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Establishment of the Federal
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As we are sure you are aware by now, the General Services Administration (GSA) is in the midst of a major restructuring. "The President's Management Agenda calls on federal agencies to meet twin goals of reducing government spending and improving performance. With these outcomes in mind, GSA Administrator [Stephen A.] Perry announced in Spring 2005 the agency's intention to restructure some of its primary functions." The most significant outcome of this reorganization is a new GSA Service—the Federal Acquisition Service (FAS)—that has emerged from the consolidation of GSA's Federal Technology Service (FTS) and the Federal Supply Service (FSS). Many factors led to this change, including shifting customer needs, an evolution in how agencies acquire technology products and services, and a greater emphasis on GSA's role in federal procurement.

Benefits for the establishment of FAS include a deeper understanding by GSA of customer requirements; stronger management of the agency's acquisition processes and programs; and greater integration of GSA business lines to provide multiple channels for customers to acquire the products, services, and solutions they need. The intended outcome is a GSA organization that is capable of delivering excellent acquisition services efficiently and effectively in addition to providing value to federal customers and the American taxpayer. A detailed organization design was announced on August 4, 2005, and can be found at www.gsa.gov/fas.

We ask you, our GSA contractors, to recognize that as we move through the restructuring process and into the full reorganization, there will be many changes in how we operate and how you will be affected. We encourage you to stay fully informed and flexible

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and thank you for your forbearance and support as we move forward.

Policy Update

Here are some recent significant policy updates that you might have missed:

1) **Documentation Requirement for Limited Sources Under Federal Supply Schedules.**

FAR Final Rule. July 27, 2005.

This final FAR rule revised the schedule ordering procedures in FAR 8.4. FAR 8.405-6

is updated to change the title from “Sole source justification” to “Limited sources justification and approval” to reflect the need to follow these procedures not only when an ordering activity has a sole source order, but if the order activity restricts consideration of schedule contractors to fewer than required by FAR

8.405-1 or 8.405-2. A copy of the final rule was included in FAC 05-05 and is available at: <http://www.arnet.gov/far/facsframe.htm>.

2) **Definition of Information Technology.**

Interim FAR Rule. July 27, 2005. This interim rule updates the definition of Information Technology in FAR 2.101 Definitions. A copy of the interim rule is available at: <http://www.arnet.gov/far/ProposedRules/proposed.htm>.

3) **Confirmation of HUBZone Certification.**

Interim FAR Rule, July 27, 2005. This interim rule clarifies that prime contractors must confirm that a subcontractor representing itself as a HUBZone small business concern is certified, consistent with the requirements

of 15 U.S.C. 632. A copy of the interim rule is available at: <http://www.arnet.gov/far/ProposedRules/proposed.htm>.

- 4) **White Paper—Adding Ancillary Repair and Alteration Services to the General Services Administration Schedules Program.** Notice with a request for comments—GSAR. August 22, 2005. The publication of this White paper requests comments on GSA’s consideration of adding ancillary Repair and Alteration (R&A) services to the Schedules Program. A copy of the white paper is available at: <http://www.arnet.gov/GSAM/gsamproposed.html>.

The DoD issued a second memorandum, on June 17, 2005, for clarification of incorrect interpretations.

Among other issues discussed in this paper, GSA proposed three alternatives:

- Add an R&A SIN to those GSA schedules where the purchase of the supply/service often requires ancillary R&A services be performed.
- Establish a new schedule specifically for minor R&A services.
- Combine alternative one and two.

The paper contains a good discussion of the issues associated with R&A and should be of interest to a great many schedule contractors.

Proper Use of Non-DoD Contracts

Often it is hard to say exactly what you mean or get a point across the very first time. After the Department of Defense (DoD) issued the October 29, 2004, memorandum on the “Proper Use of Non-DoD Contract,” it became apparent

that some statements in the memorandum were being misinterpreted. So, the DoD issued a second memorandum, on June 17, 2005, for clarification of these incorrect interpretations. Below is the link to the DoD Policy on the Proper Use of Non-DoD Contracts. It includes the latest information in this policy area including the clarification letter from the Director of Defense Procurement and Acquisition Policy. This letter reiterates the "Proper Use of Non-DoD Contracts" policy memo, stating that "the use of non-DoD contracts is encouraged when it is the best method of procurement to meet DoD requirements." The DoD continues to work with the GSA and other "Assisting Agencies" to ensure that all acquisitions made by and on behalf of the DoD comply with applicable statutes and regulations.

Be sure to familiarize yourself with the information here:
<http://www.acq.osd.mil/dpap>

Or, for the specific policies, go to:
<http://www.acq.osd.mil/dpap/specificpolicy/index.htm>

Select DP&AP memo dated January 28, 2005, regarding use of Federal Supply Schedules and Market Research.

Trade Agreements and You

Perhaps you saw the media coverage in late May about a major office products retailer reaching a \$9.8 million settlement with U.S. Department of Justice over violations of U.S. trade regulations. Perhaps that slipped under your radar or you did not think about that issue

and how it related to your GSA Multiple Award Schedule contract. If so, think again.

Incorporated in all GSA Multiple Award Schedule contracts is FAR Clause 52.225-5, Trade Agreements. This clause is included in contract clause 52.212-3, Offeror Representations and Certifications—Commercial Items. When you signed your contract, you certified that all end products offered on your contract comply with the terms of the FAR 25.4, Trade Agreements. This applies to all of the products on your contract, whether you have one product or 10,000. The Trade Agreements Act applies to services, too.

*Incorporated in all
GSA Multiple Award
Schedule contracts
is FAR Clause
52.225-5, Trade
Agreements.*

What do you need to do to make sure you do not end up in the same position as that office products retailer? In the simplest terms, you need to know where all of your contract products are produced or "substantially transformed" and compare that information to the countries listed in the various multilateral and bilateral international trade agreements and other trade

initiatives as implemented by the Trade Agreements Act.

Where do you obtain this information? If you are the manufacturer of the products, your production management office would be the most likely place to start, since that office should know where the products are actually being produced. If you are a reseller for products, you will need to go to the OEM. Your purchasing people may already have this information so check with them as well.

Now that you have found out where the products come from, what is your next step? You should

have an established procedure to regularly review the sourcing information and a system to maintain and track the data. As a part of your regular review procedures, in addition to reviewing the source of the products, you also need to review the Trade Agreements in FAR 25.4 to make sure there have been no changes to acceptable countries. For your benefit, it is a good idea to document your procedures (step-by-step), making sure to include who is responsible for each step and how frequently the reviews are being made. For tracking your data, you should have a “database” or files where you can identify the source for each and every product on your contract. If you identify products that are not Trade Agreement compliant, you should immediately notify your Procuring Contracting Officer (PCO) and request a modification to remove those products from your contract.

Starting this past October, the GSA Industrial Operations Analysts (IOAs) began reviewing Trade Agreements compliance as a part of the Contractor Assistance Visits. As a part of this review, the IOAs are looking at your systems/procedures to ensure compliance and randomly checking actual items to ensure that your processes and procedures actually work. The IOAs can also help give you ideas on improving your processes and procedures. We want to work with you to ensure your success.

What can you do if you are a small business and you do not have the personnel or resources to manage all of the products you have under contract and that your customers want and need? Have you considered paring your contract offering down to your core product line and using Contractor Teaming

Arrangements (CTAs) with other schedule contractors to fill the gaps? The GSA brochure, Steps to Success: How to Be a Successful Contractor, on the Vendor Support Center (VSC) website at <http://vsc.gsa.gov/> (under “Publications”) includes great information on CTAs.

Trade Agreement compliance is starting to get a lot of attention. Make sure you understand what you have committed to do and that you can demonstrate your compliance.

Many agencies have attempted to comply with the requirements of Section 508, but often have fallen short in their efforts.

Accessibility vs. Usability: Section 508 of the Rehabilitation Act

My name is Dan Perkins and I am a Contracting Officer for the GSA. I am married and have two beautiful children. I am a member of the Toastmasters Organization and recently began work on a Masters Degree in Management.

I have been blind for approximately 14 years and have used accessible technology for eight of those years.

Section 508 of the Rehabilitation Act was amended in 1998 to incorporate various provisions and requirements for federal agencies to make their electronic and information technology accessible to those with disabilities.

Many agencies have attempted to comply with the requirements of Section 508, but often have fallen short in their efforts. When software programs or websites are not accessible, it is

impossible for a disabled individual to quickly access and find information, which makes it very difficult for them to meet the customer's needs and to perform their job at a satisfactory or high level.

When computer programmers are designing websites or developing software programs they must follow the legal requirements of Section 508, but more importantly they should focus on making their programs accessible and usable. By keeping these two elements in mind during the entire development process, they will generally achieve a program that is functional and usable by everyone.

It is possible for a program or website to be Section 508 compliant, but not user-friendly or usable by a disabled individual. It is very important to follow the legal requirements of Section 508, but it is equally important to test programs during the development process and frequently after implementation, for accessibility and usability.

A blind individual using a screen reader to navigate through the computer has to rely on what his or her screen reader is saying in order to be able to obtain or input information into a program or website. Screen readers are excellent tools for blind computer users, but their functionality depends on how well the program or website that they are trying to access is designed. In addition to the use of screen readers, blind individuals use only the keyboard to navigate and maneuver on the computer. Many programs are "mouse driven" and therefore are impossible for blind individuals to use them. It is okay to have mouse-operated functions, but it is imperative that key stroke commands for those same operations be implemented.

Some programmers do take the initiative to test their programs with a screen reader, but they are often sighted and are the same individuals who designed the program. This type of testing will not truly reflect the accessibility or usability of a program. The sighted person doing this type of testing will inevitably use their eyes or reach for the mouse when they come across a roadblock or obstacle. It is crucial that the testing be done by an independent individual who is blind and is an accomplished user of a screen reader.

I am very fortunate to be working in a time where technology has been able to bridge the

gap between those who have challenges and those who do not. The electronic age has made it possible for me to work in a professional field. I believe as accessible technology is improved and becomes more sophisticated, the future holds endless possibilities for not only me, but for others who are dealing with a challenge.

I would strongly encourage those who are designing and developing websites and software programs to take their responsibility seriously. Accessibility is not only a legal issue, but it is the right thing to do.

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Fall Cleaning

Though the headline on this article is "Fall Cleaning," responsible GSA partners should have their "Fall Cleaning" scheduled at regular intervals during the year in order to make sure that their contract or contracts are up-to-date and compliant.

Keeping contracts up-to-date is as important to you as it is to us. If your contract is not current, your potential problem ration increases by leaps and bounds.

One of the things that you, as a contractor, should monitor is the arrival/departure/rotation of “key people.” When an individual leaves your company or moves to another position within the company, your Procuring Contracting Officer (PCO) and Administering Contracting Officer (ACO) should immediately be notified.

This information is important to the GSA and is used to stay in contact with your company for various notifications and communications. If this information is not up-to-date, it can cause both the GSA and contractors a lot of concern and anguish.

If the person who left your company was the e-Buy point of contact, then you are missing RFQ's that may target you. If the individual who departed was the authorized individual on your digital certificates, that means they can still take actions in your name. That's a scary thought! Remember that digital certificates specifically need to be cancelled if the individual is no longer authorized.

In addition to keeping the information for key people updated, it is vitally important to make sure that your various registrations are up-to-date and complete (e-Buy, CCR, etc.). Your CCR point-of-contact has to stay current or when we contact you to renew your contract you may not get the information or you may not get paid. Now, those are really bad deals.

Don't let poor “cleaning habits” mess up your “great day!”

For more information, please visit:

Digital Certificates

<http://www.digsigtrust.com/support>

<http://www.aces.orc.com>

Or, call 888.248.4447 (toll free)

or 801.326.5972 (direct).

Vendor Support Center

<http://vsc.gsa.gov>

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GSA eLibrary

http://www.gsaelibrary.gsa.gov/ElibMain/Help?page=contractor_info#changeinfo

eOffer

<http://eoffer.gsa.gov>

Or, contact your PCO or ACO.

Payments Withheld: Reference CCR, DUNS and GSA Databases

In an effort to streamline government acquisitions, FAC 01-16 (October 2003) stated that all companies doing business with the Government must be registered in the Central Contractor Registration (CCR) website at <http://www.ccr.gov/>.

Are you one of the companies on the list that are experiencing payment problems because the company information in the CCR has not been updated? Did you remember to renew your registration in CCR? The GSA has become aware that some contractors have allowed their registration in the CCR to lapse or have failed to keep their registration information current.

Most of you are great about registering for CCR, but many of you have forgotten you must renew the registration every 365 days. If your CCR registration is not current, you likely will have payments interrupted.

It is very important to you to keep your CCR and D&B information updated. Go to the Vendor Support Center (VSC) at <http://vsc.gsa.gov> to access all of your contract information or go directly to the CCR at <http://ccr.gov> to check your CCR registration. How could it be any easier? Don't be the one that gets caught holding the bag.

Vendor Support Center (VSC) Revamp

The Vendor Support Center (VSC) at <http://vsc.gsa.gov> has been totally redone. It's now bigger, better, and easier to navigate than ever before. It is the primary source for contractor information.

The revamped website now contains information on how to retrieve your passwords on all the various GSA vehicles; how to get on GSA Advantage; how to get started if you are a new MAS contractor; how to check out various online business opportunities; how to report sales; how to access all the various contractor publications and lots of other information that you need to know.

Do yourself a favor, visit it often. You will be glad that you did.

Marketing Yourself

In 2002, the Federal Supply Service (FSS) awarded 2,952 schedule contracts. During a recent review, we found that 756 of these contracts have had zero (0) sales. Another 292 of these contracts have had minimal sales.

Penetrating the federal market place takes a lot of planning. It does not happen overnight and it does not happen just because you get a schedule contract.

One of the common mistakes we see is companies who finally get their GSA contract and join the schedules program without reorganizing their commitments. You have entered into a competitive world—the world of government contracting—and you need to be ready to make the investment of time and energy to succeed.

So, how do companies market themselves to the U.S. government? We know how difficult it is. You make 100

cold calls a day with no results. The frustration is overwhelming. Now that you have your GSA contract, where are all the customers? Where is all this government business that is supposed to be out there? This is a real bummer!

The fact is that there is no pat answer to this question, but the following are some tried and true suggestions:

You need to make sure that you are on GSA Advantage. e-Buy is an e-tool in GSA

The Vendor Support Center (VSC) at <http://vsc.gsa.gov> has been totally redone. It's now bigger, better, and easier to navigate than ever before. It is the primary source for contractor information.

Advantage. It is dedicated to bringing the customer and the contractor together. e-Buy allows customer agencies to maximize their buying power, leverage the power of the Internet, and increase schedule contractor participation in order to obtain quotes, which can result in successful purchase decisions. For more information on e-Buy, go to the Vendor Support Center (VSC) at <http://vsc.gsa.gov>, click on "Business Opportunities" and select "e-Buy."

Finding government customers is a whole other challenge. Market research is a powerful tool to find out who is buying, what they are buying, and why they are buying. An incredible amount of information is available on the web and through government agency home pages. A good place to start is www.firstgov.gov.

FedBizOpps (Federal Business Opportunities) has been designated as the single source for federal government procurement opportunities that exceed \$25,000. By signing up to automatically receive procurement information by solicitation number, selected organization, and product/service classification, contractors can react more quickly to procurement opportunities because they are better informed. For more information, go to: www.fedbizopps.gov.

This is just a snippet of the information available to you on marketing in The Steps to Success: How to Be a Successful Contractor publication. It can be accessed on the Vendor Support Center (VSC) at <http://vsc.gsa.gov> under "Publications," or you can request a hard copy by e-mailing marydel.kemp@gsa.gov.

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We Must Never Forget!

Time has passed, and the memories fade, but we must never forget those who have given their lives to establish and preserve freedom in these United States.

America is successful because of the hard work and creativity and enterprise of our people. These were the true strengths of our economy before September 11, 2001, and they continue to be our strengths today.

God Bless America!