Delegation of Procurement Authority Training

- Alliant Small Business GWAC
- Alliant GWAC

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General Services Administration

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Training Agenda

- Introduction
- Definitions and Acronyms
- Basic Contract Information
- Scope
- Ordering

- Cost or Pricing
- Tools for Ordering Offices
- Responsibilities
- Summary
- Questions
Introduction
Center for GWAC Programs

- GWAC Program Operations Division
- Enterprise Acquisition Division (San Diego, CA)
- Small Business Acquisition Division (Kansas City, MO)
What is a GWAC?

A Governmentwide Acquisition Contract (GWAC) is defined as a task or delivery order contract for information technology.

- Contracts established by one agency for Governmentwide use
- Operated by an Executive Agency designated by the OMB
- Not subject to the Economy Act
What is an Interagency Acquisition\(^1\)

Interagency Acquisition is the procedure by which an agency needing supplies or services (Requesting Agency) obtains them using another agency’s contract (Servicing Agency), the acquisition assistance of another agency (Servicing Agency), or both.

Agencies may presume that direct acquisitions made by qualified individuals are in the best interest of the Government if the vehicle was established under the FSSI, the FSS Program, the Smart Buy Program or GWACs\(^2\)

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\(^1\)OMB Memorandum, “Improving the Management and Use of Interagency Acquisitions”, dated June 6, 2008, p. 2

\(^2\)“OCOs should follow agency policy regarding any additional justification required such as why the vehicle is best suited for the acquisition and the cost effectiveness of the acquisition.”
Interagency Acquisitions – Determination of Best Procurement Approach (aka Best Interest Determination)

➢ Determination of Best Procurement Approach
  • Are required for both Directed and Assisted Acquisitions
  • Can be documented as part of an agency’s planning document (e.g. acquisition plan)
  • Does not require a formal Determination and Finding (D&F) or Justification & Approval (J&A)

References:
OMB Memorandum, “Improving the Management and Use of Interagency Acquisitions”, dated June 6, 2008, p. 4&5 for Best Interest Determination
Memo dated October 31, 2008, Meeting Dept of Defense requirements through Interagency Acquisitions
FAR 17.502-1 General Determination of best procurement approach.
DFAR 217.7802(a)(d)
Accessing a GWAC

- **Direct Acquisition**
  - Requesting Agency conducts acquisition and administers the order

- **Assisted Acquisition**
  - Servicing Agency conducts acquisition and administers the order on behalf of Requesting Agency for a fee
Definitions and Acronyms
Definitions and Acronyms

- **Alliant GWAC or Alliant SB GWAC** (B.1) – “Alliant” and “Alliant SB” are synonymous with the “Basic Contract”

- **Task Order** (B.1) - Task orders issued under the Basic Contract are referred to as “order(s)”

- **GWAC Contracting Officer (GWAC CO) or Procuring Contracting Officer (PCO)** (G.3.2) – The sole and exclusive government official with actual authority to award the Basic Contract and delegate any or all of the contract administration functions to an Administrative Contracting Officer (ACO)
Definitions and Acronyms continued

- **Delegation of Procurement Authority (DPA)** (G.2) – Written authority to issue an order under the Basic Contract

- **Ordering Contracting Officer (OCO)** (G.3.4) - An Authorized User who may place and administer an order under the Basic Contract

- **Information Technology (IT)** – See FAR 2.101 & FAR Part 39

- **Fair Opportunity** – See FAR 16.505. OCO must provide each awardee a fair opportunity to be considered for each order exceeding $3,500 except as provided for in 16.505 (b)(2)
Basic Contract Information
<table>
<thead>
<tr>
<th>Basic Contract Information</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
<tr>
<td><strong>Primary NAICS Code (K.4)</strong></td>
</tr>
<tr>
<td>Program Ceiling (B.4)</td>
</tr>
<tr>
<td>Term of Basic Contract (F.2)</td>
</tr>
<tr>
<td>Order Period of Performance (F.3)</td>
</tr>
</tbody>
</table>
## Basic Contract Information

<table>
<thead>
<tr>
<th>Contract Access Fee (CAF) (B.5)</th>
<th>Alliant</th>
<th>Alliant SB</th>
</tr>
</thead>
<tbody>
<tr>
<td>The CAF is ¾ of one percent (.0075) to be applied to the total price for contractor performance as billed to the government. Payment is made by the contractor.</td>
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<tr>
<th>Contract Types</th>
<th>Alliant</th>
<th>Alliant SB</th>
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## Basic Contract Information

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<th>Alliant</th>
<th>Alliant SB</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Limitations on Subcontracting</strong> (G.8)</td>
<td>Not applicable</td>
<td>The GWAC CO will monitor compliance via contractor reporting. OCOs will monitor for subcontractor pass-throughs on orders.</td>
</tr>
<tr>
<td><strong>Goals for Subcontracting</strong> (H.11)</td>
<td>SB Subcontracting Reports and goals will be monitored at the GWAC level.</td>
<td>Not applicable</td>
</tr>
<tr>
<td><strong>Consent to Subcontract</strong> (G.9.4)</td>
<td>No subcontractors were evaluated as part of the award process for the Basic Contract. Contractor’s must comply with FAR 52.244-2 and FAR 44.2.</td>
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<th>Facility clearances (H.7.3)</th>
<th>Alliant</th>
<th>Alliant SB</th>
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<td>OCOs have the flexibility to customize this to the appropriate level of security required by their order.</td>
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</tr>
<tr>
<td>Socioeconomic Credit</td>
<td>Small business credit is not available at the Task Order level.</td>
<td>Small business credit is available at the Task Order level.</td>
</tr>
<tr>
<td>Number of GWAC Holders</td>
<td>57</td>
<td>*68</td>
</tr>
</tbody>
</table>
Scope
Scope

General

- Robust scope that provides access to a range of complementary management, technical, and other support services
- IT Services-based solutions may include ancillary non-IT components as long as they are integral and necessary to accomplishing the IT solution
- FEA/DoDEA scope conforms to OMB policy for IT investments and evolves as technology expands
Scope

Ancillary Support

- Ancillary Services (i.e. clerical support; training; construction, alteration and repair, etc.) must be integral and necessary for the IT services-based solution

- Ancillary Equipment (hardware, software, licenses, racks, mounts, etc.) may be purchased if integral and necessary for the IT services-based solution
Scope

➢ Telecommunications/Wireless

• Telecommunications, Wireless, and Satellite products and services (C.3.4.1) may be purchased as part of an overall IT services-based solution.

• The **sole purpose of the requirement may not be** for a commodity (land mobile radios) or commodity-like service (i.e. transport services - wireless connectivity)
Scope

Leasing of Real and Personal Property

- The Government *will not* be the lessee and it *will not* be liable for cancellation fees should an option not be exercised
- Furthermore, the use of lease-like (incremental) payment arrangements to purchase items, which purport to permit the Government to receive delivery of items and then pay for the full cost of the items over time, *are not* permitted
Scope

- Indefinite Delivery, Indefinite Quantity, Blanket Purchase Agreements (BPAs) and Letter Contracts are not permissible order types
  - Fair opportunity to be considered is required
Pre Award Scope Review

- Free & Optional Scope Review Value-Add Service
- Review Team
  - Comprised of technical & contracting professionals
  - Meets Tuesday & Thursday weekly
  - Provides a written response (2-5 day turnaround)
- Scope Compatibility Review mailbox
  - Alliant (alliantsowreview@gsa.gov)
  - Alliant SB (sowreview@gsa.gov)
Ordering
Fair Opportunity

- OCO must provide each awardee a fair opportunity to be considered for each order exceeding $3,500 unless a statutory exception is invoked

  - Statutory exceptions [see FAR 16.505(b)(2)]
    - Urgency (fair opportunity causes unacceptable delays)
    - Unique capability (only one awardee can meet requirements)
    - Logical follow-on (sole-source basis in the interest of economy and efficiency)
      - Provided all awardees allotted fair opportunity consideration on original award
    - Necessity to satisfy a minimum guarantee
    - A statute expressly authorizes or requires that the purchase be made from a specified source (i.e., for orders exceeding SAT)
    - Set aside orders for any of the small business concerns identified in FAR 19.000(a)(3)
Exceptions to Fair Opportunity

- Written justification and approval is required
  - Justification must be documented IAW FAR 16.505(b)(2)(ii)(A-B)
  - Approval level is based on dollar amount of order IAW FAR 16.505(b)(2)(ii)(C)(1-4)

- Posting requirements for orders above the SAT
  - A notice must be published after placing an order exceeding the SAT per FAR 16.505(b)(2)ii(D)(1) or (3)
  - Notice must be published IAW FAR 5.301
  - Notice must be publicly available for a minimum of 30 days at the GPE, http://www.fedbizopps.gov IAW16.505(b)(2)ii(D)(2)
    - Posting is subject to FOIA exemptions [See FAR 16.505(b)(2)ii(D)(4)]
  - Posting is not applicable if it will compromise national security or create other security risks [See FAR 16.505(b)(2)ii(D)(5)]

Note: Interim Rule No. 2 of FAC 2005-50 (effective 3/16/11)
Ordering continued

- **Protest Limitations**
  - Protests on orders ≤ $10M not allowed except on the grounds the order increases the scope, period, or maximum value of the GWAC

- The OCO may exercise broad discretion in developing appropriate order placement procedures
  - Streamlined ordering methods per FAR 16.505
  - FAR Part 15.3 source selection approach is discretionary
  - Oral proposals may be utilized
  - A multiphased approach may be implemented
Ordering continued

- Task Orders Exceeding $5.5 Million
  - A notice of the task or delivery order that includes a clear statement of the agency’s requirements
  - A reasonable response period
  - Disclosure of the significant factors and subfactors, including cost or price, that the agency expects to consider in evaluating proposals, and their relative importance
  - Where award is made on a best value basis, a written statement documenting the basis for award and the relative importance of quality and price or cost factors
  - An opportunity for a postaward debriefing.
Ordering continued

- Clauses from Basic Contract flow down to the order
- Additional clauses may be included at the order level:
  - Agency-specific clauses and/or additional FAR clauses
    - FAR Part 12, if applicable
  - Special or unique requirements [e.g., Wage Rate Requirements (Construction) (formerly known as Davis Bacon Act; FAR 22.403-1) and Service Contract Labor Standards (formerly known as Service Contract Act; FAR 22.1000]
  - Tailored Basic Contract clauses and/or provisions from Sections E,F,H and I
Cost or Pricing
Cost or Pricing for All Orders

- OCOs must evaluate cost or price and determine the overall price to be fair and reasonable using policies and methods in FAR 15.4 for all orders, irrespective of contract type used.

- When adequate price competition exists, generally no additional information is necessary to determine the reasonableness of price.

- In accordance with FAR 15.403-1(b)(1), adequate price competition prohibits OCOs from obtaining Certified Cost or Pricing Data.
Cost Reimbursement Orders

- Cost type contracts require further consideration of cost allowability, allocability and realism per the FAR and customer agency policy.

- Cost Realism - proposed cost elements are realistic for the work to be performed; reflect a clear understanding of the requirements; and are consistent with offeror’s technical proposal.

- FAR compliant Cost Realism analysis shall be performed in evaluating quotes and proposals for all cost reimbursement orders to determine the probable cost of performance.
Alliant T&M/LH Labor Rates

- Basic Contract Section J (Atch 2 & 3) provides the competitive Loaded Hourly Labor Rates within CONUS for T&M/LH type Orders only
- Subcontractor rates were not evaluated
- No labor rates are provided for OCONUS requirements (See Department of State URL: http://www.state.gov/m/a/als/)
- These rates may also be used for developing IGCEs
Alliant T&M / Labor Hour Rates

- Deviations from established hourly labor rates (B.7.4)
  - Generally, these rates should not be exceeded
  - However, the OCO is authorized to establish different hourly rates suited to meet the ordering agency’s unique requirements such as: geographic location or security clearances and;
  - Contractors shall explain in their Order proposals any loaded hourly labor rates that exceed the rates in the Basic Contract
T&M/LH Considerations

- Unique Professional Skills (contract section H.3)
  - Professional skills that do not have an appropriate labor category or rate established in Basic Contract
  - Contractor may propose and OCO may accept a new labor category and negotiate an appropriate rate at the Order level—OCO is the determining authority
Tools for Ordering Offices
OCO Tools

- GSA e-Buy- an online request for quotes tool, (www.ebuy.gsa.gov)¹
  - RFQ/RFP handled electronically
  - Rapid response to RFI/SOW/SOO
  - Ensures transmittal of requirements

- GSA GWAC On-line Resources
  - Conformed copy of the contract
  - Ordering guides
  - T&M/LH pricing
  - SOW examples
  - GWAC Dashboard (www.gsa.gov/gwacdashboards)

¹ alliantawardees@gsa.gov Alliant only
OCO Tools

The Acquisition Gateway (AG) is a new GSA resource that provides accurate, useful, and unbiased transactional data

- Within the AG there are Hallways (see next slide)
- The IT Services Hallway is most closely aligned to the scope of work that GWACs support. E.g., this hallway contains information about cloud computing, help desks, migrating email systems, etc.

Within the AG, you may also access

- The Solutions Finder acquisition tool
- A SOW/PWS/SOO Library
- Prices paid information (e.g. Alliant and Alliant SB pricing information)
- Articles that may be useful for market research
- An interactive community to share your thoughts and information

GSA Customer Service Directors (www.gsa.gov/csd) can assist with further training
ACQUISITION GATEWAY

https://hallways.cap.gsa.gov/

SOLUTIONS FINDER

My Agency: GSA
Category: - Select -
Subcategory: - Select -

View: 143 Solutions available

PROJECT CENTER

Add Project

Project Center allows users to pull in resources from Gateway apps to build their acquisition. Feel free to create a sample project to learn about its features.

Create Sample Project

COMMUNITY

External Government-wide FEDERAL ONLY Demo Tools & Hardware
Kristy Wilbur, Wednesday, April 06, 2016 - 07:43

External Government-wide FEDERAL ONLY Demo Tools & Hardware

EVENTS

The New GSA Schedules Webinar Training is Here!
Wednesday, December 30, 2015 - Thursday, September 20, 2016
11:00 PM - 6:00 PM -

ARMY CHESS Online training and tutorials

NEWS

Interested in the Future of GSA Schedule 75 Office Supplies and Services?
GSA is considering options for reopening Schedule 75 Office Supplies and Services...

Green Purchasing News Fall_2015
This article highlights concerns, benefits, and considerations for the...
GWAC Program Responsibilities
GWAC Program Responsibilities

- Manage contract compliance
  - Conduct post award scope reviews
  - Monitor subcontracting at the Basic Contract level
- Advise customers and contractors on proper use of GWACs
  - Conduct DPA training and issue DPA to OCO
  - Maintain resources on GWAC websites
- Conduct program meetings with contractors
GWAC Program Responsibilities *continued*

- Perform risk mitigation and contractor oversight
  - Conduct outreach and education
  - Conduct pre-award scope reviews upon request

- Report annually to Office of Management and Budget
  - Assessment of client satisfaction
  - Competition on orders
  - Cumulative number and total dollar value of orders
  - Number and value of performance based orders

- Complete Basic Contract closeout
OCO Responsibilities
OCO Responsibilities

- **Pre and Post Award Functions** – OCO responsible for order from acquisition planning to closeout

- **Adhere to Terms and Conditions of DPA:**
  1. **Compliance** - comply with terms and conditions of the GWAC & FAR
  2. **Duration** - maintain valid warrant
  3. **Revocation** - comply with treaty, law, regulation, ethical standards, and federal acquisition policy and procedures to avoid revocation of DPA
  4. **Scope Compliance** - ensure the order is and remains within scope
OCO Responsibilities continued

- Adhere to Terms and Conditions of DPA:
  - 5. Administrative Reporting
    - Report Task Orders in FPDS-NG per customer agency policy
    - Provide a complete copy of the Task Order and subsequent modifications to:
      - Alliant: alliant@gsa.gov or 619-557-6815  Or
      - Alliant Small Business: alliantsb@gsa.gov or 816-823-1608
    - Complete and submit Task Order information form(s) attached to the DPA Memorandum
OCO Responsibilities continued

FAR-Based Rules – Key Areas of Responsibility:

- **Fair Opportunity** - ensure all contractors are provided a fair opportunity to be considered per FAR 16.505
- **Funding** - verify funding and comply with appropriation law and financial policy
- **COR/COTR** - if COR/COTR assigned, ensure the extent of their authority and responsibilities are clearly defined per customer agency policy
- **Task Order Protests, Disputes and Claims** - receive and respond to Task Order protests, disputes and claims
- **Monitor, Evaluate and Report Contractor Task Order Performance** – OCOs are required to conduct contractor performance evaluations IAW FAR 42.15, and applicable agency policies. Interim performance evaluations are required for each Task Order IAW agency policy
OCO Responsibilities *continued*

- **FAR-Based Rules – Key Areas of Responsibility:**
  - **Cost or Price Analysis and Audits** - perform and document cost and/or price analysis (FAR 15.4) and respond to any related audits
  - **Prompt Payment** - ensure prompt payment of conforming contractor invoices
  - **Task Order Closeout** - perform order closeout IAW FAR 4.804-5
  - **Requests for Information** - respond to requests for information pertaining to Task Orders (i.e., FOIA requests and inquiries/audits by: Congress, IG, SBA, GAO, and GSA)
Summary
Summary

- Comprehensive IT services and IT services-based solutions
- Pre-qualified pool of contractors
- Pre-competed, flexible, easy-to-use contracts that reduce procurement lead times
- A full spectrum of contract types
Summary

- Small Business credit for federal clients is available under Alliant SB GWAC
- Protest limitations on orders ≤ $10M
- GSA contract training and client support is readily available
Small Business Acquisition Division 
Resources

Small Business Acquisition Division 877-327-8732
Alliant SB Fax: 816-823-1608
Alliant SB E-mail: alliantsb@gsa.gov
Alliant SB Website: www.gsa.gov/alliantsb

Procuring Contracting Officer: Greg Byrd 816-823-4356
Business Development Specialist: Dean Cole 816-823-2465

Contract & Ordering Guide: www.gsa.gov/alliantsb
Enterprise Acquisition Division Resources

Enterprise Acquisition Division 877-534-2208
Alliant E-mail: alliant@gsa.gov
Alliant Scope Review: alliantsowreview@gsa.gov
Alliant Website: www.gsa.gov/alliant

Procuring Contracting Officer: Jason Schmitt 619-696-2861
Director Client Support: Mimi Bruce 877-534-2208
Technical Services Specialist: Paul Bowen 617-565-6570

Contract & Ordering Guide: www.gsa.gov/alliant
Questions

Thank you!