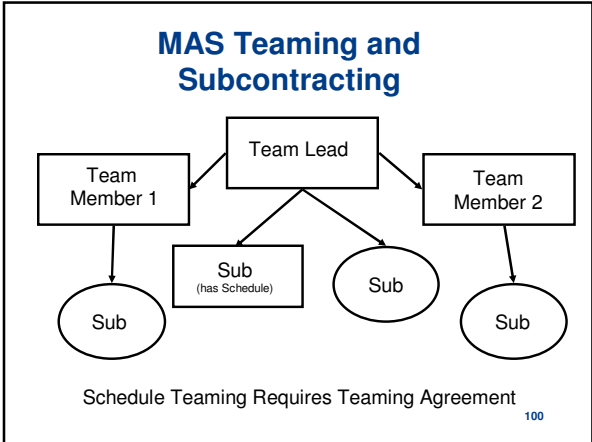
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Prime/Subcontractor Relationship



BPA/Orders Only to Prime (Schedule Contractor)

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How Do You Know WHAT It Is?

- Is there an Agreement? (But it may be a *Subcontracting Agreement* called "Teaming")
- Who is Paying the Industrial Funding Fee to GSA for that Task Order?
- What Does the Task Order look like?
 - How many Schedule contract numbers are there?
 - Whose labor categories appear on the Task Order?

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Schedule Teaming Highlights

- Team Leads & Members must have GSA Schedule and use their Schedule rates
- Contractor Teams are issued one BPA
- Could include subcontractor effort, as long as mapped to their Prime's Schedule labor category
- If Multi-Award BPA, Teams compete for Task Orders
- Task Orders can be issued to Team Lead or directly to Team Member
- Not a separate legal entity but acts *like* joint venture
- Include Teaming Agreement with quote for agency review (submittal requirement/eval factor)
- Government incorporates agreement into BPAs/Orders

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What's in that Agreement?

- Identify Parties (Members and Lead)
- Teaming Activities (w/ responsibilities, like Communication with the Government)
- Type & Duration of Agreement
- Agreement Terms
- Ordering Procedures
- Team Lead & Team Member Duties
- Pricing, Invoicing, and Payment
- Performance Responsibility/Evaluation
- Reporting Sales to GSA
- Warranty
- Confidential Information

Agreement is solely between the Members, can't conflict with Contracts

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Examples: Using CTAs & BPAs for Complex Requirements

Marine Corps Systems Command

www.marcorsyscom.usmc.mil/sites/acss/

Army Aviation and Missile Command

<https://wwwproc.redstone.army.mil/acquisition/omnibus2>

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Flexible Schedule Tools

- Wide variety of service Schedules (and products too)
- Using BPAs for recurring requirements: Multiple or Single BPAs
- Subcontracting and teaming for multi-domain requirements
- Defining the team: Contractor Teaming Agreement

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Helpful Websites

Using GSA Schedules – General Information and FAQs

www.gsa.gov/schedules

Blanket Purchase Agreements (note FAQs)

www.gsa.gov/bpa

Contractor Teaming Arrangements (note FAQs, Agreement content)

www.gsa.gov/cta

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Thanks

Dave Clemens

(253) 931-7313
R10.Webinar@gsa.gov

Management Services Center
(800) 241-RAIN (7246)
<http://www.gsa.gov/mgmtservices>

Handout I: Resources for Additional Training

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Questions?

Brad Powers

(253) 931-7171
R10.Webinar@gsa.gov

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Post-Webinar Administration

- Complete Training Survey (one per person)
- Complete sign-in sheet (one per location)
- Fax training survey & sign-in sheet 253-931-7573 (or -7174) Attn Maureen
- Any additional webinar Q&A posted to <http://www.gsa.gov/mgmtservices> under "MSC References" later this month
- Certificates will be e-mailed using the information on your faxed sign-in sheet
- Administration questions?
R10.webinar@gsa.gov, 253-931-7514

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Handout A
List of GSA Multiple Award Schedules
12/20/2007

00CORP THE CONSOLIDATED SCHEDULE

00JWOD NIB/NISH PRODUCTS

03FAC FACILITIES MAINTENANCE AND MANAGEMENT

23 V VEHICULAR MULTIPLE AWARD SCHEDULE (VMAS)

26 I TIRES, PNEUMATIC (NEW), FOR PASSENGER, LIGHT TRUCK, MEDIUM TRUCK, AND BUS, AND RETREAD SERVICES

36 THE OFFICE, IMAGING AND DOCUMENT SOLUTION

48 TRANSPORTATION, DELIVERY AND RELOCATION SOLUTIONS

51 V HARDWARE SUPERSTORE

56 BUILDINGS AND BUILDING MATERIALS/INDUSTRIAL SERVICES AND SUPPLIES

58 I PROFESSIONAL AUDIO/VIDEO, TELECOMMUNICATIONS, AND SECURITY SOLUTIONS

65 I B PHARMACEUTICALS AND DRUGS

65 II A MEDICAL EQUIPMENT AND SUPPLIES

65 II C DENTAL EQUIPMENT AND SUPPLIES

65 II F PATIENT MOBILITY DEVICES

65 V A X-RAY EQUIPMENT AND SUPPLIES

65 VII INVITRO DIAGNOSTICS, REAGENTS, TEST KITS AND TEST SETS

66 SCIENTIFIC EQUIPMENT & SERVICES

66 III CLINICAL ANALYZERS, LABORATORY, COST-PER-TEST

67 PHOTOGRAPHIC EQUIPMENT - CAMERAS, PHOTOGRAPHIC PRINTERS AND RELATED SUPPLIES & SERVICES (DIGITAL AND FILM-BASED)

69 TRAINING AIDS & DEVICES, INSTRUCTOR-LED TRAINING; COURSE DEVELOPMENT; TEST ADMINISTRATION

70 INFORMATION TECHNOLOGY EQUIPMENT, SOFTWARE, AND SERVICES

71 I OFFICE FURNITURE

71 II HOUSEHOLD AND QUARTERS FURNITURE

71 II H PACKAGED FURNITURE

71 II K COMPREHENSIVE FURNITURE MANAGEMENT SERVICES (CFMS)

71 III SPECIAL USE FURNITURE

71 III E MISCELLANEOUS FURNITURE

72 I A FLOOR COVERINGS

72 II FURNISHINGS

73 FOOD SERVICE, HOSPITALITY, CLEANING EQUIPMENT AND SUPPLIES, CHEMICALS AND SERVICES

Handout A
List of GSA Multiple Award Schedules
12/20/2007

75	OFFICE PRODUCTS/SUPPLIES AND SERVICES AND NEW PRODUCTS/TECHNOLOGY
76	PUBLICATION MEDIA
78	SPORTS, PROMOTIONAL, OUTDOOR, RECREATION, TROPHIES AND SIGNS
81 I B	SHIPPING, PACKAGING AND PACKING SUPPLIES
84	TOTAL SOLUTIONS FOR LAW ENFORCEMENT, SECURITY, FACILITIES MANAGEMENT, FIRE, RESCUE, CLOTHING, MARINE CRAFT AND EMERGENCY/DISASTER RESPONSE
520	FINANCIAL AND BUSINESS SOLUTIONS (FABS)
541	ADVERTISING & INTEGRATED MARKETING SOLUTIONS (AIMS)
599	TRAVEL SERVICES SOLUTIONS
621 I	PROFESSIONAL AND ALLIED HEALTHCARE STAFFING SERVICES
621 II	MEDICAL LABORATORY TESTING AND ANALYSIS SERVICES
736	TEMPORARY ADMINISTRATIVE AND PROFESSIONAL STAFFING (TAPS)
738 II	LANGUAGE SERVICES
738 X	HUMAN RESOURCES & EQUAL EMPLOYMENT OPPORTUNITY SERVICES
751	LEASING OF AUTOMOBILES AND LIGHT TRUCKS
871	PROFESSIONAL ENGINEERING SERVICES
874	MISSION ORIENTED BUSINESS INTEGRATED SERVICES (MOBIS)
874 V	LOGISTICS WORLDWIDE (LOGWORLD)
899	ENVIRONMENTAL SERVICES

To see the current list of all GSA Schedules, go to <http://www.gsaelibrary.gsa.gov> and pull down "Federal Supply Schedule Listing" from the menu bar on the upper right of the page.

Handout B: Some Services SINs on GSA Multiple Award Schedules¹

For more information on these Schedules/SINs, see:

<http://www.gsaelibrary.gsa.gov>

then select the Schedule number (03FAC, 899, etc.) from the *Quick Schedule* pull-down menu in the upper right corner of the screen.

Latest FedBizOps RFP posting date is shown after Schedule name.

(00CORP) Consolidated Schedule (6/21/2007)

<http://www.gsa.gov/consolidated>

All Schedules below indicated with an asterisk (*) are part of the Consolidated Schedule

***(03FAC) Facilities Maintenance Plus (6/2/2007)**

<http://www.gsa.gov/cfmhservices>

- 371-1 Grounds Maintenance
- 371-2 Tree Planting/Trimming/Removal
- 371-3 Pest Control
- 541-1 Independent Elevator Inspection Services
- 561-1 Fire Alarm System Preventive Maintenance & Repair Services
- 561-2 Water Based Fire Suppression System Preventive Maintenance & Repair Services
- 801-1 Surface Preparation
- 801-2 Application of Chemical Compounds
- 811-1 Elevator and Escalator Preventative Maintenance
- 811-2 Complete Facilities Maintenance
- 811-3 Complete Facilities Management
- 811-4 Electrical, and All Utility Services - Limited to Facility Maintenance
- 811-5 Refrigeration, Heating, Ventilation and Air Condition HVAC Maintenance
- 871-200 Energy Management Program Support
- 871-201 Energy Audit Services

***(36) Office, Imaging, and Document Solutions (8/3/2007)**

<http://www.gsa.gov/furniture> then select 36

- 51-501 Needs Assessment and Analysis Services
- 51-503 Education and Training Support Services
- 51-504 Records Management Services
- 51-505 Document Production On-site and Off-site Services
- 51-506 Document Conversion Services
- 51-507 Destruction Services
- 51-508 Litigation Support Services
- 51-509 Network Connectivity Support Services
- 733-1 Mail Room Management Services
- 733-2 Presort Mail
- 733-3 Miscellaneous Mail Services
- 733-4 List Management Services
- 733-5 Mailroom Ergonomic Analysis Services
- 733-6 Mail Screening and Inspection Services

(48) Transportation, Delivery, and Relocation Solutions (TDRS) (6/4/2007)

<http://www.gsa.gov/tdrs>

¹ david.clemens@gsa.gov, updated 12/20/2007. List does not include product SINs or “other”/ancillary (e.g., installation) services tied to Schedule products/systems. Any separate SINs for “Other Direct Costs”, “New Services,” or maintenance service for product SINs are also omitted.

411-1 Ground Passenger Transportation Services
411-2 Rental Supplemental Vehicle Program
411-3 Transportation Consulting Services
451-1 Domestic Delivery Service - Express Small /Heavyweight Delivery
451-2 Domestic Delivery Service - Ground
451-3 Local Courier Delivery Services (*Small Businesses*)
653-1 Employee Relocation – Home Sales Services
653-3 Employee Relocation – Software, Technology, and Support Services
653-4 Employee Relocation - Additional Services
653-5 Employee Relocation - Agency Customization Services
653-7 Employee Relocation - Move Management Services
653-8 Office Relocation
653-9 Corporate Housing Services

(58 I) Professional Audio/Visual, Telecommunications, and Security Solutions (9/20/2007)

<http://www.gsa.gov/furniture> then 58 I

58-8-Professional Audio/Video Assessment, Design and Integration
58-9 Professional Audio/Video Production (See also SIN 541-4B)
58-10 Professional Audio/Video Services NEC

***(69) Training Aids & Devices, Instructor Led Training, Course Development, and Test Administration (11/1/2007)**

<http://www.gsa.gov/schedule69>

27-400 Instructor Led Training
27-500 Course Development and Test Administration
27-600 Acquisition Training for 1102's

***(70) Information Technology (IT) (8/14/2007)**

<http://www.gsa.gov/itcenter>

132-50 Classroom Training
132-51 Information Technology Professional Services
132-52 Electronic Commerce Services
132-53 Wireless Services
132-60 Authentication Products and Services/Access Certificates for Electronic Services (ACES)
132-61 Public Key Infrastructure (PKI) Shared Service Provider (SSP)
132-62 HSPD-12 Product and Service Components

(84) Total Solutions for Law Enforcement, Security, Facilities Management, Fire, Rescue, Clothing, Marine Craft, and Emergency/Disaster Response (1/18/2007)

<http://www.gsa.gov/firesecurity>

246-52 Professional Security/Facility Management Services
246-54 Guard Services

***(520) Financial and Business Solutions (FABS) (9/7/2007)**

<http://www.gsa.gov/fabs>

520-1 Program Financial Advisor
520-2 Transaction Specialist
520-3 Due Diligence & Support Services
520-4 Debt Collection
520-5 Loan Servicing & Asset Management
520-6 Professional Legal Services
520-7 Financial & Performance Audits
520-8 Complementary Audit Services
520-9 Recovery Audits

520-10 Transportation Audits (*Small Businesses*)
520-11 Accounting
520-12 Budgeting
520-13 Complementary Financial Management Services
520-14 Audit & Financial Training Services (*Small Businesses*)
520-15 Outsourcing Recurring Commercial Activities for Financial Management Services
520-16 Business Information Services

***(541) Advertising and Integrated Marketing Solutions (AIMS) (6/22/2007)**

<http://www.gsa.gov/aim>

541-1 Advertising Services
541-2 Public Relations Services
541-3 Web Based Marketing Services (*Small Businesses*)
541-4A Market Research and Analysis
541-4B Video/Film Production
541-4C Exhibit Design and Implementation Services
541-4D Conference, Events and Tradeshow Planning Services (*Small Businesses*)
541-4E Commercial Photography Services (*Small Businesses*)
541-4F Commercial Art and Graphic Design Services (*Small Businesses*)
541-5 Integrated Marketing Services

(599) Travel Services Solutions (TSS) (3/25/2004)

<http://www.gsa.gov/tss>

599-1 Travel Consultant Services
599-2 Travel Agent Services/Travel Management Center Services

(736) Temporary Administrative and Professional Staffing (6/22/2007) (Schedule is Reserved for Small Businesses Only)

<http://www.gsa.gov/tempervices>

736-1 Administrative Support and Clerical Occupations
736-2 Automatic Data Processing Occupations
736-3 General Service and Support
736-4 Information and Arts Occupations (including Miscellaneous Occupations)
736-5 Technical and Professional Occupations

***(738 II) Language Services (5/4/2006)**

<http://www.gsa.gov/language>

382-1 Translation Services
382-2 Interpretation Services
382-3 Training & Educational Material

***(738X) Human Resources Management and Equal Opportunity Services (5/21/2007)**

<http://www.gsa.gov/hreeo>

595-21 Human Resources General Support Services
595-22 HR Private Shared Service Center – Core Requirements
595-25 EEO Services
595-26 HR Private Shared Service Center – Non-Core Requirements

***(871) Professional Engineering Services (PES) (11/1/2007)**

<http://www.gsa.gov/eng>

871-1 Strategic Planning for Technology Programs/Activities
871-2 Concept Development and Requirements Analysis
871-3 System Design, Engineering and Integration
871-4 Test and Evaluation

871-5 Integrated Logistics Support
871-6 Acquisition and Life Cycle Management

***(874) Mission Oriented Business Integrated Services (MOBIS) (6/20/2006)**

<http://www.gsa.gov/mobis>

874-1 Consulting Services
874-2 Facilitation Services
874-3 Survey Services
874-4 Training Services
874-5 Support Products
874-6 Competitive Sourcing Support
874-7 Program Integration and Project Management Services

***(874 V) Logistics Worldwide (LOGWORLD) (8/30/2006)**

<http://www.gsa.gov/logworld>

874-501 Supply and Value Chain Management
874-502 Acquisition Logistics
874-503 Distribution and Transportation Logistics Services
874-504 Deployment Logistics
874-505 Logistics Training Services
874-506 Support Products
874-507 Operations & Maintenance Logistics Management and Support Services

***(899) Environmental Services (8/20/2007)**

<http://www.gsa.gov/environmentalservices>

899-1 Environmental Planning Services & Documentation
899-2 Environmental Compliance Services
899-3 Environmental Occupational Training Services
899-4 Waste Management Services
899-5 Reclamation, Recycling and Disposal Services
899-6 Environmental Advisory Services
899-7 Geographic Information Services
899-8 Remediation Services

Handout C: NAICS Codes Cross-Referenced to GSA Schedules *with Services*¹

NAICS (Number)	NAICS (Title)	GSA Schedule Number(s) and Schedule Name(s)
114210	Animal Trapping	03 FAC Facilities Maintenance and Management
238210	Electrical Contractors	03 FAC Facilities Maintenance and Management
238220	Plumbing, Heating, and Air-Conditioning Contractors	03 FAC Facilities Maintenance and Management
238320	Painting and Wall Covering Contractors	03 FAC Facilities Maintenance and Management
323113	Commercial Screen Printing	36 Office, Imaging and Document Solutions
323114	Commercial Quick Printing	36 Office, Imaging and Document Solutions
323115	Commercial Digital Printing	36 Office, Imaging and Document Solutions
323119	Other Commercial Printing	36 Office, Imaging and Document Solutions
332812	Metal Coating, Engraving (except Jewelry and Silverware), and Allied Services to Manufacturers	03 FAC Facilities Maintenance and Management
481112	Scheduled Freight Air Transportation	48 Transportation, Delivery and Relocation Services
484110	General Freight Trucking – Local Services	48 Transportation, Delivery and Relocation Services
484122	General Freight Trucking – Long Distance	48 Transportation, Delivery and Relocation Services
484210	Used Household and Office Goods Moving	48 Transportation, Delivery and Relocation Services
485320	Driver/Limousine Service	48 Transportation, Delivery and Relocation Services
485999	All Other Transit and Ground Passenger Transportation	48 Transportation, Delivery and Relocation Services
492210	Local Messengers and Local Delivery	48 Transportation, Delivery and Relocation Services
511199	All Other Publishers	70 Information Technology
512110	Motion Picture and Video Production	541 Advertising & Integrated Marketing Solutions (AIMS)
512120	Motion Picture and Video Distribution	36 Office, Imaging and Document Solutions
514191	On-Line Information Services	36 Office, Imaging and Document Solutions
514210	Data processing services (except payroll services, financial transaction processing services)	36 Office, Imaging and Document Solutions
516110	Internet Publishers and Broadcasting	70 Information Technology
517110	Wired Telecommunications Carriers	70 Information Technology
517211	Paging	70 Information Technology

¹ Updated 12/20/2007 by david.clemens@gsa.gov Taken from current GSA FSS MAS solicitations including service SINs as shown on Handout B.

517212	Cellular and Other Wireless Telecommunications	70 Information Technology
517310	Telecommunications Resellers	70 Information Technology
517410	Satellite Telecommunications	70 Information Technology
517910	Other Telecommunications	70 Information Technology
518111	Internet Service Providers	70 Information Technology
518112	Web Search Portals	70 Information Technology
518210	Data Processing, Hosting, and Related Services	70 Information Technology
522310	Mortgage and Nonmortgage Loan Brokers	520 Financial and Business Solutions (FABS)
523110	Investment Banking and Securities Dealing	520 Financial and Business Solutions (FABS)
524292	Third Party Administration of Insurance and Pension Funds	520 Financial and Business Solutions (FABS)
525990	Other Financial Vehicles	520 Financial and Business Solutions (FABS)
531110	Lessors of Residential Buildings and Dwellings	48 Transportation, Delivery and Relocation Services
531210	Offices of Real Estate Agents and Brokers	48 Transportation, Delivery and Relocation Services 520 Financial and Business Solutions (FABS)
531390	Other Activities Related to Real Estate	48 Transportation, Delivery and Relocation Services
532111	Passenger Car Rental	48 Transportation, Delivery and Relocation Services
532112	Passenger Car Leasing	48 Transportation, Delivery and Relocation Services
541110	Offices of Lawyers	36 Office, Imaging and Document Solutions 520 Financial and Business Solutions (FABS)
541211	Offices of Certified Public Accountants	520 Financial and Business Solutions (FABS)
541214	Payroll Services	520 Financial and Business Solutions (FABS)
541219	Other Accounting Services	520 Financial and Business Solutions (FABS)
541330	Engineering Services	03 FAC Facilities Maintenance and Management 871 Professional Engineering Services (PES) 84 Security
541350	Building Inspection Services	03 FAC Facilities Maintenance and Management
541370	Surveying and Mapping (except Geophysical) Services	36 Office, Imaging and Document Solutions
541380	Lab Services	899 Environmental Services
541430	Graphic Design Services	541 Advertising & Integrated Marketing Solutions (AIMS)
541511	Custom Computer Programming Services	48 Transportation, Delivery and Relocation Services 70 Information Technology 541 Advertising & Integrated Marketing Solutions (AIMS)

541512	Computer Systems Design Services	70 Information Technology
541513	Computer Facilities Management Services	70 Information Technology
541519	Other Computer Related Services	70 Information Technology
541611	Administrative Management and General Management Consulting Services	874 Mission Oriented Business Integrated Services (MOBIS) 36 Office, Imaging and Document Solutions 520 Financial and Business Solutions (FABS) 738X Human Resources & EEO Services
541612	Human Resources and Executive Search Consulting Services	738X Human Resources & EEO Services
541613	Marketing Consulting Services	541 Advertising & Integrated Marketing Solutions (AIMS)
541614	Process, Physical Distribution, and Logistics Consulting Services	874 V Logistics Worldwide (LOGWORLD) Services 48 Transportation, Delivery and Relocation Services (part)
541618	Other Management Consulting	599 Travel Services Solutions
541620	Environmental Consulting Services	899 Environmental Services
541690	Other Scientific and Technical Consulting Services	03 FAC Facilities Maintenance and Management [Energy] 84 Security
541711	Research & Development in Biotechnology	871 Professional Engineering Services (PES)
541712	Research & Development in the Physical, Engineering, and Life Sciences (excluding Biotechnology)	871 Professional Engineering Services (PES)
541810	Advertising Agencies	541 Advertising & Integrated Marketing Solutions (AIMS)
541820	Public Relations Agencies	541 Advertising & Integrated Marketing Solutions (AIMS)
541850	Display Advertising	541 Advertising & Integrated Marketing Solutions (AIMS)
541890	Other Services Related to Marketing	541 Advertising & Integrated Marketing Solutions (AIMS)
541910	Marketing Research and Public Opinion Polling	541 Advertising & Integrated Marketing Solutions (AIMS)
541922	Commercial Photography	541 Advertising & Integrated Marketing Solutions (AIMS)
541930	Translation and Interpretation Services	738 II Language Services
541990	All Other Professional, Scientific, and Technical Services	Professional Audio/Visual, Telecommunications, and Security Solutions
561210	Facilities Support Services	36 Office, Imaging and Document Solutions 874 V Logistics Worldwide (LOGWORLD) Services 03 FAC Facilities Maintenance and Management
561310	Employment Placement Agencies	738X Human Resources & EEO Services
561320	Temporary Help Services	736 Temporary Administrative and Professional Staffing

		(TAPS)
561410	Document Preparation Services	738X Human Resources & EEO Services
561439	Other Business Services Center (Including Copy Shops)	36 Office, Imaging and Document Solutions
561440	Collection Agencies	520 Financial and Business Solutions (FABS)
561450	Credit Bureaus	520 Financial and Business Solutions (FABS)
561499	All Other Business Support Services	36 Office, Imaging and Document Solutions
561510	Travel Agencies	599 Travel Services Solutions
561599	All Other Travel & Reservation Services	599 Travel Services Solutions
561611	Investigation Services	84 Security 738X Human Resources & EEO Services
561612	Security Guards and Patrol Services	84 Security
561621	Security Systems Services (except Locksmiths)	03 FAC Facilities Maintenance and Management 84 Security
561710	Exterminating & Pest Control Services	03 FAC Facilities Maintenance and Management
561730	Landscaping Services	03 FAC Facilities Maintenance and Management
561920	Convention and Trade Show Organizers	541 Advertising & Integrated Marketing Solutions (AIMS)
562112	Hazardous Waste Collection	899 Environmental Services
562910	Remediation Services [also "Environmental" Remediation Services]	899 Environmental Services
562920	Materials Recovery Facility	899 Environmental Services
611410	Business and Secretarial Schools	69 Training
611420	Computer Training, except Computer Repair	70 Information Technology
611430	Professional and Management Development Training	69 Training 738X Human Resources & EEO Services
611512	Flight Training	69 Training
611519	Other Technical and Trade Schools	36 Office, Imaging and Document Solutions
611691	Exam Preparation and Tutoring	69 Training
611692	Automobile Driving Schools	69 Training
611699	All Other Misc. Schools & Instruction	69 Training
611710	Educational Support Services	69 Training
624190	Other Individual & Family Services	738X Human Resources & EEO Services
624310	Vocational Rehabilitation Services	69 Training

721110	Hotels (except Casino Hotels) and Motels	48 Transportation, Delivery and Relocation Services
811121	Automotive Body, Paint, and Interior Repair and Maintenance	03 FAC Facilities Maintenance and Management
811310	Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance	03 FAC Facilities Maintenance and Management
926110	Administration of General Economic Programs	03 FAC Facilities Maintenance and Management [Energy]
926130	Regulation and Administration of Communications, Electric, Gas, and Other Utilities	03 FAC Facilities Maintenance and Management [Energy]

Handout D: FAR Subpart 8.4—Federal Supply Schedules [as of 12/20/2007]

8.401 Definitions.

As used in this subpart—

“Ordering activity” means an activity that is authorized to place orders, or establish blanket purchase agreements (BPA), against the General Services Administration’s (GSA) Multiple Award Schedule contracts. A list of eligible ordering activities is available at <http://www.gsa.gov/schedules> (click “For Customers Ordering from Schedules” and then “Eligibility to Use GSA Sources”).

“Multiple Award Schedule (MAS)” means contracts awarded by GSA or the Department of Veterans Affairs (VA) for similar or comparable supplies, or services, established with more than one supplier, at varying prices. The primary statutory authorities for the MAS program are Title III of the Federal Property and Administrative Services Act of 1949 ([41 U.S.C. 251](#), *et seq.*) and Title [40 U.S.C. 501](#), Services for Executive Agencies.

“Requiring agency” means the agency needing the supplies or services.

“Schedules e-Library” means the on-line source for GSA and VA Federal Supply Schedule contract award information. Schedules e-Library may be accessed at <http://www.gsa.gov/elibrary>.

“Special Item Number (SIN)” means a group of generically similar (but not identical) supplies or services that are intended to serve the same general purpose or function.

8.402 General.

(a) The Federal Supply Schedule program is also known as the GSA Schedules Program or the Multiple Award Schedule Program. The Federal Supply Schedule program is directed and managed by GSA and provides Federal agencies (see [8.002](#)) with a simplified process for obtaining commercial supplies and services at prices associated with volume buying. Indefinite delivery contracts are awarded to provide supplies and services at stated prices for given periods of time. GSA may delegate certain responsibilities to other agencies (*e.g.*, GSA has delegated authority to the VA to procure medical supplies under the VA Federal Supply Schedules program). Orders issued under the VA Federal Supply Schedule program are covered by this subpart. Additionally, the Department of Defense (DoD) manages similar systems of schedule-type contracting for military items; however, DoD systems are not covered by this subpart.

(b) GSA schedule contracts require all schedule contractors to publish an “Authorized Federal Supply Schedule Pricelist” (pricelist). The pricelist contains all supplies and services offered by a schedule contractor. In addition, each pricelist contains the pricing and the terms and conditions pertaining to each Special Item Number that is on schedule. The schedule contractor is required to provide one copy of its pricelist to any ordering activity upon request. Also, a copy of the pricelist may be obtained from the Federal Supply Service by submitting a written e-mail request to schedules.infocenter@gsa.gov or by telephone at 1-800-488-3111. This subpart, together with the pricelists, contain necessary information for placing delivery or task orders with schedule contractors. In addition, the GSA schedule contracting office issues Federal Supply Schedules publications that contain a general overview of the Federal Supply Schedule (FSS) program and address pertinent topics. Ordering activities may request copies of schedules publications by contacting the Centralized Mailing List Service through the Internet at <http://www.gsa.gov/cmls>, submitting written e-mail requests to CMLS@gsa.gov; or by completing GSA Form 457, FSS Publications Mailing List Application, and mailing it to the GSA Centralized Mailing List Service

(7SM), P.O. Box 6477, Fort Worth, TX 76115. Copies of GSA Form 457 may also be obtained from the above-referenced points of contact.

(c)(1) GSA offers an on-line shopping service called “GSA Advantage!” through which ordering activities may place orders against Schedules. (Ordering activities may also use GSA Advantage! to place orders through GSA’s Global Supply System, a GSA wholesale supply source, formerly known as “GSA Stock” or the “Customer Supply Center.” FAR [Subpart 8.4](#) is not applicable to orders placed through the GSA Global Supply System.) Ordering activities may access GSA Advantage! through the GSA Federal Supply Service Home Page (<http://www.gsa.gov/fss>) or the GSA Federal Supply Schedule Home Page at <http://www.gsa.gov/schedules>.

(2) GSA Advantage! enables ordering activities to search specific information (*i.e.*, national stock number, part number, common name), review delivery options, place orders directly with Schedule contractors (except see [8.405-6](#)) and pay for orders using the Governmentwide commercial purchase card.

(d) “e-Buy,” GSA’s electronic Request for Quotation (RFQ) system, is a part of a suite of on-line tools which complement GSA Advantage!. E-Buy allows ordering activities to post requirements, obtain quotes, and issue orders electronically. Ordering activities shall post an RFQ to e-Buy when an order contains brand name specifications (see [8.405-6](#)). Ordering activities may access e-Buy at <http://www.ebuy.gsa.gov>. For more information or assistance on either GSA Advantage! or e-Buy, contact GSA at Internet e-mail address gsa.advantage@gsa.gov.

(e) For more information or assistance regarding the Federal Supply Schedule Program, review the following website: <http://www.gsa.gov/schedules>. Additionally, for on-line training courses regarding the Schedules Program, review the following website: <http://fsstraining.gsa.gov>.

(f) For administrative convenience, an ordering activity contracting officer may add items not on the Federal Supply Schedule (also referred to as 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 (*e.g.*, publicizing ([Part 5](#)), competition requirements ([Part 6](#)), acquisition of commercial items ([Part 12](#)), contracting methods ([Parts 13, 14, and 15](#)), and small business programs ([Part 19](#)));

(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.

8.403 Applicability.

(a) Procedures in this subpart apply to—

(1) Individual orders for supplies or services placed against Federal Supply Schedules contracts; and

(2) BPAs established against Federal Supply Schedule contracts.

(b) GSA may establish special ordering procedures for a particular schedule. In this case, that schedule will specify those special ordering procedures. Unless otherwise noted, special ordering procedures established for a Federal Supply Schedule take precedence over the procedures in [8.405](#).

(c) In accordance with section 1427(b) of Public Law 108-136, for requirements that substantially or to a dominant extent specify performance of architect-engineer services (as defined in [2.101](#)), agencies—

- (1) Shall use the procedures at [Subpart 36.6](#); and
- (2) Shall not place orders for such requirements under a Federal Supply Schedule.

8.404 Use of Federal Supply Schedules.

(a) *General.* [Parts 13](#) (except [13.303-2\(c\)\(3\)](#)), [14](#), [15](#), and [19](#) (except for the requirement at [19.202-1\(e\)\(1\)\(iii\)](#)) do not apply to BPAs or orders placed against Federal Supply Schedules contracts (but see [8.405-5](#)). BPAs and orders placed against a MAS, using the procedures in this subpart, are considered to be issued using full and open competition (see [6.102\(d\)\(3\)](#)). Therefore, when establishing a BPA (as authorized by [13.303-2\(c\)\(3\)](#)), or placing orders under Federal Supply Schedule contracts using the procedures of [8.405](#), ordering activities shall not seek competition outside of the Federal Supply Schedules or synopsize the requirement.

(b) The contracting officer, when placing an order or establishing a BPA, is responsible for applying the regulatory and statutory requirements applicable to the agency for which the order is placed or the BPA is established. The requiring agency shall provide the information on the applicable regulatory and statutory requirements to the contracting officer responsible for placing the order.

(c) *Acquisition planning.* Orders placed under a Federal Supply Schedule contract—

- (1) Are not exempt from the development of acquisition plans (see [Subpart 7.1](#)), and an information technology acquisition strategy (see [Part 39](#));
- (2) Must comply with all FAR requirements for a bundled contract when the order meets the definition of “bundled contract” (see [2.101\(b\)](#)); and
- (3) Must, whether placed by the requiring agency, or on behalf of the requiring agency, be consistent with the requiring agency’s statutory and regulatory requirements applicable to the acquisition of the supply or service.

(d) *Pricing.* Supplies offered on the schedule are listed at fixed prices. Services offered on the schedule are priced either at hourly rates, or at a fixed price for performance of a specific task (e.g., installation, maintenance, and repair). GSA has already determined the prices of supplies and fixed-price services, and rates for services offered at hourly rates, under schedule contracts to be fair and reasonable. Therefore, ordering activities are not required to make a separate determination of fair and reasonable pricing, except for a price evaluation as required by [8.405-2\(d\)](#). By placing an order against a schedule contract using the procedures in [8.405](#), the ordering activity has concluded that the order represents the best value (as defined in FAR [2.101](#)) and results in the lowest overall cost alternative (considering price, special features, administrative costs, etc.) to meet the Government’s needs. Although GSA has already negotiated fair and reasonable pricing, ordering activities may seek additional discounts before placing an order (see [8.405-4](#)).

8.405 Ordering procedures for Federal Supply Schedules.

Ordering activities shall use the ordering procedures of this section when placing an order or establishing a BPA for supplies or services. The procedures in this section apply to all schedules.

8.405-1 Ordering procedures for supplies, and services not requiring a statement of work.

(a) Ordering activities shall use the procedures of this subsection when ordering supplies and services that are listed in the schedules contracts at a fixed price for the performance of a specific task, where a statement of work is not required (*e.g.*, installation, maintenance, and repair).

(b) *Orders at or below the micro-purchase threshold.* Ordering activities may place orders at, or below, the micro-purchase threshold with any Federal Supply Schedule contractor that can meet the agency's needs. Although not required to solicit from a specific number of schedule contractors, ordering activities should attempt to distribute orders among contractors.

(c) *Orders exceeding the micro-purchase threshold but not exceeding the maximum order threshold.*

(1) Ordering activities shall place orders with the schedule contractor that can provide the supply or service that represents the best value. Before placing an order, an ordering activity shall consider reasonably available information about the supply or service offered under MAS contracts by surveying at least three schedule contractors through the GSA Advantage! on-line shopping service, or by reviewing the catalogs or pricelists of at least three schedule contractors (see [8.405-5](#)).

(2) When an order contains brand name specifications, the contracting officer shall post the Request for Quote (RFQ) along with the justification or documentation as required by [8.405-6](#).

(3) In addition to price, when determining best value, the ordering activity may consider, among other factors, the following:

- (i) Past performance.
- (ii) Special features of the supply or service required for effective program performance.
- (iii) Trade-in considerations.
- (iv) Probable life of the item selected as compared with that of a comparable item.
- (v) Warranty considerations.
- (vi) Maintenance availability.
- (vii) Environmental and energy efficiency considerations.
- (viii) Delivery terms.

(d) *Orders exceeding the maximum order threshold.* Each schedule contract has a maximum order threshold established on a SIN-by-SIN basis. Although a price reduction may be sought at any time, this threshold represents the point where, given the dollar value of the potential order, the ordering activity shall seek a price reduction. In addition to following the procedures in paragraph (c) of this section and before placing an order that exceeds the maximum order threshold or establishing a BPA (see [8.405-3](#)), ordering activities shall—

(1) Review (except see (c)(2) of this subsection) the pricelists of additional schedule contractors (the GSA Advantage! on-line shopping service can be used to facilitate this review);

(2) Based upon the initial evaluation, seek price reductions from the schedule contractor(s) considered to offer the best value (see [8.404\(d\)](#)); and

(3) After seeking price reductions (see [8.405-4](#)), place the order with the schedule contractor that provides the best value. If further price reductions are not offered, an order may still be placed.

(e) *Minimum documentation.* The ordering activity shall document—

(1) The schedule contracts considered, noting the contractor from which the supply or service was purchased;

(2) A description of the supply or service purchased; and

(3) The amount paid.

8.405-2 Ordering procedures for services requiring a statement of work.

(a) *General.* Ordering activities shall use the procedures in this subsection when ordering services priced at hourly rates as established by the schedule contracts. The applicable services will be identified in the Federal Supply Schedule publications and the contractor's pricelists.

(b) *Statements of Work (SOWs).* All Statements of Work shall include the work to be performed; location of work; period of performance; deliverable schedule; applicable performance standards; and any special requirements (e.g., security clearances, travel, special knowledge). To the maximum extent practicable, agency requirements shall be performance-based statements (see [Subpart 37.6](#)).

(c) *Request for Quotation procedures.* The ordering activity must provide the Request for Quotation (RFQ), which includes the statement of work and evaluation criteria (e.g., experience and past performance), to schedule contractors that offer services that will meet the agency's needs. The RFQ may be posted to GSA's electronic RFQ system, e-Buy (see [8.402\(d\)](#)).

(1) *Orders at, or below, the micro-purchase threshold.* Ordering activities may place orders at, or below, the micro-purchase threshold with any Federal Supply Schedule contractor that can meet the agency's needs. The ordering activity should attempt to distribute orders among contractors.

(2) *For orders exceeding the micro-purchase threshold, but not exceeding the maximum order threshold.*

(i) The ordering activity shall develop a statement of work, in accordance with [8.405-2\(b\)](#).

(ii) The ordering activity shall provide the RFQ (including the statement of work and evaluation criteria) to at least three schedule contractors that offer services that will meet the agency's needs.

(iii) The ordering activity should request that contractors submit firm-fixed prices to perform the services identified in the statement of work.

(3) *For proposed orders exceeding the maximum order threshold or when establishing a BPA.* In addition to meeting the requirements of [8.405-2\(c\)\(2\)](#), the ordering activity shall—

(i) Provide the RFQ (including the statement of work and evaluation criteria) to additional schedule contractors that offer services that will meet the needs of the ordering activity. When determining the appropriate number of additional schedule contractors, the ordering activity 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) The ordering activity shall provide the RFQ (including the statement of work and the evaluation criteria) to any schedule contractor who requests a copy of it.

(d) *Evaluation.* The ordering activity shall evaluate all responses received using the evaluation criteria provided to the schedule contractors. The ordering activity is responsible for considering the level of effort and the mix of labor proposed to perform a specific task being ordered, and for determining that the total price is reasonable. Place the order, or establish the BPA, with the schedule contractor that represents the best value (see [8.404\(d\)](#)). After award, ordering activities should provide timely notification to unsuccessful offerors. If an unsuccessful offeror 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 schedule contracts considered, noting the contractor 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 contractor to receive the 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 order; or
 - (ii) A performance-based order.

8.405-3 Blanket purchase agreements (BPAs).

(a)(1) *Establishment.* Ordering activities may establish BPAs under any schedule contract to fill repetitive needs for supplies or services. BPAs may be established with one or more schedule contractors. The number of BPAs to be established is within the discretion of the ordering activity establishing the BPAs and should be based on a strategy that is expected to maximize the effectiveness of the BPA(s). In determining how many BPAs to establish, consider—

- (i) The scope and complexity of the requirement(s);
- (ii) The need to periodically compare multiple technical approaches or prices;
- (iii) The administrative costs of BPAs; and
- (iv) The technical qualifications of the schedule contractor(s).

(2) Establishment of a single BPA, or multiple BPAs, shall be made using the same procedures outlined in [8.405-1](#) or [8.405-2](#). BPAs shall address the frequency of ordering, invoicing, discounts, requirements (*e.g.* estimated quantities, work to be performed), delivery locations, and time.

(3) When establishing multiple BPAs, the ordering activity shall specify the procedures for placing orders under the BPAs.

(4) Establishment of a multi-agency BPA against a Federal Supply Schedule contract is permitted if the multi-agency BPA identifies the participating agencies and their estimated requirements at the time the BPA is established.

(b) Ordering from BPAs—

(1) *Single BPA.* If the ordering activity establishes one BPA, authorized users may place the order directly under the established BPA when the need for the supply or service arises.

(2) *Multiple BPAs.* If the ordering activity establishes multiple BPAs, before placing an order exceeding the micro-purchase threshold, the ordering activity shall—

- (i) Forward the requirement, or statement of work and the evaluation criteria, to an appropriate number of BPA holders, as established in the BPA ordering procedures; and
- (ii) Evaluate the responses received, make a best value determination (see [8.404\(d\)](#)), and place the order with the BPA holder that represents the best value.

(3) *BPAs for hourly rate services.* If the BPA is for hourly rate services, the ordering activity shall develop a statement of work for requirements covered by the BPA. All orders under the BPA shall specify a price for the performance of the tasks identified in the statement of work.

(c) *Duration of BPAs.* BPAs generally should not exceed five years in length, but may do so to meet program requirements. Contractors may be awarded BPAs that extend beyond the current term of their GSA Schedule contract, so long as there are option periods in their GSA Schedule contract that, if exercised, will cover the BPA's period of performance.

(d) Review of BPAs.

(1) The ordering activity that established the BPA shall review it at least once a year to determine whether—

- (i) The schedule contract, upon which the BPA was established, is still in effect;
- (ii) The BPA still represents the best value (see [8.404\(d\)](#)); and
- (iii) Estimated quantities/amounts have been exceeded and additional price reductions can be obtained.

(2) The ordering activity shall document the results of its review.

8.405-4 Price reductions.

In addition to seeking price reductions before placing an order exceeding the maximum order threshold (see [8.405-1\(d\)](#)), or in conjunction with the annual BPA review, there may be other reasons to request a price reduction. For example, ordering activities should seek a price reduction when the supply or service is available elsewhere at a lower price, or when establishing a BPA to fill recurring requirements. The potential volume of orders under BPAs, regardless of the size of individual orders, offers the opportunity to secure greater discounts. Schedule contractors are not required to pass on to all schedule users a price reduction extended only to an individual ordering activity for a specific order.

8.405-5 Small business.

(a) Although the mandatory preference programs of [Part 19](#) do not apply, orders placed against schedule contracts may be credited toward the ordering activity's small business goals. For purposes of reporting an order placed with a small business schedule contractor, an ordering agency may only take credit if the awardee meets a size standard that corresponds to the work performed. Ordering activities should rely on the small business representations made by schedule contractors at the contract level.

(b) Ordering activities may consider socio-economic status when identifying contractor(s) for consideration or competition for award of an order or BPA. At a minimum, ordering activities should consider, if available, at least one small business, veteran-owned small business, service disabled veteran-owned small business, HUBZone small business, women-owned small business, or small disadvantaged business schedule contractor(s). GSA Advantage! and Schedules e-Library at <http://www.gsa.gov/fss> contain information on the small business representations of Schedule contractors.

(c) For orders exceeding the micro-purchase threshold, ordering activities should give preference to the items of small business concerns when two or more items at the same delivered price will satisfy the requirement.

8.405-6 Limited sources justification and approval.

(a) Orders placed under Federal Supply Schedules are exempt from the requirements in [Part 6](#). However, an ordering activity must justify its action when restricting consideration—

(1) Of schedule contractors to fewer than required in [8.405-1](#) or [8.405-2](#); or

(2) To an item peculiar to one manufacturer (e.g., a particular brand name, product, or a feature of a product, peculiar to one manufacturer). A brand name item, whether available on one or more schedule contracts, is an item peculiar to one manufacturer. Brand name specifications shall not be used unless the particular brand name, product, or feature is essential to the Government's requirements, and market research indicates other companies' similar products, or products lacking the particular feature, do not meet, or cannot be modified to meet, the agency's needs.

(b) Circumstances that may justify restriction cited in paragraph (a)(1) of this subsection include—

(1) Only one source is capable of responding due to the unique or specialized nature of the work;

(2) The new work is a logical follow-on to an original Federal Supply Schedule order provided that the original order was placed in accordance with the applicable Federal Supply Schedule ordering procedures. The original order must not have been previously issued under sole source or limited source procedures;

(3) An urgent and compelling need exists, and following the ordering procedures would result in unacceptable delays.

(c) Ordering activities shall procure such requirements only if the need to do so is justified in writing and approved at the levels specified in paragraphs (f) and (h) of this subsection.

(d) Except as provided in paragraph (e) of this subsection, when an order contains brand name specifications, the ordering activity shall post the following information along with the Request for Quotation (RFQ) to e-Buy (<http://www.ebuy.gsa.gov>):

(1) For proposed orders exceeding \$25,000, but not exceeding the simplified acquisition threshold, the documentation required by paragraph (f) of this subsection.

(2) For proposed orders exceeding the simplified acquisition threshold, the justification required by paragraph (g) of this subsection.

(e) The posting requirement of paragraph (d) of this subsection does not apply when—

(1) Disclosure would compromise the national security (*e.g.*, would result in disclosure of classified information) or create other security risks. The fact that access to classified matter may be necessary to submit a proposal or perform the contract does not, in itself, justify use of this exception;

(2) The nature of the file (*e.g.*, size, format) does not make it cost-effective or practicable for contracting officers to provide access through e-Buy; or

(3) The agency's senior procurement executive makes a written determination that access through e-Buy is not in the Government's interest.

(f) *Orders exceeding the micro-purchase threshold, but not exceeding the simplified acquisition threshold as defined in 2.101.* For proposed orders exceeding the micro-purchase threshold, but not exceeding the simplified acquisition threshold, the ordering activity contracting officer shall document the circumstances when restricting consideration.

(g) Orders exceeding the simplified acquisition threshold.

(1) For proposed orders exceeding the simplified acquisition threshold, the requiring activity shall assist the ordering activity contracting officer in the preparation of the justification. The justification shall cite that the acquisition is conducted under the authority of the Multiple Award Schedule Program (see [8.401](#)).

(2) As a minimum, each justification shall include the following information:

(i) Identification of the agency and the contracting activity, and specific identification of the document as a "Limited Source Justification."

(ii) Nature and/or description of the action being approved.

(iii) A description of the supplies or services required to meet the agency's needs (including the estimated value).

(iv) Identification of the justification rationale (see [8.405-6\(a\)](#) and (b)) and, if applicable, a demonstration of the proposed contractor's unique qualifications to provide the required supply or service.

(v) A determination by the ordering activity contracting officer that the order represents the best value consistent with [8.404\(d\)](#).

(vi) A description of the market research conducted among schedule holders and the results or a statement of the reason market research was not conducted.

(vii) Any other facts supporting the justification.

(viii) A statement of the actions, if any, the agency may take to remove or overcome any barriers that led to the restricted consideration before any subsequent acquisition for the supplies or services is made.

(ix) The ordering activity contracting officer's certification that the justification is accurate and complete to the best of the contracting officer's knowledge and belief.

(x) Evidence that any supporting data that is the responsibility of technical or requirements personnel (*e.g.*, verifying the Government's minimum needs or requirements or other rationale for limited sources) and which form a basis for the justification have been certified as complete and accurate by the technical or requirements personnel.

(h) Justification approvals.

(1) For proposed orders exceeding the simplified acquisition threshold, but not exceeding \$550,000, the ordering activity contracting officer's certification that the justification is accurate and complete to the best of the ordering activity contracting officer's knowledge and belief will serve as approval, unless a higher approval level is established in accordance with agency procedures.

(2) For a proposed order exceeding \$550,000, but not exceeding \$11.5 million, the justification must be approved by the competition advocate of the activity placing the order, or by an official named in paragraph (h)(3) or (h)(4) of this subsection. This authority is not delegable.

(3) For a proposed order exceeding \$11.5 million, but not exceeding \$57 million (or, for DoD, NASA, and the Coast Guard, not exceeding \$78.5 million), the justification must be approved by—

(i) The head of the procuring activity placing the order;

(ii) A designee who—

(A) If a member of the armed forces, is a general or flag officer;

(B) If a civilian, is serving in a position in a grade above GS-15 under the General Schedule (or in a comparable or higher position under another schedule); or

(iii) An official named in paragraph (h)(4) of this subsection.

(4) For a proposed order exceeding \$57 million (or, for DoD, NASA, and the Coast Guard, over \$78.5 million), the justification must be approved by the senior procurement executive of the agency placing the order. This authority is not delegable, except in the case of the Under Secretary of Defense for Acquisition, Technology, and Logistics, acting as the senior procurement executive for the Department of Defense.

8.405-7 Payment.

Agencies may make payments for oral or written orders by any authorized means, including the Governmentwide commercial purchase card.

8.406 Ordering activity responsibilities.

8.406-1 Order placement.

Ordering activities may place orders orally (except for services requiring a statement of work (SOW) or orders containing brand name specifications that exceed \$25,000) or use [Optional Form 347](#), an agency-prescribed form, or an established electronic communications format to order supplies or services from schedule contracts. The ordering activity shall place an order

directly with the contractor in accordance with the terms and conditions of the pricelists (see [8.402\(b\)](#)). Prior to placement of the order, the ordering activity shall ensure that the regulatory and statutory requirements of the requiring agency have been applied. Orders shall include the following information in addition to any information required by the schedule contract:

- (a) Complete shipping and billing addresses.
- (b) Contract number and date.
- (c) Agency order number.
- (d) F.o.b. delivery point; *i.e.*, origin or destination.
- (e) Discount terms.
- (f) Delivery time or period of performance.
- (g) Special item number or national stock number.
- (h) A statement of work for services, when required, or a brief, complete description of each item (when ordering by model number, features and options such as color, finish, and electrical characteristics, if available, must be specified).
- (i) Quantity and any variation in quantity.
- (j) Number of units.
- (k) Unit price.
- (l) Total price of order.
- (m) Points of inspection and acceptance.
- (n) Other pertinent data; *e.g.*, delivery instructions or receiving hours and size-of-truck limitation.
- (o) Marking requirements.
- (p) Level of preservation, packaging, and packing.

8.406-2 Inspection and acceptance.

- (a) Supplies.
 - (1) Consignees shall inspect supplies at destination except when—
 - (i) The schedule contract indicates that mandatory source inspection is required by the schedule contracting agency; or
 - (ii) A schedule item is covered by a product description, and the ordering activity determines that the schedule contracting agency's inspection assistance is needed (based on the ordering volume, the complexity of the supplies, or the past performance of the supplier).
 - (2) When the schedule contracting agency performs the inspection, the ordering activity will provide two copies of the order specifying source inspection to the schedule contracting agency. The schedule contracting agency will notify the ordering activity of acceptance or rejection of the supplies.
 - (3) Material inspected at source by the schedule contracting agency, and determined to conform with the product description of the schedule, shall not be reinspected for the same purpose. The consignee shall limit inspection to kind, count, and condition on receipt.
 - (4) Unless otherwise provided in the schedule contract, acceptance is conclusive, except as regards latent defects, fraud, or such gross mistakes as amount to fraud.
- (b) *Services*. The ordering activity has the right to inspect all services in accordance with the contract requirements and as called for by the order. The ordering activity shall perform inspections and tests as specified in the order's quality assurance surveillance plan in a manner that will not unduly delay the work.

8.406-3 Remedies for nonconformance.

(a) If a contractor delivers a supply or service, but it does not conform to the order requirements, the ordering activity shall take appropriate action in accordance with the inspection and acceptance clause of the contract, as supplemented by the order.

(b) If the contractor fails to perform an order, or take appropriate corrective action, the ordering activity may terminate the order for cause or modify the order to establish a new delivery date (after obtaining consideration, as appropriate). Ordering activities shall follow the procedures at [8.406-4](#) when terminating an order for cause.

8.406-4 Termination for cause.

(a)(1) An ordering activity contracting officer may terminate individual orders for cause. Termination for cause shall comply with FAR [12.403](#), and may include charging the contractor with excess costs resulting from repurchase.

(2) The schedule contracting office shall be notified of all instances where an ordering activity contracting officer has terminated for cause an individual order to a Federal Supply Schedule contractor, or if fraud is suspected.

(b) If the contractor asserts that the failure was excusable, the ordering activity contracting officer shall follow the procedures at [8.406-6](#), as appropriate.

(c) If the contractor is charged excess costs, the following apply:

(1) Any repurchase shall be made at as low a price as reasonable, considering the quality required by the Government, delivery requirement, and administrative expenses. Copies of all repurchase orders, except the copy furnished to the contractor or any other commercial concern, shall include the notation:

Repurchase against the account of _____ [*insert contractor's name*] under Order _____ [*insert number*] under Contract _____ [*insert number*].

(2) When excess costs are anticipated, the ordering activity may withhold funds due the contractor as offset security. Ordering activities shall minimize excess costs to be charged against the contractor and collect or set-off any excess costs owed.

(3) If an ordering activity is unable to collect excess repurchase costs, it shall notify the schedule contracting office after final payment to the contractor.

(i) The notice shall include the following information about the terminated order:

- (A) Name and address of the contractor.
- (B) Schedule, contract, and order number.
- (C) National stock or special item number(s), and a brief description of the item(s).
- (D) Cost of schedule items involved.
- (E) Excess costs to be collected.
- (F) Other pertinent data.

(ii) The notice shall also include the following information about the purchase contract:

- (A) Name and address of the contractor.
- (B) Item repurchase cost.
- (C) Repurchase order number and date of payment.
- (D) Contract number, if any.
- (E) Other pertinent data.

(d) Only the schedule contracting officer may modify the contract to terminate for cause any, or all, supplies or services covered by the schedule contract. If the schedule contracting officer has terminated any supplies or services covered by the schedule contract, no further orders may be placed for those items. Orders placed prior to termination for cause shall be fulfilled by the

contractor, unless terminated for the convenience of the Government by the ordering activity contracting officer.

8.406-5 Termination for the Government's convenience.

(a) An ordering activity contracting officer may terminate individual orders for the Government's convenience. Terminations for the Government's convenience shall comply with FAR [12.403](#).

(b) Before terminating orders for the Government's convenience, the ordering activity contracting officer shall endeavor to enter into a "no cost" settlement agreement with the contractor.

(c) Only the schedule contracting officer may modify the schedule contract to terminate any, or all, supplies or services covered by the schedule contract for the Government's convenience.

8.406-6 Disputes.

(a) Disputes pertaining to the performance of orders under a schedule contract.

(1) Under the Disputes clause of the schedule contract, the ordering activity contracting officer may—

(i) Issue final decisions on disputes arising from performance of the order (but see paragraph (b) of this section); or

(ii) Refer the dispute to the schedule contracting officer.

(2) The ordering activity contracting officer shall notify the schedule contracting officer promptly of any final decision.

(b) *Disputes pertaining to the terms and conditions of schedule contracts.* The ordering activity contracting officer shall refer all disputes that relate to the contract terms and conditions to the schedule contracting officer for resolution under the Disputes clause of the contract and notify the schedule contractor of the referral.

(c) *Appeals.* Contractors may appeal final decisions to either the Board of Contract Appeals servicing the agency that issued the final decision or the U.S. Court of Federal Claims.

(d) *Alternative dispute resolution.* The contracting officer should use the alternative dispute resolution (ADR) procedures, to the maximum extent practicable (see [33.204](#) and [33.214](#)).

Handout E

Some Reasons Federal Agencies Use GSA Multiple Award Schedules¹

- No Posting/Publication (*FedBizOpps* Synopsis) Requirement.²
- Flexibility in Adding Agency-Specific Clauses and Provisions.³
- Contractors Are Already Determined Responsible.⁴
- Ability to Place Orders of Practically Any Size⁵
- GSA Schedule Electronic Tools Assist Market Research, Dissemination of Requests for Quotes (RFQs), and Ordering.⁶
- Recurring Requirements Can Be Satisfied With Schedule Blanket Purchase Agreements Rather Than Agency Indefinite Quantity Contracts.⁷
- Agencies Retain Maximum Flexibility for “Best Value” Source Selections.⁸
- GSA Schedules Are a Higher Priority Source to Be Considered Before Soliciting Open-Market Commercial Sources for Supplies or Services.⁹
- Statutory “Competition” Requirements Have Already Been Met.¹⁰
- Large Pool of Available Contractors Offering a Wide Variety of Commercial Services and Products.¹¹
- Task Orders Need Not Be Fixed-Price; Schedules Permit Labor Hour and Time & Material Task Orders.¹²
- Agencies Can Make Progress Toward Meeting Socioeconomic Objectives a Primary Best-Value Evaluation Factor.¹³
- Unit Prices Are Already Determined Fair & Reasonable at the Schedule Contract Level.¹⁴

- Agencies Are Free to Negotiate Discounts from GSA “Most Favored Customer” Pricing.¹⁵
- Schedule Contractors Can Team Across Schedules for All-Schedule Solutions to Complex Requirements.¹⁶
- Streamlined RFQ and Ordering Procedures Simplify and Save Time Compared to Complex FAR Part 15 Procedures.¹⁷
- Ordering Agencies Can Retain Full Control Over Their Task Orders; GSA Permission is Not Required to Place Schedule Orders.¹⁸
- GSA Schedules Support the Use of the Government Commercial Purchase Card as an Ordering and Payment Mechanism.¹⁹
- GSA Provides Classroom and Online Training for Agencies on How to Use GSA Schedules.²⁰

¹ Comments on this document can be addressed to david.clemens@gsa.gov, 12/20/2007.

² FAR 8.404(a) refers. The lack of a 10-day posting requirement and the exemption from the synopsis requirement further reduces procurement lead time for Schedule orders.

³ Schedule contract clauses are available for inspection on each Schedule’s FedBizOpps-posted solicitation. The included clauses are those required of commercial (FAR Part 12) supply or service contracts. Agencies are free to add to their orders any clauses not conflicting with the FAR or the clauses in the Schedule contract. Options? Award term provisions? Performance incentives? Go for it!

⁴ Ordering agencies are not required to make a separate FAR Subpart 9.1 responsibility determination for Schedule contractors as that determination has already been accomplished by the Schedules Contracting Officer. *Advanced Technology Systems, Inc.*, B-296493.6, October 6, 2006.

⁵ The Minimum Order amount on Schedule contracts is very low, typically \$300 or less. The so-called “Maximum Order Limitation” (MOL) is a misnomer because it actually places no dollar limitation on the authority of the ordering activity to place an order for any amount. The MOL is actually a renegotiation threshold at which ordering activities shall seek additional price discounts.

⁶ Agencies can use *Schedules eLibrary* (<http://www.gsaelibrary.gsa.gov>) to determine which Schedule(s) and SIN(s) are necessary to meet their requirements. Searching service contracts pricelists at *GSA Advantage* (<http://www.gsaadvantage.gsa.gov>) using keywords from the PWS can assist in market research. Accessing those same pricelists is important when the agency enduser is preparing a Government estimate for acquisition planning. *GSA eBuy* (<http://www.ebuy.gsa.gov>) can be used as a “sources sought notice” to post a Request for Information (or even a Draft RFQ for comment) visible to all holders of a particular Schedule SIN. In the RFQ phase, the *eBuy* website can be used to send out the Schedule order RFQ. (In addition, *GSA Advantage* can be used for the quick and easy process of online shopping and ordering for products.)

⁷ See <http://www.gsa.gov/bpa> and FAR 8.405-3 for information on Schedule BPAs. Schedule BPAs can be Single-Award or Multiple-Award just like indefinite quantity-type contracts. Agencies have the same flexibility with Schedule BPAs (non-conflicting clauses, options, source selection, price discount negotiations, etc.) as they do with Schedule orders. Schedule BPAs, which are simplified acquisition

methods for both supplies and services, offer significantly lower procurement lead times when compared with the resources necessary to establish agency IDIQs.

⁸ Neither FAR SubPart 8.4 nor the terms of the Schedule contracts place any restriction on the flexibility of the ordering agency to establish desired order evaluation factors or source selection procedures. Because FAR Part 15 does not apply to Schedule orders or Schedule BPAs (see note 17 below), Schedule ordering permits streamlined and simplified source selection. Agencies can evaluate quotes for Schedule orders or BPAs from anywhere in the Best Value Continuum from low-price-technically-acceptable to full best value evaluation.

⁹ FAR 8.002 provides the prioritized list of Government supply and service sources. According to those priorities, agencies shall satisfy their requirements for supplies and services from GSA Schedules in preference to commercial (open-market) sources.

¹⁰ Schedule BPAs and orders are considered to be issued using full and open competition. FAR 6.102(d)(3). When placing orders against GSA Schedules or establishing Schedule BPAs, ordering agencies shall not seek competition outside the MAS program. FAR 8.404(a). When agencies use the FAR 8.405-1 and -2 ordering procedures, the requirements of the Competition in Contracting Act (CICA) of 1984 have been met.

¹¹ Over 10 million supplies and services are available on GSA's 42 Multiple Award Schedules. A particular Schedule can typically have many hundreds of available contractors representing the whole range of socioeconomic categories. To see a hypertext list of GSA's Schedules, go to

<http://www.gsaelibrary.gsa.gov> and then pull down "Federal Supply Schedule Listing" from the menu bar.

¹² Schedule contracts for services include the applicable Time and Materials clause(s). Agencies can view the Schedule contract clauses at *FedBizOpps* via the *Schedules eLibrary* page for each Schedule. I suggest you include the provision FAR 52.216-31 *Time-and-Material/Labor –Hour Proposal Requirements – Commercial Item Acquisitions* in the RFQ for a commercial Level of Effort (T&M or LH) task order.

¹³ FAR 8.405-5. With the exception of Schedule orders to 8(a) contractors (see 71 FR 66434 of 11/15/2006 eff. 6/30/2007), orders placed against Schedule contracts may be credited toward the ordering activity's socioeconomic goals. See also http://www.gsa.gov/gsa/cm_attachments/GSA_DOCUMENT/V-05-12_R22J2R_0Z5RDZ-i34K-pR.doc Socio-Economic Programs Under Schedules, GSA Acquisition Letter V-05-12 dated 6/6/2005.

¹⁴ FAR 8.404(d).

¹⁵ *Ibid.*, FAR 8.405-1(d), 8.405-2(c)(3)(ii). FAR 8.405-4: "Schedule contractors are not required to pass on to all Schedule users a price reduction extended only to an individual ordering activity for a specific order."

¹⁶ See <http://www.gsa.gov/cta> for FAQs on Schedule contractor teaming and information on the contents of a Contractor Team Agreement.

¹⁷ Nothing in FAR Part 15 applies to Schedule orders or BPAs. FAR 8.404(a). Ordering activities failing to treat a Schedules procurement under FAR 8.4 as a streamlined acquisition and instead relying on the more complex Part 15 acquisition procedures do so at their peril. The United States Court of Claims has specifically held that FAR Part 15 is not applicable to MAS orders. See *Ellsworth Associates, Inc. v United States*, 45 Fed. Cl. 388 (1999). The Government Accountability Office (GAO) has also stated that FAR Part 15 does not apply to Schedule orders. See *Computer Products, Inc.*, B-284702, May 24, 2000. If a formal FAR Part 15 negotiation process or something akin to it is utilized (as in debriefing), GAO may use FAR Part 15 as guidance in reviewing an agency's actions. See *ACS Government Solutions Group, Inc.*, B-282098.2, B-282098.3, June 2, 1999. Discussions with contractors are not required for Schedule orders. Instead the Ordering CO can seek additional information regarding an RFQ without triggering Part 15 discussion rules. See *Intelligent Decisions, Inc.*, B-274626.2, December 23, 1996 and *ViON Corporation*, B-283804.2, January 24, 2000.

¹⁸ There are GSA offices that will (for a fee) act as an agency's Ordering Officer. But those "assisted services" are not required in order for agencies to directly issue and administer their delivery/task orders against the GSA Schedules. **Ordering activities pay no fee to GSA to issue their own orders against a Schedules contract.** (The GSA Schedule contract prices already include a 0.75% Industrial Funding Fee which the Schedule contractors remit to GSA. Ordering activities receiving a quote from a Schedule contractor with a 0.75% IFF added to the quote should inform the contractor that the Schedule price already includes the IFF. Ordering Officers may wish to contact the GSA Contracting Officer if necessary.)

¹⁹ All GSA Schedules require contractors to accept the purchase card for Schedule orders at or below the micropurchase threshold. Most contractors also choose to accept the purchase card for orders above the micropurchase threshold. (See each contractor’s *GSA Advantage*-posted pricelist for more information.) Shopping at *GSA Advantage* supports the use of the purchase card.

²⁰ GSA websites like *eBuy* and *GSA Advantage!*[®] include tutorials. The free online training course “**Using GSA Schedules – Customer (Services)**” is available at <http://cae.gsa.gov>. That same training website includes the “GSA Schedule Order Checklist” in the course library. The checklist is a useful summary for ordering agencies.



Conducting Scope Determinations for IDIQ Orders

A closer look at the ins and outs of scope-of-contract determinations and task and delivery order contracts.

This article is intended to facilitate scope-of-contract determinations, in general, to educate contracting personnel on this subject and to highlight methods for proper use of task and delivery order contracts. Because there is a renewed interest in the appropriate use of task and delivery order contracts throughout the federal procurement community and because of the General Services Administration's Multiple Award Schedule (MAS) program's status as the commercial purchase method of choice for many federal agencies,¹ this article examines scope-of-contract determinations in the context of MAS orders.

In general, the federal contracting community can promote proper use of task and delivery order contracts in two ways: (1) by ensuring order and solicitation statements of work and item descriptions are refined to remove ambiguity to the maximum extent practicable and (2) by ensuring contracting personnel are knowledgeable about the proper test used to determine whether a proposed task or delivery order is within the scope of a contract. Determining whether a proposed task is within the scope of a given contract is an essential part of the contracting process. Contracting personnel, both public and private, can use the methods described in this article to help ensure scope-of-contract determinations are within the acceptable range as described by the boards of contract appeals, the Government Accountability Office (GAO), and the courts.

When purchasing commercial items, with the wide variety of procurement vehicles available, contracting officers can frequently accomplish a desired goal using an existing contract. However, due in part to the array of available contracts, requiring activities need counseling and guidance to determine which contract is best suited to the circumstances of the acquisition. Deciding which contract is best suited to the requirement involves a determination of whether the requirement is within the scope of the contract.

The test for whether any task or delivery order is within the scope of a contract is somewhat analogous to the "cardinal change" test used to determine whether a contract modification is within scope under either the Competition in Contracting Act (CICA) or the standard *Federal Acquisition Regulation (FAR)* Changes clause of the contract.² The tests under CICA and the Changes clause are essentially the same because task and delivery orders and change orders both direct the contractor to do something, but the question is whether that "something" is within scope of the original contract.³

A contracting officer's scope-of-contract determination is discretionary and will likely be sustained on protest unless it is shown to be unreasonable or in violation of CICA.⁴ However, there is no "bright line" rule because scope-of-contract determinations are highly fact-dependent, and each determination will depend on the specific circumstances involved.⁵

When considering whether a proposed task is within the original contract's scope, appeal authorities will generally examine three factors: (1) type of work, (2) period of contract performance, and (3) cost.⁶ Because MAS contracts contain a maximum order threshold,⁷ as opposed to a cost ceiling, and because the period of contract performance is typically five years,⁸ period of performance and cost are usually less significant than the "type of work" factor when dealing with MAS contracts. Therefore, the main question in the context of scope-of-contract determinations under MAS contracts is whether the proposed task would result in a *material departure* from the type of work described in the original contract.

The Tests

The first test in conducting a scope-of-contract determination is a comparison between the proposed task and the scope description in the contract. Accordingly, when conducting

the comparison, contracting personnel should first consider whether a significant difference exists between the contemplated products or services and the products or services explicitly provided for in the contract.⁹ If a significant difference exists, it is a strong indication the contemplated task or item is outside the scope of the contract.

In MAS contracts, there are three levels of contract scope—the scope of the schedule, the scope of the special item number (SIN), and the scope of the contract—each with an increased degree of specificity. When performing a scope-of-contract determination for an MAS order, contracting personnel should compare the contemplated task to each of these levels of scope.

- First, contracting personnel should look to the scope of the schedule, as described in section B of the solicitation.¹⁰ Schedule scope descriptions are stated in general terms, so as to include as many commercial products and services as possible, subject to the federal supply classes (FSC) and North American industry classification system (NAICS) codes indicated in the solicitation description.

- Next, contracting personnel should consider the scope of the SIN.¹¹ SIN descriptions are found in both section B of the solicitation¹² and in the GSA's e-Library¹³ and break down the broad schedule scope into more manageable categories of related products and services.

Specific SIN(s) awarded

- Finally, contracting personnel should consider the contract-level scope. This is the most specific expression of contract scope in a MAS contract and can be accessed through the GSA Advantage![®] system¹⁴ or, as appropriate, by contacting the contractor directly.¹⁵ The essence of the scope of a given contractor's MAS contract is articulated in that contractor's price list.¹⁶ If a significant difference exists between the contemplated products or services and the products or services explicitly provided for in the price list, then the product or service should not be considered to be within the scope of the contract.

Specific labor categories awarded

It is important to note that a contractor's ability to perform the proposed task is not a controlling factor when determining scope.¹⁷ What the parties memorialized in the contract and what they had in mind at the time of contract formation, while not necessarily dispositive, is much more significant.¹⁸

The second test is whether offerors would have or should have reasonably anticipated the proposed type of work, given the original contract's scope description. Appeal authorities have framed this question in various ways, for example:

- Does the contract adequately advise offerors of the potential for the opportunity to perform the contemplated type of work?¹⁹

- Would reasonable offerors, at the time of award, have expected the task to fall within the contract's scope?²⁰
- Would offers submitted on the basis of the contemplated task be different in design, price, and delivery schedule from those submitted under the original contract's scope description?²¹
- Would the field of competition have been essentially different under the contemplated task?²²

Whether offerors would reasonably have anticipated the proposed task—the second test—depends heavily on the language of the solicitation.²³ Therefore, solicitation item descriptions should be reviewed and refined to ensure accuracy. The ability of contracting personnel to protect government interests through the use of these tests and the ability of contractor personnel to identify the proper scope of work under a contract are directly related to the precision of the contract's statement of work or item description.

Finally, while a contractor should not accept out-of-scope orders, it is ultimately up to the duly authorized government-contracting officer to determine what is within scope. The GAO has recognized that contractors, presented with the opportunity to perform additional work, often have little incentive to question seriously whether a proposed task is outside the scope of the original contract.²⁴ It is therefore imperative that government-contracting personnel meticulously perform this important function. This is not to say that contractors should ignore the necessity of a scope-of-contract determination. A contemporary catch phrase related to this subject is that "with revenue comes responsibility," and

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a contractor who knowingly misrepresents the scope of his/her contract to get more business could face suspension and debarment proceedings²⁵ in addition to the bad publicity that has recently followed the misuse of government contracts.²⁶ A recommended course of conduct for a contractor to follow when receiving an order that may be outside the scope of its contract is to bring the issue to the attention of the government contracting officer responsible for the order before beginning performance. If the government-contracting officer directs the contractor to proceed notwithstanding the possibility of the work being out of scope, the contractor should document his/her actions and, if appropriate, proceed to perform the work as requested. **CM**

Endnotes

1. With annual sales growth more than 20 percent for each of the past seven years and total sales more than \$31 billion for FY 2004, MAS sales currently represent approximately 10 percent of annual federal contracting dollars.
2. *Williams Elec. Co. v. Dept. of the Army*, GSBGA Nos. 13356-P, 13390-P at 7, 96-1 BCA ¶ 28,038, (quoting *AT & T Communs., Inc., v. Wiltel, Inc.*, 1 F.3d 1201, 1205 (Fed.Cir. 1993)).
3. *Williams Elec. Co.*, GSBGA No. 13356-P, at 7.
4. MAS orders conducted in compliance with the procedures at FAR part 8.4 are by definition compliant with CICA, as are the MAS contracts themselves. 41 U.S.C. § 259(b)(3) (1997). The MAS program meets CICA competition requirements because (1) participation is open to all responsible sources and (2) the planning, solicitation, and award of an MAS contract ensure selection of the lowest-cost alternative that satisfies the government's needs. This position was confirmed in *Sales Resources Consultants, Inc.*, B-284943, B-284943.2, 2000 CPD ¶ 102 (2000), see also 41 U.S.C. § 259(b)(3) (1997). For an in-depth discussion of CICA and FAR part 15 applicability to MAS procurements, see *Comark Federal Systems*, B-278343, B-278343.2, 98-1 CPD ¶ 34 (1998), and its progeny.
5. *American Air Filter Co.—DLA Req. for Reconsideration*, B-188408, 57 Comp. Gen. 567, 573 (1978), 78-1 CPD ¶ 443 (affirming 57 Comp. Gen. 285).
6. *Amer. Air Filter Co.*, B-188408, 57 Comp. Gen. 285, 286 (1978) *aff'd on reconsideration*, 57 Comp. Gen. 567 (1978), 78-1 CPD ¶ 443.
7. See FAR 16.506(b), 52.216-19.
8. See e.g., General Services Admin. Solicitation No. FCIS-JB-980001-B-Refresh#16 (Issued July 15 2005), Fed. Supply Schedule for Gen. Purpose Commercial Info. Tech. Equip., Software, and Servs. FSC Group 70, available at <http://fs1.eps.gov/EPSSData/GSA/Synopses/13/FCIS-JB-980001-B/part1-refresh-16.doc>, herein after "Schedule 70 solicitation." at A-FSS-11 CONSIDERATION OF OFFERS UNDER STANDING SOLICITATION and I-FSS-163 OPTION TO EXTEND THE TERM OF THE CONTRACT (EVERGREEN).
9. See *Neil R. Gross & Co.*, B-237434, 69 Comp. Gen. 247, 294 (1990), 90-1 CPD ¶ 212.
10. See e.g., Schedule 70 solicitation.
11. SIN is the given name for categories of MAS contract items.
12. See e.g., Schedule 70 solicitation, *supra*, note 10.
13. www.gsaelibrary.gsa.gov. E-Library is a Web site maintained by GSA. It contains a search engine that allows users to search by keywords, category, contractor/manufacture name, contract number, or Schedule/SIN/GWAC number. It was created to aid in the research and identification of contractors offering services and products on Multiple Award Schedules and GWAC contracts.
14. www.gsaadvantage.gov. GSA Advantage! is an on-line shopping system and is a registered trademark of the General Services Administration.
15. General Services Administration Acquisition Manual (GSAM) 552.238-71 requires MAS vendors to provide a price list to the GSA contracting officer and to any ordering activities that request it.
16. Other contract terms and conditions may be applicable to the scope, but because of the methods used to negotiate MAS contracts, the price list is generally considered to be the core of the contract scope.
17. *American Air Filter Co.*, 57 Comp. Gen. 567 at 571.
- * 18. The analysis is not necessarily over at this point if the required item is determined to be out of scope. Methods exist for adding non-schedule items to schedule orders and a contractor can always request a modification to its contract to add the item or service in question to the contract price list. *Careful if ("out of scope" vs. open market incidental item.) (8.402(f))*
19. See *American Air Filter Co.*, 57 Comp. Gen. 567 at 571.
20. *AT & T Communs., Inc., v. Wiltel, Inc.*, 1 F.3d 1201, 1205 (Fed.Cir. 1993).
21. See *Neil R. Gross & Co.*, 69 Comp. Gen. 247 at 294.
22. *Defense Tech. Corp.—Dept. of the Navy Req. for Reconsideration*, B-229972, B-229972.2, B-229972.3, 67 Comp. Gen. 614, 617 (1988), 88-2 CPD ¶ 273 (affirming 67 Comp. Gen. 404).
23. *Northrop Grumman Corp. v. U.S.*, 50 Fed.Cl. 443, 466 (2001).
24. *American Air Filter Co.*, 57 Comp. Gen. 567 at 573.
25. See e.g., Michael Hardy, "CACI Faces Potential Debarment," *Federal Computer Week* (May 28, 2004), available at www.fcw.com/fcw/articles/2004/0524/web-caci-05-28-04.asp.
26. See e.g., Shane Harris, *Bad to Worse, Government Executive* (September 15, 2004), available at www.govexec.com/features/0904-15/0904-15newsanalysis2.htm.

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NOT AN OFFICIAL GSA POLICY DOCUMENT

* Open-market incidental items must still be within the scope of the SINs awarded to a contractor.

Handout G: Extract from GSA Task Order Checklist
 (from “Documents” at GSA Center for Acquisition Excellence, <http://cae.gsa.gov>, 12/20/2007)

B. GSA SCHEDULE CONTRACTING CHECKLIST FOR SERVICES THAT REQUIRE AN ORDERING ACTIVITY STATEMENT OF WORK					
Quest	When using GSA Schedules you should be able to answer “Yes” to ALL the applicable questions below. If your answer is “No” to ANY question, take action to correct the deficiency. For additional guidance in answering any question, select “GO TO Related Questions.”	Yes	No	N/A	GO TO Related Questions
B.1	Do you use GSA e-Tools and/or other available sources for market research?				B.1
B.2	Is the statement of work (SOW) adequate for the requirement?				B.2
B.3	Does the quality assurance surveillance plan (QASP) meet the requirements of good business practice?				B.3
B.4	Is the required service available from a higher priority source?				B.4
B.5	Does the statement of work permit commercial item acquisition?				B.5
B.6	If the current statement of work does not permit commercial item acquisition, should it be modified to permit commercial item acquisition?				B.6
B.7	Can the service be acquired using the GSA Schedules Program?				B.7
B.8	Do you consider relevant factors in developing an acquisition strategy for the Schedule order?				B.8
B.9	Should the ordering activity, activities, or agencies establish Schedule blanket purchase agreement(s)?				B.9
B.10	If the requirement is covered by an existing Schedule blanket purchase agreement (BPA), do you follow appropriate procedures when identifying contractors to receive a copy of the request for quotations (RFQ)?				B.10
B.11	If the requirement is not covered by an existing Schedule blanket purchase agreement, is the number of Schedule contractors identified to receive the request for quotations adequate for the requirement?				B.11
B.12	Is the request for quotations adequate for the requirement?				B.12
B.13	Are Schedule solutions evaluated fairly in accordance with the criteria established in the request for quotations?				B.13
B.14	Does the Schedule order meet all Federal Acquisition Regulation (FAR) requirements?				B.14
B.15	When a Schedule blanket purchase agreement (BPA) is used, does the BPA meet all FAR order placement requirements?				B.15

B.1 Do you use GSA e-Tools and/or other available sources of GSA Schedules information for market research?			
Quest	Situation	Related Questions	Then
B.1.1	If your answer is “YES” to EITHER of the following questions:	<ul style="list-style-type: none"> Do you use Schedules e-Library (http://www.gsa.gov/elibrary) to identify contractors that provide the type of service or supply required under the current acquisition? Do you use GSA Advantage! (http://www.gsa.gov/advantage) to identify the services or 	You are using GSA e-Tools in your market research.

		supplies that meet the current acquisition requirement?	Answer “Yes” to Question B.1. Return to Checklist B.
B.1.2	If your answer is “YES” to ANY of the following questions:	<ul style="list-style-type: none"> • Do you use information from Schedule pricelists in your market research to identify available services and supplies? • Do you use information from knowledgeable individuals to identify Schedule contractors, services, or supplies? • Do you use information from recent market research to identify Schedule contractors, services, or supplies? • Do you use information from the Interagency Contract Directory (http://www.contractdirectory.gov) to identify Schedule contractors? • Do you use information from Schedule contractor catalogs to identify services or supplies available under GSA Schedules? • Do you use information from Schedule contractor brochures and promotional material to identify services or supplies available under GSA Schedules? 	You are using other available sources of Schedule GSA Schedules information. Answer “Yes” to Question B.1. Return to Checklist B.
Otherwise the answer to Question B.1 is “No” or “N/A.” If you select “N/A,” you should be able to explain your rationale. Return to Checklist B.			

B.2 Is the statement of work adequate for the requirement?			
Quest	Situation	Related Questions	Then
B.2.1	If your answer is “YES” to ALL the following questions:	<ul style="list-style-type: none"> • Does the statement of work (SOW) include: <ul style="list-style-type: none"> ▪ The work to be performed; ▪ The location of work; ▪ The period of performance; ▪ The deliverable schedule; ▪ Applicable performance standards; and ▪ Any special requirements (e.g., security clearances, travel, or special knowledge)? (See FAR 8.405-2(b)) • Does the SOW define the requirement using clear, concise language that identifies the specific work to be accomplished? (See FAR 37.602-1(a)) • Is the SOW a performance-based document that to the maximum extent practicable: (See FAR 8.405-2(b) and 37.602-1(b)) <ul style="list-style-type: none"> ▪ Describes the requirement in terms of the required output rather than either how the work is to be accomplished or the number of hours to be provided; ▪ Enables assessment of work performance against measurable performance standards; ▪ Relies on the use of measurable performance standards and financial incentives to encourage innovative and cost-effective methods of performing the work; and ▪ Avoids combining requirements into a single acquisition that is too broad for the agency or a prospective contractor to manage effectively. 	The SOW meets requirements of FAR 8.405-2(b) and 37.602-1 for a performance-based SOW. Answer “Yes” to Question B.2. Return to Checklist B.

B.2.2	If your answer is “YES” to ALL the following questions:	<ul style="list-style-type: none"> • Does the statement of work (SOW) include: <ul style="list-style-type: none"> ▪ The work to be performed; ▪ The location of work; ▪ The period of performance; ▪ The deliverable schedule; ▪ Applicable performance standards; and ▪ Any special requirements (e.g., security clearances, travel, or special knowledge)? (See FAR 8.405-2(b)) • Does the statement of work define the requirement using clear, concise language that identifies the specific work to be accomplished? (See FAR 37.602-1(a)) • If the SOW is not performance-based, does the order file include a written statement that describes the rationale for using another type of SOW (i.e., a detailed SOW or level-of-effort SOW)? (See FAR 8.405-7(b)(4)(ii)) 	<p>The SOW meets the requirements of FAR 8.405-2(b) and FAR 8.405-7(b)(4)(ii) for acquiring services using other than a performance based order.</p> <p>Answer “Yes” to Question B.2.</p> <p>Return to Checklist B.</p>
Otherwise the answer to Question B.2 is “No” or “N/A.” If you select “N/A,” you should be able to explain your rationale. Return to Checklist B.			

B.3 Does the quality assurance surveillance plan (QASP) meet the requirements of good business practice?			
Quest	Situation	Related Questions	Then
B.3.1	If your answer is “YES” to ALL the following questions:	<ul style="list-style-type: none"> • Is the quality assurance surveillance plan (QASP) at the same time as the statement of work (SOW)? • Does the QASP include: <ul style="list-style-type: none"> ▪ Purpose or objective of the plan; ▪ Roles and responsibilities of Government personnel affected by the plan; ▪ Surveillance tasks associated with the plan; ▪ Acceptable levels of quality for the service under surveillance; and ▪ Documentation and reporting requirements? • Are the surveillance methods (e.g., random sampling or periodic inspection) identified in the surveillance tasks appropriate for the services under surveillance? 	<p>The QASP meets the requirements of FAR 37.602-2 and good business practice.</p> <p>Answer “Yes” to Question B.3.</p> <p>Return to Checklist B.</p>
Otherwise the answer to Question B.3 is “No” or “N/A.” If you select “N/A,” you should be able to explain your rationale. Return to Checklist B.			

B.4 Is the required service available from a higher priority source?			
Quest	Situation	Related Questions	Then
B.4.1	If your answer is “NO” to the following question:	<ul style="list-style-type: none"> • Is the required service available from the Procurement List maintained by the Committee for Purchase From People Who Are Blind or Severely Disabled? (See FAR 8.002(a)(2)) 	<p>The service is not available from a higher priority source for meeting service requirements.</p>

			Answer “Yes” to Question B.4. Return to Checklist B.
Otherwise the answer to Question B.4 is “No” or “N/A.” If you select “N/A,” you should be able to explain your rationale. Return to Checklist B.			

B.5 Does the statement of work permit commercial item acquisition?			
Quest	Situation	Related Questions	Then
B.5.1	If your answer is “YES” to BOTH the following questions:	<ul style="list-style-type: none"> Does the statement of work (SOW) require an installation service, maintenance service, repair service, training service, or other service being acquired for support of nongovernmental supplies, evolved nongovernmental supplies, or modified nongovernmental supplies, whether or not such services are provided by the same source or at the same time as the related supply? Do the sources of the required installation service, maintenance service, repair service, training service, or other service provide similar services contemporaneously to the general public under terms and conditions similar to those offered to the acquiring activity? 	<p>The SOW describes a requirement that meets the commercial item definition. (FAR 2.101(b))</p> <p>Answer “Yes” to Question B.5.</p> <p>Return to Checklist B.</p>
B.5.2	If your answer is “YES” to the following question:	<ul style="list-style-type: none"> Does the SOW require a service offered and sold competitively in substantial quantities in the commercial marketplace based on established catalog prices or market prices? 	<p>The SOW describes a requirement that meets the commercial item definition. (FAR 2.101(b))</p> <p>Answer “Yes” to Question B.5.</p> <p>Return to Checklist B.</p>
Otherwise the answer to Question B.5 is “No” or “N/A.” If you select “N/A,” you should be able to explain your rationale. Return to Checklist B.			

B.6 If the current statement of work does not permit commercial item acquisition, should it be modified to permit commercial item acquisition?			
Quest	Situation	Related Questions	Then
B.6.1	If your answer is “YES” to BOTH the following questions:	<ul style="list-style-type: none"> Is it possible to modify the statement of work (SOW) to describe the requirement in terms that will permit the activity to acquire a commercial item? Does the Government acquisition team agree that modifying the SOW will be in the best interests of the Government? 	<p>The requirement should be modified to permit commercial item acquisition considering the FAR 11.002(a)(2)(ii) preference for commercial item acquisition.</p> <p>Answer “Yes” to Question B.6.</p> <p>Return to Checklist B.</p>

Otherwise the answer to Question B.6 is “No” or “N/A.” If you select “N/A,” you should be able to explain your rationale. [Return to Checklist B.](#)

B.7 Can the service be acquired using the GSA Schedules Program?			
Quest	Situation	Related Questions	Then
B.7.2	If your answer is “YES” to ALL the following questions:	<ul style="list-style-type: none"> • Can individual Schedule contractors meet the total requirement by providing services available under the GSA Schedules Program? • Are available services and/or supplies included in the scope of the relevant Schedule contract(s)? • Is use of GSA Schedules to acquire this service permitted by current law and regulation (e.g., Architect-Engineer services CANNOT be acquired using GSA Schedules because Contracting Officers must follow the requirements of the Brooks Act and FAR 36.6, Architect-Engineer Services)? 	<p>You can acquire the service under the GSA Schedule Program.</p> <p>Answer “Yes” to Question B.7.</p> <p>Return to Checklist B.</p>
B.7.3	If your answer is “YES” to ALL the following questions:	<ul style="list-style-type: none"> • Can two or more Schedule contractors team together to meet the total requirement by providing services available under the GSA Schedules Program? • Are available services included in the scope of the relevant Schedule contract(s)? • Is use of GSA Schedules to acquire this service permitted by current law and regulation (e.g., Architect-Engineer services CANNOT be acquired using GSA Schedules because Contracting Officers must follow the requirements of the Brooks Act and FAR 36.6, Architect-Engineer Services)? 	<p>You can acquire the service under the GSA Schedule Program.</p> <p>Answer “Yes” to Question B.7.</p> <p>Return to Checklist B.</p>
B.7.4	If your answer is “YES” to ALL the following questions:	<ul style="list-style-type: none"> • Can the ordering activity meet a portion of the requirement under the GSA Schedules Program while meeting the remainder of the requirement using an open market acquisition? • Are available Schedule services included in the scope of the relevant Schedule contract(s)? • Is use of GSA Schedules to acquire this service permitted by current law and regulation (e.g., Architect-Engineer services CANNOT be acquired using GSA Schedules because Contracting Officers must follow the requirements of the Brooks Act and FAR 36.6, Architect-Engineer Services)? • Will the ordering activity benefit by meeting a portion of the requirement under the GSA Schedules Program while meeting the remainder of the requirement using an open market acquisition? • Can the open market portion of the acquisition be completed while complying with ALL applicable acquisition regulations (e.g., the guidance on publicizing acquisitions in FAR Part 5; competition in FAR Part 6; commercial item acquisition in FAR Part 12; contracting methods in FAR Parts 13, 14, and 15; and small business programs in FAR Part 19)? (See FAR 8.402(f)(1)) • Will the ordering activity contracting officer be able to determine that the price for the services or supplies not on a GSA Schedule contract is fair and reasonable? (See FAR 8.402(f)(2)) • Can the services or supplies not on a GSA Schedule contract be clearly identified and labeled? (See FAR 8.402(f)(3)) • Can all clauses applicable to the services or supplies not on GSA Schedule be included in the 	<p>You can acquire a portion of the requirement under the GSA Schedule Program. The remainder of the requirement must be met using ALL applicable open market acquisition procedures.</p> <p>Answer “Yes” to Question B.7.</p> <p>Return to Checklist B.</p>

	order? (See FAR 8.402(f)(4))	
Otherwise the answer to Question B.7 is “No” or “N/A.” If you select “N/A,” you should be able to explain your rationale. Return to Checklist B.		

B.8 Do you consider relevant factors in developing an acquisition strategy for the Schedule order?			
Quest	Situation	Related Questions	Then
B.8.1	If your answer is “YES” to the following question:	<ul style="list-style-type: none"> • Can you obtain the best value by awarding the order to the contractor with the lowest price for a technically acceptable service or supply? 	Your request for quotations (RFQ) should state that award will be made to the contractor that quotes lowest price for a technically acceptable service or supply.
B.8.2	If your answer is “YES” to the following question:	<ul style="list-style-type: none"> • Should tradeoffs between factors such as (but not limited to) the following be considered in addition to price and technical acceptability in identifying the best value for the ordering activity: <ul style="list-style-type: none"> ▪ Past performance; ▪ Special features required for effective program performance; ▪ Trade-in considerations; ▪ Probable life of the item selected as compared with that of comparable items; ▪ Warranty considerations; ▪ Maintenance availability; ▪ Environmental and energy efficiency considerations; or ▪ Delivery terms? 	Your request for quotations (RFQ) should state that evaluation for award will consider tradeoffs between price and the other identified best value factors.
B.8.3	If your answer is “YES” to ALL the following questions:	<ul style="list-style-type: none"> • Does the Government acquisition team agree that the Government will benefit from superior contractor performance in providing the requirement? • Can a performance incentive be used to give the contractor reason to provide superior quality performance? (FAR 37.601(a)(4)) • Would the benefit from superior contractor performance exceed the cost of the incentive and related order administration necessary to obtain that level of performance? • Can the ordering activity obtain the funds and any necessary approval needed for use of a performance incentive? 	Include a performance incentive in the RFQ and the Schedule order.
B.8.4	If your answer is “YES” to BOTH the following questions:	<ul style="list-style-type: none"> • Are there other requirements (e.g., a Defense Priorities and Allocation System rating) that should be added to the Schedule acquisition? • Can the additional requirement be added using terms and conditions that do not conflict with the Schedule contract terms and conditions? 	Add the identified requirement to the RFQ and the Schedule order keeping in mind that additional terms and conditions must not conflict with Schedule contract terms and conditions or result in an order scope different than the Schedule contract.
B.8.5	If your answer is “YES” to BOTH the following	<ul style="list-style-type: none"> • Will a contractor need additional services or supplies to complete the contract? • Are the required additional services or supplies included under the Schedule contract (i.e., 	You may include the contract support items as part of the Schedule order.

	questions:	Schedule contract support items)?	
B.8.6	If your answer is “YES” to ALL the following questions:	<ul style="list-style-type: none"> • Will a contractor need additional services or supplies to complete the contract? • If the required additional services or supplies are not included under the Schedule contract, can they be acquired following ALL the applicable open market acquisition requirements of: <ul style="list-style-type: none"> ▪ FAR Part 5 – Publicizing Contract Actions; ▪ FAR Part 6 – Competition Requirements; ▪ FAR Part 12 – Acquisition of Commercial Items; ▪ FAR Part 13 – Simplified Acquisition Procedures; ▪ FAR Part 14 – Sealed Bidding; ▪ FAR Part 15 – Contracting by Negotiation; and ▪ FAR Part 19 – Small Business Programs? • Can any services or supplies not covered by a Schedule contract be clearly identified in the request for quotations (RFQ) and order? 	You may include incidental items as part of the Schedule order. HOWEVER, any services or supplies not on Schedule contract must be clearly identified and all terms and conditions applicable to the open market acquisition must be included in the order.
B.8.7	If your answer is “YES” to BOTH the following questions:	<ul style="list-style-type: none"> • Will travel be required to support a service order? • Can the contractor be reimbursed for travel following the requirements of: <ul style="list-style-type: none"> ▪ Ordering agency regulations for local travel or ▪ The Federal Travel Regulation (FTR) or Joint Federal Travel Regulation (JFTR) for other travel? 	You should provide for travel cost reimbursement in the request for quotations and the Schedule order.
B.8.8	If your answer is “YES” to BOTH the following questions:	<ul style="list-style-type: none"> • Is an order with a time-and-material (T&M) or labor hour (LH) pricing arrangement more appropriate than a firm-fixed-price (FFP) order? • Has the Government acquisition team documented the rationale for using other than an FFP pricing arrangement and placed the documentation in the order file? (See FAR 8.405-7(b)(4)(i)) 	You may use a T&M or LH pricing arrangement for the Schedule order.
B.8.9	If your answer is “YES” to BOTH the following questions:	<ul style="list-style-type: none"> • Does the requirement involve bundling, that is the consolidating of two or more service requirements, previously provided or performed under separate smaller contracts, into a solicitation for a single contract that is likely to be unsuitable for award to a small business concern due to: <ul style="list-style-type: none"> ▪ The diversity, size, or specialized nature of the elements of the performance specified; ▪ The aggregate dollar value of the anticipated award; ▪ The geographical dispersion of the contract performance sites; or ▪ Any combination of the factors described above. • Are you complying with all applicable FAR requirements related to bundling (e.g., FAR 7.107)? (See FAR 8.404(c)(2)) 	Continue with the acquisition ensuring that you are complying with ALL applicable FAR requirements.
B.8.10	If your answer is “YES” to BOTH the following questions:	<ul style="list-style-type: none"> • Are you acquiring a service requirement for another agency? • Is your planning consistent with the requiring agency’s statutory and regulatory requirements applicable to the acquisition? (See FAR 8.404(c)(3)) 	Continue with the acquisition ensuring that you comply with ALL applicable statutory and regulatory requirements.
B.8.11	If your answer is “YES” to BOTH the following questions:	<ul style="list-style-type: none"> • Is a written acquisition plan required by agency policy? (See FAR 7.103(e) and applicable agency policy)? • When required, does the acquisition plan address all the applicable FAR and agency requirements? (See FAR 7.105 and applicable agency policy) 	A written plan must be prepared addressing ALL applicable FAR and agency acquisition plan requirements.

Answer “Yes” to Question B.8 if your acquisition strategy considers all relevant factors including those above. [Return to Checklist B.](#)

Otherwise the answer to Question B.8 is “No” or “N/A.” If you select “N/A,” you should be able to explain your rationale. [Return to Checklist B.](#)

B.9 Should the ordering activity, activities, or agencies establish Schedule blanket purchase agreement(s)?			
Quest	Situation	Related Questions	Then
B.9.1	If your answer is “YES” to ALL the following questions:	<ul style="list-style-type: none"> • Do multiple activities or agencies have a continuing requirement for the same or similar services? • Does it appear that the multiple ordering activities or agencies will benefit from the acquisition streamlining and additional discounts typically associated with using one or more Schedule blanket purchase agreements (BPAs)? • Can the participating activities or agencies and their estimated requirements be identified at the time the BPA is established? (See FAR 8.405-3(a)(4)) 	<p>The multiple activities or agencies should establish one or more Schedule BPAs.</p> <p>Answer “Yes” to Question B.9.</p> <p>Return to Checklist B.</p>
B.9.2	If your answer is “YES” to ALL the following questions:	<ul style="list-style-type: none"> • Does the ordering activity have a continuing requirement for the same or similar services? • Does it appear that the ordering activity will benefit from the acquisition streamlining and additional discounts typically associated with using one or more Schedule blanket purchase agreements (BPAs)? • Does it appear that multiple ordering activities or agencies: <ul style="list-style-type: none"> ▪ Will not benefit from establishing one or more Schedule BPAs; or ▪ Will not be able to identify their requirements at the time a Schedule BPA is established? (See FAR 8.405-3(a)(1)) 	<p>The ordering activity should establish one or more Schedule BPAs.</p> <p>Answer “Yes” to Question B.9.</p> <p>Return to Checklist B.</p>

Otherwise the answer to Question B.9 is “No” or “N/A.” If you select “N/A,” you should be able to explain your rationale. [Return to Checklist B.](#)

B.10 If the requirement is covered by an existing Schedule blanket purchase agreement (BPA), do you follow appropriate procedures when identifying contractors to receive a copy of the request for quotations (RFQ)?			
Quest	Situation	Related Questions	Then
B.10.1	If the service requirement is covered by a <u>single</u> BPA and your answer is “YES” to ALL the following questions:	<ul style="list-style-type: none"> • Is your activity identified as an authorized ordering activity under the BPA? • Are you identified in the BPA as a person authorized to place an order? • Do you only distribute the RFQ to the BPA holder? 	<p>The identification of solutions follows appropriate procedures.</p> <p>Answer “Yes” to Question B.10.</p> <p>Return to Checklist B.</p>
B.10.2	If the service requirement is equal to or less than the micro-purchase threshold, covered by <u>multiple</u> BPAs, and your	<ul style="list-style-type: none"> • Is your activity identified as an authorized ordering activity under the BPA? • Are you identified in the BPA as a person authorized to place an order? • Do you distribute the RFQ to at least one of the BPA holders? • Do you distribute orders among BPA holders? 	<p>The identification of solutions follows appropriate procedures.</p> <p>Answer “Yes” to Question B.10.</p>

	answer is “YES” to ALL the following questions:		Return to Checklist B.
B.10.3	If the service requirement is greater than the micro-purchase threshold, covered by <u>multiple</u> BPAs, and your answer is “YES” to ALL the following questions:	<ul style="list-style-type: none"> • Is your activity identified as an authorized ordering activity under the BPA? • Are you identified in the BPA as a person authorized to place an order? • Does the BPA include guidelines on the BPA holders that will receive an RFQ for service requirements? • Do you forward the statement of work and the evaluation criteria to an appropriate additional number of BPA holders as established in the BPA ordering procedures? 	<p>The identification of solutions follows appropriate procedures.</p> <p>Answer “Yes” to Question B.10.</p> <p>Return to Checklist B.</p>
Otherwise the answer to Question B.10 is “No” or “N/A.” If you select “N/A,” you should be able to explain your rationale. Return to Checklist B.			

B.11 If requirement is not covered by an existing Schedule blanket purchase agreement, is the number of Schedule contractors identified to receive the request for quotations adequate for the requirement?			
Quest	Situation	Related Questions	Then
B.11.1	If the order will be at or below the micro-purchase threshold and your answer is “YES” to BOTH the following questions:	<ul style="list-style-type: none"> • Have you identified at least one Schedule contractor that can meet the ordering activities requirements? • Do you distribute orders among competitive Schedule contractors? (See FAR 8.405-2(c)(1)) 	<p>The number of contractors identified to receive a copy of the RFQ is adequate for the requirement.</p> <p>Answer “Yes” to Question B.11.</p> <p>Return to Checklist B.</p>
B.11.2	If the order will be greater than the micro-purchase threshold but less than or equal to the Schedule maximum order (MO) threshold and your answer is “YES” to ALL the following questions:	<ul style="list-style-type: none"> • Have you identified at least three Schedule contractors? (See FAR 8.405-1(c)) • If available, do the identified Schedule contractors include at least one contractor that falls into one of the following classifications: <ul style="list-style-type: none"> ▪ Small business concern; ▪ Veteran-owned small business concern; ▪ Service disabled veteran-owned small business concern; ▪ HUBZone small business concern; ▪ Women-owned small business concern; or ▪ Small disadvantaged business concern? FAR 8.405-5(b)) • Is a copy of the RFQ (including the evaluation criteria) provided to any Schedule contractor that requests a copy? 	<p>At least the minimum number of Schedule contractors have been identified receive a copy of the RFQ.</p> <p>Answer “Yes” to Question B.11.</p> <p>Return to Checklist B.</p>
B.11.3	If the order will be greater than the Schedule maximum order (MO) threshold and your answer is “YES” to ALL the following questions:	<ul style="list-style-type: none"> • Have you identified more than three Schedule contractors? (See FAR 8.405-1(d)) • When identifying number of additional Schedule contractors to receive a copy of the request for quotations (RFQ), do you consider, among other factors, the following: <ul style="list-style-type: none"> ▪ The complexity, scope and estimated value of the requirement; and ▪ The market search results? • If available, did the identified Schedule contractors include at least one contractor that falls into 	<p>At least the minimum number of Schedule contractors have been identified receive a copy of the RFQ.</p> <p>Answer “Yes” to Question B.11.</p>

		<p>one of the following classifications:</p> <ul style="list-style-type: none"> ▪ Small business concern; ▪ Veteran-owned small business concern; ▪ Service disabled veteran-owned small business concern; ▪ HUBZone small business concern; ▪ Women-owned small business concern; or ▪ Small disadvantaged business concern? (See FAR 8.405-5(b)) <ul style="list-style-type: none"> • Is a copy of the RFQ (including the statement of work and the evaluation criteria) provided to any Schedule contractor that requests a copy? 	Return to Checklist B.
B.11.4	If the number of sources identified is less than the number required by FAR 8.405-2 and your answer is “YES” to ALL the following questions:	<ul style="list-style-type: none"> • Do you document the circumstances and rationale for limiting the number of sources required by FAR 8.405-2? • Is the rationale based on one of the following justifications: <ul style="list-style-type: none"> • Only one source is capable of responding due to the unique or specialized nature of the work • The new work is a logical follow-on to an existing order provided that the original order was placed in accordance with FAR 8.405-1 (excluding orders placed previously under sole source requirements); • The item is peculiar to one manufacturer (a brand name item, available on various Schedule contracts, is an item peculiar to one manufacturer); or • An urgent and compelling need exists and following the ordering procedures would result in unacceptable delays? (See FAR 8.405-7(a)(4)) • Is the justification documented and approved following the requirements of FAR 8.405-6? 	<p>Under these circumstances, the limited number of identified sources is permitted in accordance with FAR 8.405-6.</p> <p>Answer “Yes” to Question B.11.</p> <p>Return to Checklist B.</p>
Otherwise the answer to Question B.11 is “No” or “N/A.” If you select “N/A,” you should be able to explain your rationale. Return to Checklist B.			

B.12 Is the request for quotations adequate for the requirement?			
Quest	Situation	Related Questions	Then
B.12.1	If your answer is “YES” to BOTH the following questions:	<ul style="list-style-type: none"> • Does the RFQ include: <ul style="list-style-type: none"> ▪ Basic information, such as: <ul style="list-style-type: none"> ○ A number or other clear RFQ identification; ○ Issuing organization; ○ RFQ closing date and time; ○ Description of each line item; ○ Quantity required of each line item; and ○ Performance/delivery location and time requirements? ▪ Any special requirements, such as: <ul style="list-style-type: none"> ○ Performance incentives; (See FAR 37.601(a)(4)) ○ Pricing arrangement other than firm-fixed-price; or ○ Any additional terms and conditions (e.g., Defense Priorities and Allocations System) that 	<p>The RFQ provides relevant information to quoters.</p> <p>Answer “Yes” to Question B.12.</p> <p>Return to Checklist B.</p>

		<p>do not conflict with the Schedule terms and conditions?</p> <ul style="list-style-type: none"> ▪ Any relevant information and instructions to quoters, such as any: <ul style="list-style-type: none"> ○ Any intent to award a BPA instead of a one-time order (when appropriate); ○ Any requirement that all Schedule contractor team arrangement participants must be Schedule contractors; ○ Any requirement for quoter information for supply/service evaluation; or ○ Requirement for quoter information to evaluate past performance? ▪ Quote evaluation criteria that, as a minimum: <ul style="list-style-type: none"> ○ Whether award will be made to the contractor with the low priced technically acceptable quote or to the contractor that offers the best value given a tradeoff of price and other identified factors; and ○ For any requirement exceeding the micro-purchase threshold, preference to the services available from small business concerns when two or more services at the same delivered price will satisfy the requirement? ▪ Any ordering activity documents or other information that the quoter would need to prepare a quotation (e.g., a copy of the statement or work and quality assurance surveillance plan)? • Is the request for quotations (RFQ) clearly and effectively transmitted to the identified Schedule contracts using: <ul style="list-style-type: none"> ▪ e-Buy; ▪ Email; or ▪ A paper document? 	
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Otherwise the answer to Question B.12 is “No” or “N/A.” If you select “N/A,” you should be able to explain your rationale. [Return to Checklist B.](#)

B.13 Are Schedule solutions evaluated fairly in accordance with the criteria established in the request for quotations?			
Quest	Situation	Related Questions	Then
B.13.1	If your answer is “YES” to ALL the following questions:	<ul style="list-style-type: none"> • Is the evaluation conducted using only the criteria stated in the request for quotations (RFQ)? • If the requirement exceeds the micro-purchase threshold, do the RFQ criteria and the evaluation give preference to the services available from small business concerns when two or more services at the same delivered price will satisfy the requirement? (See FAR 8.405-5(c)) • If market research indicates that an additional price reduction is appropriate (e.g., services are available elsewhere at a lower price), does the ordering activity pursue an additional price reduction? (See FAR 8.405-4) • If the requirement exceeds the maximum order (MO) threshold, does the ordering activity seek an additional price reduction from the Schedule contractor(s) whose solution(s) appear to represent best value after the initial evaluation? (See FAR 8.405(c)(3)(ii)) • Does the quote selected for award represent the best value, whether or not the Schedule contractor offered an additional price reduction? • Is the quoted level of effort and mix of labor reasonable for the task(s) required? (See FAR 405-3(d)) 	<p>The evaluation of Schedule solutions is conducted fairly in accordance with the criteria established in the RFQ.</p> <p>Answer “Yes” to Question B.13.</p> <p>Return to Checklist B.</p>

		<ul style="list-style-type: none"> • Is there written documentation stating that the total price is reasonable for the task(s) required? (See FAR 405-3(d)) 	
<p>Otherwise the answer to Question B.13 is “No” or “N/A.” If you select “N/A,” you should be able to explain your rationale. Return to Checklist B.</p>			

B.14 Does the Schedule order meet all Federal Acquisition Regulation (FAR) requirements?			
Quest	Situation	Related Questions	Then
B.14.1	If your answer is “YES” to ALL the following questions:	<ul style="list-style-type: none"> • Is the purchaser a: <ul style="list-style-type: none"> ▪ Warranted contracting officer; ▪ Governmentwide commercial purchase card holder acting within authorized limits for card use; or ▪ Person otherwise authorized by the ordering activity to order using GSA Schedules? • Prior to placing the order, does the purchaser ensure that the regulatory and statutory requirements of the requiring agency have been applied? (See FAR 8.404(c)(3)) • Is the written order prepared using an Optional Form 347 or an agency-prescribed form? (See FAR 8.406-1) • Does the order include the following information in addition to any information required by the Schedule contract: <ul style="list-style-type: none"> ▪ Complete shipping and billing addresses; ▪ Contract number and date; ▪ Agency order number; ▪ F.o.b. delivery point (i.e., origin or destination); ▪ Discount terms; ▪ Delivery time or period of performance; ▪ Special item number or national stock number; ▪ A brief, complete description of each service: ▪ Quantity and any variation in quantity; ▪ Number of units; ▪ Unit price; ▪ Total price of order; ▪ Points of inspection and acceptance; ▪ Other pertinent data (e.g., delivery instructions or receiving hours and size-of-truck limitation); ▪ Marking requirements; and ▪ Level of preservation, packaging, and packing. • Do orders to contractor teams under a Schedule contractor team arrangement (CTA) clearly indicate which services will be provided by each team member? (See FAR 8.406-1) 	<p>The order meets all FAR order placement requirements.</p> <p>Answer “Yes” to Question B.14.</p> <p>Return to Checklist B.</p>
<p>Otherwise the answer to Question B.14 is “No” or “N/A.” If you select “N/A,” you should be able to explain your rationale. Return to Checklist B.</p>			

B.15 When a Schedule blanket purchase agreement (BPA) is used, does the BPA meet all Federal Acquisition Regulation (FAR) requirements?			
Quest	Situation	Related Questions	Then
B.15.1	If your answer is “YES” to ALL the following questions:	<ul style="list-style-type: none"> • Is the person who signed the BPA for the ordering activity a: <ul style="list-style-type: none"> ▪ Warranted contracting officer; ▪ Governmentwide commercial purchase card holder acting within authorized limits for card use; or ▪ Person otherwise authorized by the ordering activity to order using GSA Schedules? • Prior to placing the order, does the purchaser ensure that the regulatory and statutory requirements of the requiring agency have been applied? (See FAR 8.404(c)(3)) • Is the BPA prepared using a Standard Form 1449 or other authorized form? (See FAR 12.204(a)) • Does the BPA address the following in addition to any information required by the Schedule contract: <ul style="list-style-type: none"> ▪ Frequency of ordering; ▪ Invoicing; ▪ Discounts; ▪ Requirements (e.g. estimated quantities, work to be performed); ▪ Delivery locations; and ▪ Period of the agreement? (See FAR 8.405-3(a)(2)) • If the BPA is for hourly rate services, does the BPA include: <ul style="list-style-type: none"> ▪ A statement of work (SOW) for requirements covered by the BPA; and ▪ Hourly rates for the performance of the tasks identified in the SOW? (See FAR 8.405-3(b)(3)) • Is the period of the BPA five years or less? (See FAR 8.405-3(c)) • If the period of the BPA extends beyond the current period of the Schedule contract, is the period less than the period of the current contract plus any available option periods? (See FAR 8.405-3(c)) 	<p>The order meets all FAR order placement requirements.</p> <p>Answer “Yes” to Question B.15.</p> <p>Return to Checklist B.</p>
Otherwise the answer to Question B.15 is “No” or “N/A.” If you select “N/A,” you should be able to explain your rationale. Return to Checklist B.			

Handout H: Think Simplified (Not FAR Part 15)¹

*If You Use FAR Part 15-Like Terminology and Procedures for Schedule Procurements, Courts and GAO Will Hold You to Those Part 15 Standards!*²

FAR Part 15 does not govern orders placed against the GSA Schedules. But where an agency issues a Schedule order using Part 15-like terminology and procedures, the GAO and the courts will look to FAR Part 15 to assess the propriety of the agency action in the event of a protest against the order.

For Schedule orders/BPAs, agencies *need not*:³

- comply with *anything* in FAR Part 15
- conduct a formal “negotiated procurement”
- issue a “solicitation” for thirty days (or any other pre-determined time)
- conduct a “competition”
- conduct a formal evaluation
- undertake a cost/price realism analysis
- seek contractors outside the Schedules program
- synopsise the requirement
- conduct a price evaluation on quotes Schedule rates (e.g., hourly rates)
- conduct “discussions”
- prepare extensive documentation
- conduct a formal debriefing
- determine the “competitive range” (FAR 15.3)

The cost of proposal preparation is a major consideration in the Schedule contractor’s decision to quote. With the fully-loaded (ceiling) hourly rates GSA has negotiated, the contractor has assumed only the “normal” bid and proposal costs expected for a fully-streamlined procedure. Asking for more in task order/BPA quotes risks a “no quote” from a Schedule contractor unable to recover those costs. Examples of quote obstacles to be removed include:

- unnecessarily short proposal response times
- unduly burdensome proposal instructions (oral and written)
- excessive number of evaluation factors/subfactors
- acronym filled statements of work only the incumbent can understand
- asking for *cost proposals*, cost and pricing data, or anything requiring an audit
- using FAR 15.3 concepts and procedures

¹ Adapted to Schedules order and all footnotes added by david.clemens@gsa.gov, 12/20/2007, partially based on a similar document for GWAC orders (original author unknown).

² *CourtSmart Digital Sys., Inc.* B-292995.2, B-292955.3, Feb. 13, 2004; *ACS Government Solutions Group, Inc.*, B-282098.2, B-282098.3, June 2, 1999.

³ *Ellsworth Associates, Inc. v United States*, 45 Fed. Cl. 388 (1999); *Computer Products, Inc.*, B-284702, May 24, 2000; *Intelligent Decisions, Inc.*, B-274626.2, December 23, 1996; *ViON Corporation*, B-283804.2, January 24, 2000.

Not using FAR 15.3 concepts and procedures has the following implications for your task order selection process:

1. There is no requirement to set a “competitive range” using all the published evaluation factors. This means that you can save yourself and the Schedule contractor considerable time and money by phasing your procurement in a manner that uses the least costly factors to initially down-select the quoters. For example, after providing your RFQ, you could initially down-select based upon a 10 minute telephonic presentation of an “overall concept.” Then, in a subsequent phase, you could obtain more detailed information such as a price quote (or, in a BPA, simply an offered discount below the *Advantage!*[®] price for all orders) or technical description for those contractors remaining.
2. Since a competitive range is not established, there is no need to be overly focused on the nature of exchanges with the offerors. Ordinarily, in a FAR 15.3 procurement, the Contracting Officer draws a distinction between “communications” and “discussions.” There need be no such caution on a Schedule order. You can engage in detailed exchanges about any aspect of a quote at any time. Naturally, you should make every effort to treat each quoter equitably. You must not be biased, arbitrary, or capricious and your decisions must be adequately (but not overly) documented. Protests are possible, but the risks are lower if you streamline the procurement as much as possible. But the biggest risk is that the Schedule contractor will simply refuse to quote if you are perceived as undermining the integrity of the procurement process.
3. There is no requirement to capture “The relative strengths, deficiencies, significant weaknesses, and risks supporting proposal evaluation...” as required in FAR 15.305. This means your evaluation system can be very streamlined. For example, you can use any evaluation system you wish such as pluses and minuses or simply narrative statements as long as you fully justify your ultimate selection.
4. You are not bound by the rules in FAR 15.3 for evaluating past performance, such as the requirement to provide a neutral rating to a quote without any past performance. Further, if you choose not to use past performance as an evaluation factor, there is no requirement to document the file with your rationale.
5. There is no requirement to follow the FAR 15.305 requirement to “evaluate competitive proposals and then assess their relative qualities.” In other words, your evaluation system can immediately compare (and remember, we don’t say “compete” because the CICA requirements have already been met) one quote to another in order to determine the rank ordering for selection. There is no need to first consume time rating each quote independently against the evaluation factors before making a comparison. This significantly speeds the evaluation process. Of course, you must evaluate the way you said you would in your task order/BPA RFQ.

Handout I: Resources for Additional Training

1. Use the GSA Websites (FAQs & Tutorials)

a. www.gsa.gov/schedules (check out FAQs)

b. *Schedules eLibrary* (<http://www.gsaelibrary.gsa.gov>)

- For information on a particular Schedule (SIN descriptions and list of contractors holding that SIN) pull-down Schedule name/number from *Quick Schedule* in upper right or from *Federal Supply Schedule Listing*
- Clicking on a contractor name gives information on that company's Schedule contract (or contracts), including contact information for both the company and for the GSA Contracting Officer.
- Use the search text box at the *Schedules eLibrary* home page to search by contractor name, Schedule contract number, or words in a SIN description (but not the text in a contractor's pricelist directly - - use *Advantage* for that).
- At a contractor's *eLibrary* page (showing SINs awarded), click on "Contract Terms & Conditions" to open up that particular contractor's price list (labor categories and rates for preparation of Government Estimate or for market research).

c. *GSA Advantage!®* (<http://www.gsaadvantage.gsa.gov>)

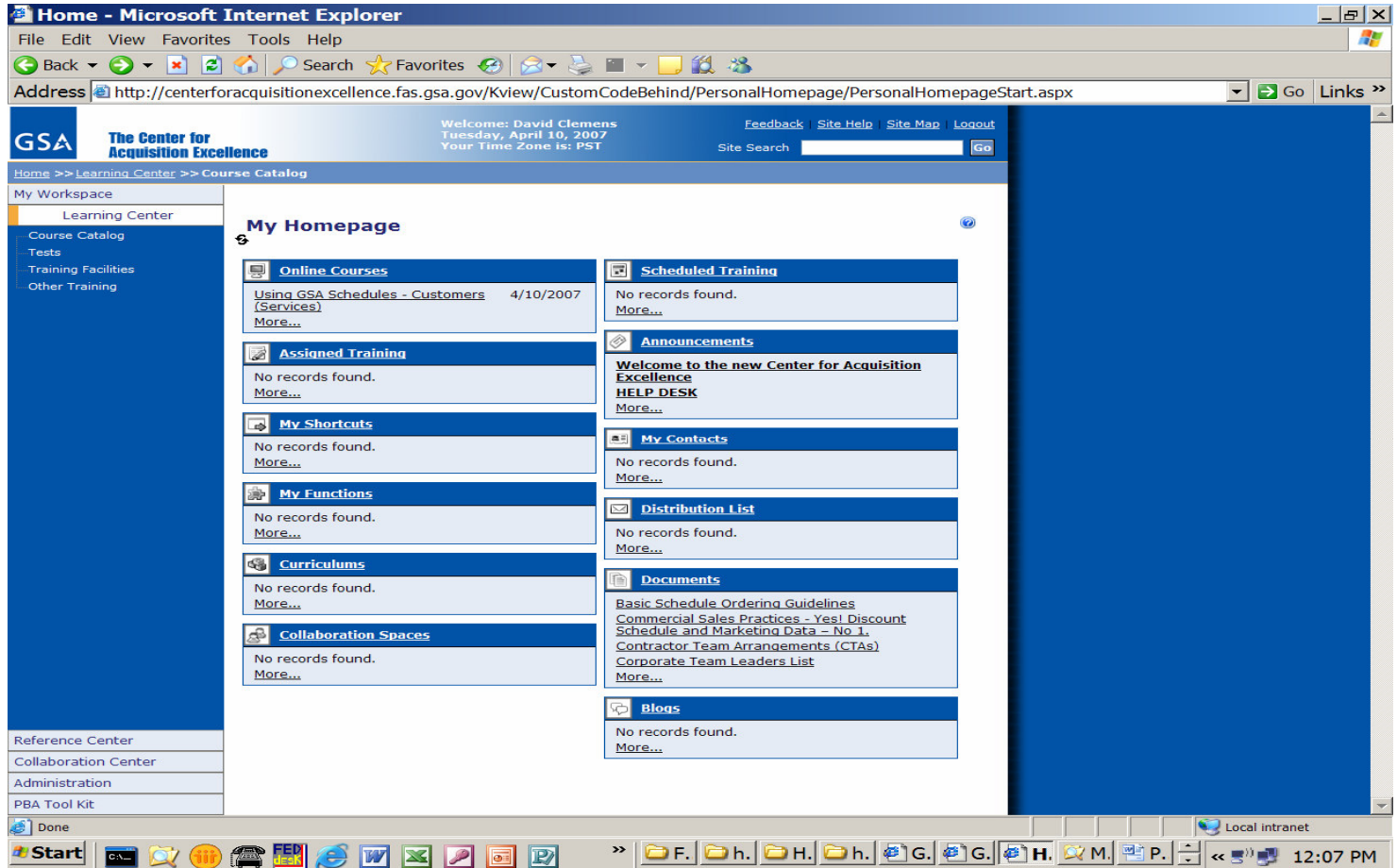
- Use search text box (*Advanced Search* is useful) at *Advantage!®* home page to search for PWS-relevant words in contractor's Schedule price lists.
- Remember to select search in "Services" (pull down) to limit results just to services.
- Always check a Schedule contractor's Task Order price quote against their GSA-approved *Advantage!®*-posted contract pricelist. The only assurance you have that a contractor was actually awarded a SIN, a labor category, or a particular (ceiling) price is to see that pricelist on the *GSA Advantage!®* website.
- *Advantage* is also an ordering method for products or for some very simple services not requiring a PWS.

d. *eBuy* (<http://www.ebuy.gsa.gov>)

- A Schedule RFQ system also very useful for *Requests for Information* notices. Use it in the same way we would use a *Sources Sought* notice on FedBizOpps for non-Schedule market research (like posting a draft PWS for industry comment).
- A good method to communicate requirements to all holders of a particular SIN, either a new requirement or as part of market research.
- Can attach PWS or drawings to an *eBuy* RFQ (5MB limit for each document)
- Learn about using *eBuy* for RFQs by selecting *eBuy Training* and then *Buyer Tutorial*

2. Take the Online Schedules Ordering Course (one for Services, one for Supplies)

Register at <http://cae.gsa.gov>:



a. Download the GSA Order Checklist from *Reference Center* and then *Documents*.

b. Take the free online course “*Using GSA Schedules – Customer (Services)*”

c. Check out the *Performance Based Acquisition Toolkit*.

3. Contact Your Local GSA Customer Service Director (CSD) (<http://www.gsa.gov/csd>)

4. Contact the GSA Schedules Contracting Officer/Acquisition Center

(every contract has a CO [see *Schedules eLibrary*] and every Schedule has a Business Management Specialist [see that Schedule's webpage listed in Handout B])

5. Read a Book/Learn from the Experience of Others

- a. Chierichella, J. and J. Aronie. *Multiple Award Schedule Contracting*, Xlibris, 640 pp., 2006.
- b. *Where in Federal Contracting* (<http://www.wifcon.com>) under the Discussion topic "GWACS, MACS, GSA Schedules, IDIQs."



Training Course Survey

Please take a moment to tell us what you think. Your opinions are valuable in assisting us to improve our training services to you.

INSTRUCTIONS:

- Please use pencil or dark color pen to complete this survey.
- Make heavy, dark marks.
- Do not use ✓'s or X's to indicate your responses.

RIGHT		
<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

WRONG			
<input checked="" type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

I am attending as a(an): (Select one best choice)

- DoD Employee (Uniformed & Civilian)
 Commercial Company
 Other
 Federal Civilian Agency
 State & Local Government

Please print your badge number in the boxes

BADGE NUMBER (if applicable):

N	/	A								
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Please indicate the extent to which you agree or disagree with each of the following statements.

USING THE GSA SCHEDULES FOR PROFESSIONAL SERVICES

Brad Powers & Dave Clemens, Webinar 2/14/2008

- The objective of the session was clear.
- The objective of the session was met.
- Overall, the content presented was professionally beneficial to me.
- The instructor made the course content understandable.
- The instructor was knowledgeable in the subject matter.
- Overall, the instructor's presentation was effective.

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
1. The objective of the session was clear.	SA	A	N	D	SD
2. The objective of the session was met.	SA	A	N	D	SD
3. Overall, the content presented was professionally beneficial to me.	SA	A	N	D	SD
4. The instructor made the course content understandable.	SA	A	N	D	SD
5. The instructor was knowledgeable in the subject matter.	SA	A	N	D	SD
6. Overall, the instructor's presentation was effective.	SA	A	N	D	SD

7. Do you have recommendations for a class during future sessions?

(Recommendations) _____

8. If you would like someone from GSA to contact you, please provide the following information:

 Name E-mail Telephone

★ Thank you for taking the time to assist us in making these courses even more beneficial. ★