



U.S. General Services Administration

Federal Acquisition Service

Using the Multiple Award Schedule – An Overview

This course is sponsored by the
GSA Federal Acquisition Service
in association with the Federal Acquisition Institute





Learning Objectives

By the end of this course, you should be able to identify:

- ❑ The purpose, benefits, and regulatory foundation of the MAS program
- ❑ The importance of acquisition planning and competition when using the MAS Schedule
- ❑ Characteristics and Schedule flexibilities relating to the acquisition life cycle, including strategy, planning, and market research
- ❑ The task/delivery order administrative functions, documentation requirements, and ordering methods when using the MAS Schedule





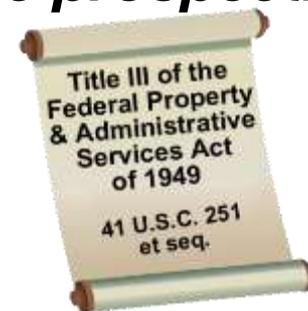
Introduction to the MAS Program

What is MAS all about?

Statutory Authority for the MAS Program

- ❑ GSA has the authority to procure and supply:
 - **Personal property** and **non-personal services**
 - For executive agencies through the Federal Property and Administrative Services Act of 1949

- ❑ 41 U.S.C. Sec 259 provides that the GSA Schedule is considered **competitive** if:
 - Participation is open to all ***responsible prospective contractors***; **and**
 - Orders and contracts result in the lowest overall cost alternative to meet the Government's needs.





What is a Multiple Award Schedule?

- Federal Supply Schedule (FSS) - governmentwide contract vehicle for commercial products, services, and solutions
- Also known as the “GSA Schedule”
- GSA receives Schedule contract offers through standing solicitations posted on FedBizOpps
- GSA conducts negotiations, awards, and administers Schedule contracts IAW FAR Part 12

The Federal Acquisition Regulation (FAR)

| FAR | Provides | Applicability |
|---------------------|---|---|
| Subpart 8.4 | Ordering procedures for GSA Schedule | Federal Government Ordering Activities |
| Part 12 | Acquisition of Commercial Items | GSA awards Schedule contracts under Part 12 |
| Subpart 6.102(d)(3) | Defines orders placed against Schedule as a competitive procedure | All |



FAR Parts Not Applicable to Schedule Orders

| FAR | Title | Applicable |
|---------|-----------------------------------|------------------------------------|
| Part 13 | Simplified Acquisition Procedures | NO (except allows for MAS BPAs) |
| Part 14 | Sealed Bidding | NO |
| Part 15 | Contracting by Negotiation | NO |
| Part 19 | Small Business Programs | NO (except Bundling) |
| Part 36 | Construction and A&E | NO |

FAR Parts Applicable to Schedule Orders

| FAR | Title | Applicable |
|--------------|---------------------------------------|------------|
| Part 7 | Acquisition Planning | YES |
| Part 10 | Market Research | YES |
| Subpart 17.5 | Interagency Acquisitions | YES |
| Subpart 33.1 | Protests | YES |
| Subpart 37.6 | Performance Based Acquisition | YES |
| Part 39 | Acquisition of Information Technology | YES |

Agency Statutory and Regulatory Requirements



- All orders must be consistent with relevant requirements
- Ordering activity has ultimate responsibility for compliance
- Seek legal advice for conflicts between requirements and regulations

Did you know....

- ❑ GSA offers over 40 million supplies and services
- ❑ 10 open and standing solicitations published on FedBizOpps (including 9 managed by VA)
- ❑ Over 16,000 Schedule contracts
 - 80% are small businesses.
 - Orders and BPAs can be set aside for small businesses.
- ❑ \$32.8B GSA + \$15.4B VA = \$48.2B FY19 Total Sales (Spend)

Common Schedule Myths

- ∅ Your agency can't add terms and conditions.
 - ✓ Terms and conditions may be added at the order level as long as they do not conflict with the Schedule contract.

- ∅ Your agency can't seek price reductions.
 - ✓ Price reductions may be sought on any order, but must be requested for orders exceeding the SAT. Contractors are not required to offer a discount.





MAS Contract Characteristics

- ❑ Multiple Award IDIQ (5 year base, three 5 year options)
- ❑ Firm Fixed-Price or Firm Fixed-Price EPA
- ❑ Quantity and delivery performance requirements established at the order level
- ❑ Price Reductions – discounting is allowed at any time

FAR 8.002 - Priorities for Use of Mandatory Government Sources

**In descending order*

| Supplies* | Services |
|---|---|
| Agency Inventory | Services that are on the Procurement List maintained by the Committee for Purchase From People Who Are Blind or Severely Disabled (Ability One) |
| Excess from other agencies | |
| Federal Prison Industries | |
| Supplies that are on the Procurement List maintained by the Committee for Purchase From People Who Are Blind or Severely Disabled (Ability One) | |
| Wholesale Supply Sources (GSA / DLA) | |



AbilityOne.gov
 U.S. AbilityOne Commission
 An Independent Federal Agency
 Thomas D. Robinson, Chairperson
 Tina Ballard, Executive Director

Home | Commission | AbilityOne Program | AbilityOne Network |

FAR 8.004 – Use of Other Sources

If agencies are unable to satisfy requirements through mandatory sources, they are encouraged to consider satisfying requirements through the following non-mandatory sources before considering commercial sources in the open market.

| Supplies* | Services* |
|--|--|
| Federal Supply Schedule | Federal Supply Schedule |
| Governmentwide Acquisition Contracts | Governmentwide Acquisition Contracts |
| Multi-Agency Contracts | Multi-Agency Contracts |
| Other contracts or BPAs intended for Governmentwide use, i.e. Federal Strategic Sourcing Initiative (FSSI) | Other contracts or BPAs intended for Governmentwide use, i.e. Federal Strategic Sourcing Initiative (FSSI) |
| Wholesale Supply Sources | Wholesale Supply Sources |
| | Federal Prison Industries |

*Not listed in any order of priority

What Services Are Available on Schedule?

- ❑ Environmental Services
- ❑ Professional Engineering Services
- ❑ Logistics Services
- ❑ Language Services
- ❑ Management and Consulting Services (including Training)
- ❑ Temporary Administrative and Professional Services
- ❑ Information Technology Services
- ❑ Advertising and Marketing Services
- ❑ Financial and Business Solutions
- ❑ Security Solutions
- ❑ Facilities Maintenance
- ❑ Disaster Relief

Note: For a comprehensive list of services, please visit GSA eLibrary.

www.gsaelibrary.gsa.gov



What Supplies Are Available on Schedule?

- ❑ Office Supplies and Equipment
- ❑ Tools and Hardware
- ❑ Building and Industrial Materials
- ❑ Furniture
- ❑ Scientific Equipment
- ❑ Information Technology Products
- ❑ Vehicles and Support Equipment
- ❑ Appliances and Food Services
- ❑ Law Enforcement, Fire, and Security Products

Note: For a comprehensive list of supplies, please visit GSA eLibrary.

www.gsaelibrary.gsa.gov





Benefits of the MAS Program

What can MAS do for your organization?

MAS Value Proposition

- Realize cost savings
 - Lower Administrative Costs
 - Decreases duplication in Government
- Experience flexibility and choice
- Save time
- Control the procurement





GSA Schedule Conform with Competitive Contracting

Schedule users shall not:

- ⊘ Seek further competition outside of the MAS program
- ⊘ Synopsise the requirement (unless Sole-Source greater than SAT with a Limited Sources Justification (LSJ) – See 8.404(g))





Meeting Agency Socioeconomic Goals

**How does using Schedule
support small business?**



MAS Supports Small Business Utilization

- ❑ MAS Program promotes small business through socioeconomic preference or set-asides.

- ❑ FAR Part 19, *Small Business Programs*
 - Applies to Schedule contracts

 - Does not apply to orders

- ❑ Exception to FAR 19 applicability at the order level:
 - Bundling (FAR19.202-1(e)(1)(iii))

 - Size standard criteria



MAS Supports Small Business Utilization, Cont.

Non Set-Aside Orders

- Consider at least one small business prior to placing an order (8.405-5(c)).
- Give preference to small business if you have at least two (2) quotes at the same delivered price from small business (8.405-5(d)).
- Encourage use of Contractor Team Arrangements (CTAs).
- There is no limitation on subcontracting.
- Ordering activity receives socioeconomic credit (8.405-5(b)).
- Consider socioeconomic status as a primary evaluation factor (8.405-5(c)).
- You may choose small business subcontracting as an evaluation factor.



FAR Part 19: Small Business Programs

- ❑ Part 19 generally does not apply to Schedule orders. – (See 8.404(a))
 - FAR 8.405-5 provides policy for Schedule set-asides.

- ❑ **19.502-4 Multiple-award contracts and small business set-asides.**
 - Contracting officers may, at their discretion—
 - (c) Set aside orders placed under multiple-award contracts for any of the small business concerns identified in FAR 19.000(a)(3)...
 - “For Federal Supply Schedule Program orders, see FAR 8.405-5.”

- ❑ **19.508(c)** requires clauses for total and partial set-asides as well as limitations on subcontracting be added to orders under MAS.



FAR Subpart 8.405-5 – Small Business

- ❑ **8.405-5(a)** – Preference programs of Part 19 are not mandatory.

- ❑ **8.405-5(a)(1)** – Set-asides are discretionary for orders and BPAs for small business concerns identified in 19.000(a)(3).

- ❑ **8.405-5(a)(2)** – Follow the ordering procedures at [8.405-1](#), [8.405-2](#), and [8.405-3](#) as applicable.
 - The specific small business program eligibility requirements identified in Part 19 apply.



FAR Subpart 8.405-5 – Small Business, Cont.

- ❑ 8.405-5(b) – Orders placed against Schedule contracts may be credited toward the ordering activity’s small business goals.
 - For purposes of reporting, an ordering agency may take credit only if the awardee meets a size standard that corresponds to the work performed.
 - Ordering activities should rely on the small business size representations made at the Schedule contract level.
 - If prime is large, everything is reported as large even if small subcontractors are involved.

- ❑ Agencies do not need to make a separate size determination at the order level, however...
 - GAO has upheld agencies’ right to request a recertification at the order level. (CMS Information Services Inc., B-290541, Aug. 7, 2002)



Certification Requirements for MAS Contracts

- ❑ MAS contract's size standard certification is generally valid for 5 years.
- ❑ Firms must recertify at the time of an option exercise.
 - Exceptions:
 - Novation (within 30 days after effective)
 - Merger or Acquisition (within 30 days after effective)
- ❑ See FAR 19.301-2



Non Manufacturing Rule

- ❑ [Non Manufacturing Rule \(13 CFR 121.406\)](#)
 - Applies to small business set aside orders including MAS program
 - Allows small businesses to supply products it did not manufacture as long as those products come from another small business
 - Can be waived by SBA IAW [13 CFR 121 Subpart B](#)
 - Covered under [FAR 19.001](#), [19.102](#) and [52.219-1\(a\)\(3\)](#)

- ❑ Additional training on Non Manufacturing Rule is provided by SBA
 - Understanding the Manufacturer Rule – recording from November 6, 2019
 - See link <https://www.aptac-us.org/for-contracting-officers-sba-webinar-library/> for library of all past trainings on various topics



Required Clauses

| Clause | Title |
|-----------|---|
| 52.219-3 | <i>Notice of HUBZone Set-Aside or Sole Source Award (Nov-2011)</i> |
| 52.219-6 | <i>Notice of Total Small Business Set-Aside (Nov-2011)</i> |
| 52.219-13 | <i>Notice of Set-Aside of Orders (Nov-2011)</i> |
| 52.219-14 | <i>Limitations on Subcontracting (Nov-2011)</i> |
| 52.219-27 | <i>Notice of Service-Disabled Veteran-Owned Small Business Set-Aside (Nov-2011)</i> |
| 52.219-29 | <i>Notice of Set-Aside for Economically Disadvantaged Women-Owned Small Business (EDWOSB) Concerns (Nov-2011)</i> |
| 52.219-30 | <i>Notice of Set-Aside for Women-owned Small Business Concerns Eligible Under the Women-Owned Small Business Program (Nov-2011)</i> |



RFQ Language

The Contracting Officer should include the following language in the RFQ:

This is a notice that this [insert either “order” or “Blanket Purchase Agreement”] is a total set aside for [insert either “small business concerns” or specify a type of small business concern]. Only quotes submitted by [insert either “small business concerns” or specify a type of small business concern] will be accepted by the Government. Any quote that is submitted by a contractor that is not [insert either “a small business concern” or specify a type of small business concern] will not be considered for award.

Note: If using eBuy and selecting “set aside,” this language will be included in the RFQ automatically.



Recap

| Set-Aside | Non-Set-Aside |
|--|---|
| Ordering activity may conduct discretionary set-asides | Ordering activity should give preference to small business if at least two |
| FAR Part 19 does not apply – See 8.405-5 (ordering procedures come from 8.405-1, 8.405-2, or 8.405-3) | May use socioeconomic status as an evaluation factor |
| Limitations on Subcontracting apply | No Limitations on Subcontracting |
| NMR applies | NMR does not apply |
| Ordering activity receives socioeconomic credit | Ordering activity receives socioeconomic credit |
| No “rule of two” – Must ensure competition requirements in 8.405-1, 8.405-2, or 8.405-3 are met | |



Market Research

Why conduct Market Research?

Purposes of Market Research

- ❑ Purpose: to find the most suitable approach to acquiring, distributing, and supporting supplies and services for agency needs
- ❑ Determine adequacy of:
 - Any commercial products/services for the need
 - GSA Schedule sources if commercially available
 - Support practices for the agency's need
- ❑ Determine potential for inclusion of commercial or non-developmental items
- ❑ Locate small businesses for potential set-aside
- ❑ Ensure maximum practicable use of recovered materials, energy conservation, and efficiency
- ❑ Determine advisability of bundling





Market Research Goals

Market research involves:

- ❑ Collecting and analyzing market capability information
- ❑ Identifying the:
 - True needs of activity
 - Marketplace availability
 - Most suitable approach for:
 - Acquisition
 - Distribution
 - Support



Market Research Requirements

- Market research is the cornerstone for compliance with requirements for competition when order value exceeds SAT.
- Market research also can justify and document the basis to use Schedule (interagency) as best procurement vehicle when order exceeds \$600,000 ([FAR 17.500](#)).
- Contracting Officers must identify Schedule contractors capable of performing as required.
- Market research is required to ensure at least three quotes will be received.



Market Research Addresses Requirements

- Understand requirement completely – in terms of the end result or objective.
- Determine salient characteristics and sustainability requirements.



Other Sources for Market Research

- ❑ *GSA Advantage!*®
- ❑ *GSA eLibrary*
- ❑ GSA CALC tool
- ❑ Green Procurement Compilation (GPC)
- ❑ Acquisition Gateway Discovery Tool
- ❑ RFIs on *eBuy*
- ❑ General Information Sources
 - BLS PPI and CPI
 - Trade Journals, catalogs
 - FAR Contract Pricing Reference Guide
 - MarkeTips Magazine
- ❑ Recent similar acquisitions



Acquisition Strategies Using Schedule

How can I plan and place an order?



FAR Subpart 8.4 Simplifies the Acquisition Process

In contrast to FAR Part 15, *Contracting by Negotiation*, Schedule orders do not require:

- Conducting a formal “negotiated procurement” (Source Selection Evaluation Board (SSEB))
- Issuing a “solicitation” for thirty days (or any other pre-determined time)
- Conducting a “competition” by seeking contractors outside the Schedule program
- Synopsizing the requirement on FedBizOpps, unless it’s a limited sources acquisition over the SAT
- Conducting “discussions”
- Conducting formal “debriefings” or “competitive range determinations”
- Using FAR Subpart 15.3 concepts and procedures

Ordering Procedures – FAR 8.405-1

When ordering supplies or fixed-price services without PWS

Exceeds SAT

- Develop RFQ
- Receive ≥ 3 quotes - use of eBuy meets fair notice
- Limited Sources Justification if applicable
- Seek price reduction
- May not place orders orally
- Best value determination

Micro – SAT

- Survey ≥ 3 contractors
- Limited Sources Justification if applicable
- Determine if a price reduction should be sought
- Best value determination

Below Micro

- Place order with contractor
- Distribute orders among contractors

Ordering Procedures – FAR 8.405-2

When ordering services requiring a PWS

Exceeds SAT

- Prepare PWS and establish evaluation criteria
- Receive ≥ 3 quotes – use of eBuy meets fair notice
- Limited Sources Justification if applicable
- Seek price reduction
- Best value determination
- Overall price reasonableness determination (consider mix of labor and level of effort)
- May not place orders orally

Micro – SAT

- Create PWS and evaluation criteria
- Issue RFQ to ≥ 3 contractors
- Limited Sources Justification if applicable
- Distribute orders among contractors
- Best value determination

Below Micro

- Place order with contractor
- Distribute orders among contractors

Schedule Order Types



Note: Cost type orders are not allowed under GSA Schedule.



Options

- ❑ Options may be included on Schedule orders, provided that the options:
 - Are clearly stated in the requirement
 - Are evaluated as part of the ordering activity's best value determination

- ❑ Such options may be exercised on GSA Schedule contract orders, provided that:
 - Funds are available
 - The requirement covered by the option fulfills an existing government need
 - Prior to exercising an option, the ordering activity ensures that it is still in the government's best interest
 - The options do not extend beyond the period of the Schedule contract, including option year periods

- ❑ The length of the order and the risk to the ordering activity could be considered as part of the overall evaluation of best value.



Limited Sources Justification

What about using LSJs?



Limiting Sources (8.405-6)

Questions to Determine Competition Limitations

- Is the SOW or PWS narrowly defined with overly restrictive specifications or performance standards?
- Is the order written in such a way as to create a continuous arrangement with the same contractor?
- Does one of the conditions in FAR 8.405-6 apply and is the reason well documented?
- Is it a brand name or equivalent?
- What is the total dollar amount of the proposed acquisition?



Limiting Sources (8.405-6)

Use of Limited Sources Justification

- ❑ Schedule orders may be awarded on a sole-source or brand-name basis as required by the ordering activity.
- ❑ Such orders must have an approved Limited Sources Justification (LSJ) (see FAR 8.405-6 for procedures) and the OCO must post the required public notice within 14 days after placing the order.
- ❑ This posting requirement includes posting the approved LSJ to the government point of entry at www.fedbizopps.gov for a minimum of 30 days (see FAR 8.405-6(a)(2)).



Exceptions Allowing Limited Source Orders

- ❑ Urgent and compelling need overrides ordering procedures delays
 - [Limited Source Justification](#)

- ❑ Only 1 source is capable at the level of quality required where the supply or service is unique or highly specialized
 - [84—FAR 8.406-6 Limited Source Justification](#)

- ❑ Logical follow-on work to an original Schedule order
 - [LSJ&A for Logical Follow On](#)

Limited Sources Justification (LSJ) Requirements

Limited Source Order/BPA (8.405-6(a)) (Sole Source)

| Threshold | LSJ Required | Posting Required |
|----------------------|---|------------------|
| Exceeds SAT | Yes | Yes |
| Micro – SAT | Document Circumstances – not a full blown LSJ | No |
| Below Micro-Purchase | No | No |

Posting requirements: Within 14 days after placing an order or establishing a BPA exceeding the simplified acquisition threshold that is supported by a limited-sources justification the ordering activity shall:

- ❑ Publish a notice in accordance with FAR Subpart 5.301 and
- ❑ Post the justification:
 - At www.fedbizopps.gov and
 - On the Web site of the ordering activity agency, which may provide access to the justification by linking to FedBizOpps and
 - For a minimum of 30 days.

Limited Sources Justification (LSJ) Requirements

Brand Name (8.405-6(b))

| Threshold | LSJ Required | Posting Required |
|----------------------|--|------------------|
| Exceeds SAT | Yes | Yes - eBuy |
| \$25k – SAT | Document Circumstances – not a full blown LSJ | Yes - eBuy |
| Micro - \$25k | Document Circumstances – not a full blown LSJ | No |
| Below Mirco-purchase | No | No |

Posting requirements: The ordering activity shall post the following information along with the Request for Quotation (RFQ) to e-Buy:

- ❑ For proposed orders or BPAs with an estimated value exceeding \$25,000, but not exceeding the simplified acquisition threshold, contracting officer shall document the file.
- ❑ For proposed orders or BPAs with an estimated value exceeding the simplified acquisition threshold, Limited Sources Justification.
- ❑ Example: [AINS Inc Award](#) for FOIA Software and Support (SEC)

Limited Source Justification Approval Requirements

Exceeding \$75 Million
(\$100M NASA, DOD, USCG)

- Approval of Agency senior procurement executive

\$15 Million - \$75 Million
(\$100M NASA, DOD, USCG)

- Head of the ordering activity
- (or his designee above the grade of GS-15 or a military flag officer)

\$750,000 - \$15 Million

- Approval of OA competition advocate or head of the ordering activity
- (or his designee above the grade of GS-15 or a military flag officer)

Up to \$750,000

- Ordering activity (OA) contracting officer certification that justification is accurate and complete to best of their knowledge and belief.



Contractor Team Arrangement (CTA)

What are the benefits of CTAs?



Schedule Contractor Team Arrangement (CTA)

- ❑ A Federal Supply Schedule (FSS) CTA is a business arrangement between two or more MAS contractors
- ❑ Contractors join together to provide a total solution to meet an agency's requirements
- ❑ Contractors complement each other
- ❑ Allows contractors to compete for orders for which they may not qualify independently
- ❑ Guidance at www.gsa.gov/cta



Contractor Team Arrangement (CTA)



CTAs and the Multiple Award Schedule (MAS)

- The FSS CTA does not create a separate legal entity, but allows FSS contractors to meet ordering activity requirements by combining the supplies and/or services from each team member's separate FSS contract in response to ordering activity requests for quote.
- Under an FSS CTA each member of the team maintains privity of contract.
- The Agreement document is crafted by the FSS contractors who are partnering together, not the government.



CTAs and the Multiple Award Schedule (MAS)

- ❑ Orders placed under an FSS CTA are subject to the terms and conditions of each team member's FSS contract
- ❑ Roles and responsibilities are defined by the team
- ❑ FAR 9.6 is not applicable to Schedule teaming



Establishing the CTA

- ❑ CTAs may be established in advance of any known requirement or after requirements are defined
- ❑ CTA document should be submitted with quotation
- ❑ The document should contain the elements identified by GSA; e.g. identify all team members, MAS contract numbers, tasks to be performed, pricing, etc.
 - www.gsa.gov/cta



Socioeconomic Considerations

- ❑ When forming a Team in response to a small business set-aside (See 8.405-5) all team members must meet the socioeconomic status for the set-aside.
- ❑ Under a CTA set-aside small business team members must perform at least 50% of the work to be completed.



Key Differences between CTA and Subcontractor Arrangements

| Key Questions | CTA | Prime/Sub Arrangement |
|--|---|---|
| Who must hold the Schedule contract? | Each member | Only prime contractor |
| Who is considered a party to the task order? (Privity) | Each member | Only prime contractor |
| Who has ultimate responsibility for contract duties? | Each member | Only prime contractor |
| What rates can be charged? | Up to the MAS rate for the team member providing the services | Up to the MAS rate for the prime contractor |



Blanket Purchase Agreements (BPAs)

What are the benefits of BPAs?



MAS BPAs Streamline the Acquisition Process

MAS Blanket Purchase Agreement (BPA):

- Permits consolidation of agency and multi-agency requirements
- Eliminates need for immediate funding requirements
- Eliminates synopsis requirement

Blanket Purchase Agreements Benefits

- Opportunity to negotiate improved discounts
- Satisfy recurring requirements
- Leverage agency requirements
- Quicker turnaround on orders
- Funding isn't required until a BPA order is initiated.
- Can use small business set-aside procedures in BPA awards to help meet socioeconomic goals



Single-Award BPAs

- ❑ FAR stated preference for multiple awards
- ❑ Single-Award BPA limited to 1 year, no more than 4 option years; documented justification and approvals required
 - Initial award >\$100M must be approved by the head of the agency (See 8.405-3(a)(3))
- ❑ Benefits:
 - Simplified ordering process
 - Improved pricing and terms





Multiple-Award BPAs

- ❑ All purchases are competed among a prequalified pool of contractors.
- ❑ Duration generally does not exceed 5 years, but may do so to meet program requirements.
- ❑ For orders over the micro-purchase threshold and for hourly rate services, RFQs must be sent to all BPA holders at the order level.
- ❑ Benefits:
 - Simplified ordering process
 - Improved pricing and terms
 - Ability to search and negotiate for best value





MAS BPA Establishment Procedures – FAR 8.405-3(b)(1)

When ordering supplies or fixed-price services w/out SOW



Exceeds SAT

- Develop RFQ, including basis of award
- Post to eBuy OR provide to as many as is practicable to ensure at least three quotes
- Limited Sources Justification if applicable
- Best value determination

Below SAT

- Survey ≥ 3 contractors (GSA Advantage, catalogs, etc.)
- Limited Sources Justification if applicable
- Determine if a price reduction should be sought
- Best value determination

MAS BPA Establishment Procedures – FAR 8.405-3(b)(2)

When ordering services requiring an SOW



Exceeds SAT

- Prepare SOW / PWS and establish evaluation criteria
- Specify type of order preference (FFP, T&M, LH)
- Limited Sources Justification if applicable
- Post to eBuy OR provide to as many as is practicable to ensure at least three quotes
- Best value determination

Below SAT

- Prepare SOW / PWS and establish evaluation criteria
- Specify type of order preference (FFP, T&M, LH)
- Issue RFQ to ≥ 3 contractors
- Limited Sources Justification if applicable
- Best value determination



BPA Annual Review

- ❑ Schedule BPAs require an annual review. (8.405-3(e))

- ❑ The ordering activity Contracting Officer shall review the BPA and determine in writing, at least once a year (e.g., at option exercise), whether—
 - The Schedule contract, upon which the BPA was established, is still in effect;
 - The BPA still represents the best value (see 8.404(d)); and
 - Estimated quantities/amounts have been exceeded, and additional price reductions can be obtained.

- ❑ The determination shall be included in the BPA file documentation.



BPA Documentation Requirements

Minimum BPA Documentation Requirements – (8.405-3(a)(7))

| | |
|---|---|
| Schedule contracts considered, noting the awardee | ✓ |
| Description of the supply or service purchased | ✓ |
| Price | ✓ |
| Limited Source Justification, if applicable (See 8.405-6) | ✓ |
| Justification for Single-Award BPA, if applicable | ✓ |
| Determination for a single-award BPA exceeding \$112 million, if applicable | ✓ |
| Documentation supporting the decision for multiple or single award BPAs | ✓ |
| Evidence of compliance with competitive procedures - see 8.405-3(b) | ✓ |
| <i>Basis for the award decision.</i> This should include the <u>evaluation methodology</u> used in selecting the contractor, the <u>rationale for any tradeoffs</u> in making the selection, and a <u>price reasonableness determination for services requiring a statement of work</u> | ✓ |

Now that the BPA is established how do I place an order against it?



BPA Ordering Procedures – FAR 8.405-3

Procedures for Ordering from Multiple-Award Schedule BPAs (FAR 8.405-3(c))



Exceeds SAT

- Issue RFQ to all eligible BPA holders, or follow procedure for limiting sources
- Select best value quote
- Document best value determination and evidence of compliance with ordering procedures

Micro – SAT

- Provide fair opportunity to all BPA holders, or document reasons for restricting consideration
- Select best value quote

Below Micro

- Place order with contractor
- Distribute orders among contractors



BPA Ordering Procedures (cont.)

Additional Procedures for Hourly Rate Services - FAR 8.405-3(c)(3)

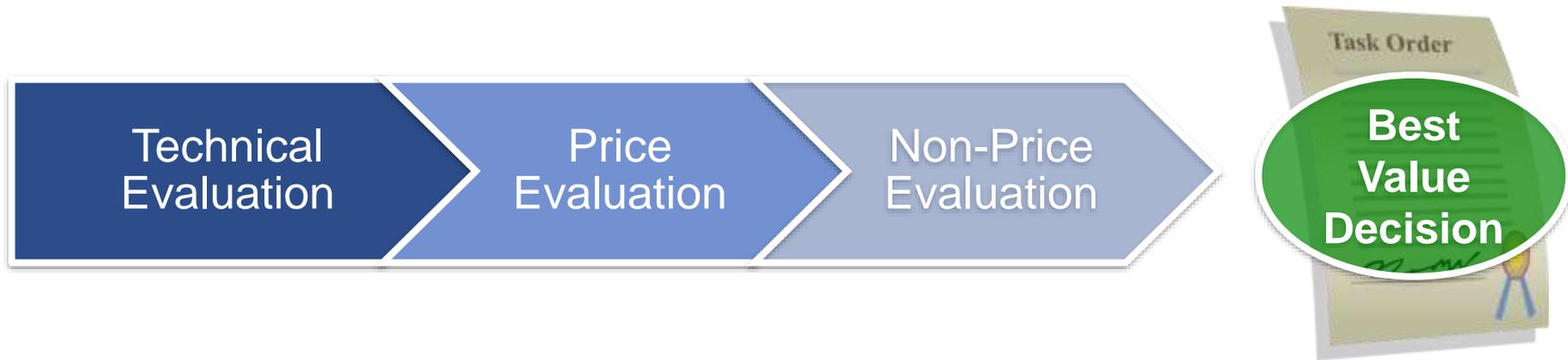
- ❑ Ordering activity shall develop a statement of work for each order
- ❑ Ordering activities should place these orders on a firm-fixed price basis
- ❑ For T&M and LH orders, the contracting officer shall follow the procedures at FAR 8.404(h) (Requires D&F)
- ❑ All orders under the BPA shall specify a price for the performance of the tasks identified in the statement of work
- ❑ Ordering activity is responsible for considering the level of effort and the mix of labor to determine overall price reasonableness



*Task/Delivery Order Award,
Administration and Closeout*

**What happens from time of
award to closeout?**

Evaluation Process





Comparing Best Value

IAW FAR 8.4, ordering activities should place orders on a “best value” basis.





Best Value Factors: Procurement of Services

In addition to considering past performance/experience and price, you may consider other “best value” factors.

- Possession of specialized experience or expertise
- Use of tools, processes, or procedures that ensure high quality or enhanced performance
- Certifications, awards, or recognition demonstrating competence and/or reduced risks
- Soundness of technical approach
- Ability to successfully manage, as demonstrated in the management plan
- Qualifications of key personnel

Making and Documenting the Decision

Documentation – Orders without SOW (8.405-1)

| Documentation | Completed |
|--|-----------|
| Schedule contractors considered | ✓ |
| Contractor chosen | ✓ |
| Description of supply or service purchased | ✓ |
| Amount paid | ✓ |
| Evidence of compliance with the ordering procedures when exceeding the SAT | ✓ |
| Basis for award decision | ✓ |
| Determination that interagency vehicle (Schedule) constitutes best approach (when exceeding \$500,000) | ✓ |





Making and Documenting the Decision

Documentation – Orders with SOW (8.405-2)

| Documentation | Completed |
|--|-----------|
| Schedule contracts considered; contractor chosen | ✓ |
| Description of supply or service purchased | ✓ |
| Amount paid | ✓ |
| The evaluation methodology used in selecting the contractor to receive award | ✓ |
| The rationale for any tradeoffs in making the selection | ✓ |
| Overall price reasonableness determination | ✓ |
| Rationale for using other than FFP or PBA | ✓ |
| Evidence of compliance with the ordering procedures when exceeding the SAT | ✓ |
| Determination that interagency vehicle (Schedule) constitutes best approach (when exceeding \$550,000) | ✓ |



Protests

- ❑ A protest is a written objection to the awarding of a contract by an interested party.
- ❑ A protest can be to the agency or to GAO.
- ❑ Protests can occur in the following situations:
 - Procedural issues
 - Scope issues
 - Open market items

Note: FAR Subpart 33.1 is applicable to orders placed against GSA Schedule.

Order Administration Functions

❑ Order administration focuses on obtaining **quality** services and supplies:

- On time
- Within budget

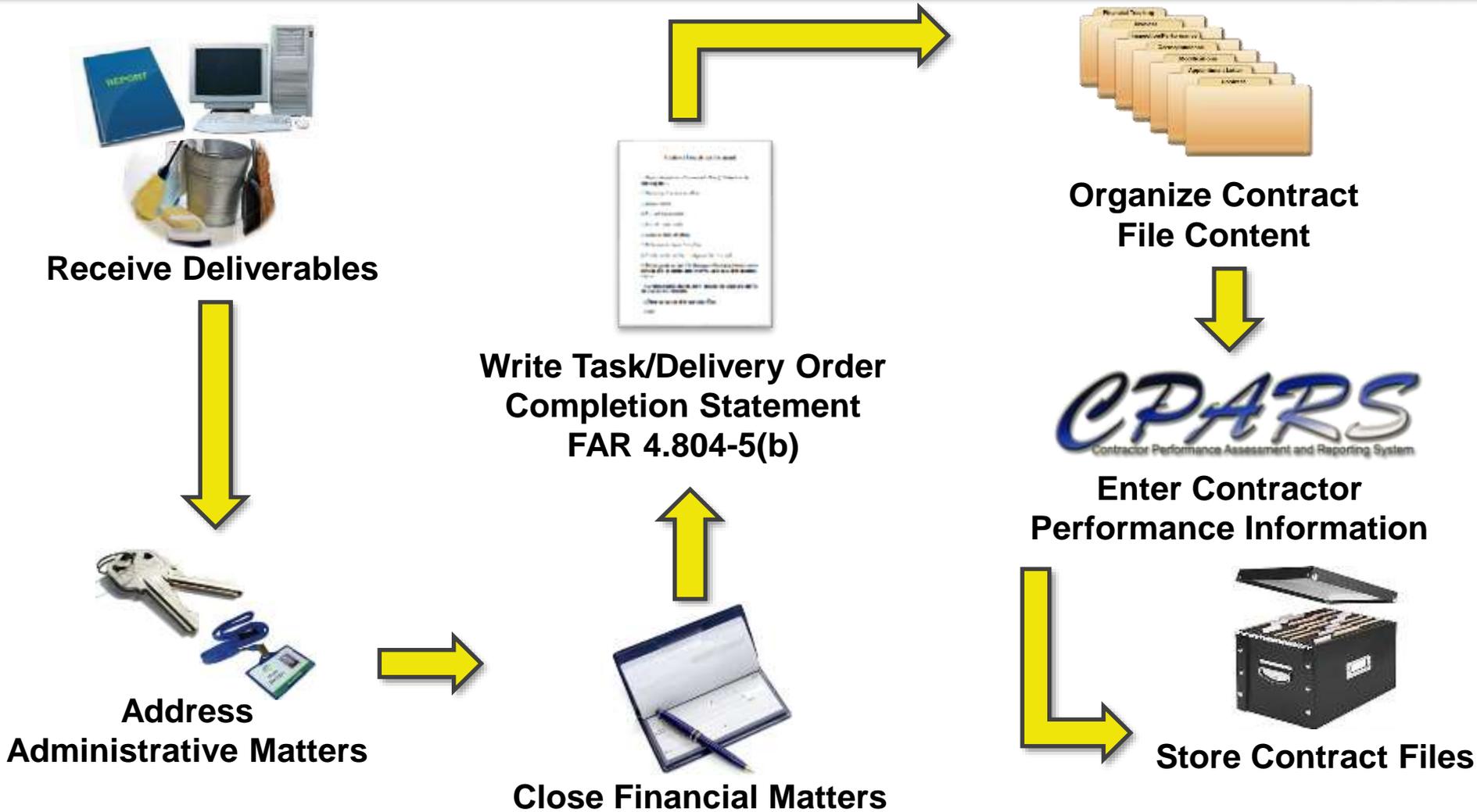


❑ Administration activities vary depending upon the situation, but may include:

- Monitoring contractor performance
- Non-conformance remedies
- Dispute resolution
- Inspection & acceptance
- Order/BPA modifications
- Performance incentive payment determinations
- Prompt payments
- Order/BPA closeout



Required Actions at Closeout





Termination

**Can I terminate a
Schedule order?**

Requirements for Termination

To terminate a Schedule order:

- ❑ Review the GSA Schedule contract to identify applicable clauses prior to taking action
- ❑ Include in the order file a record of dates the Schedule contractor received notices and copies of all documentation to and from the contractor





Termination for Cause

FAR Subpart 8.406-4

- ❑ The ordering activity has the right to terminate all or part of an order when the contractor defaults or fails to comply with any of the contract terms and conditions, or fails to provide the Government, upon request, with adequate assurances of future performance.
- ❑ Ordering Activity must notify GSA when:
 - Schedule order is terminated for cause
 - Fraud is suspected



Termination for Convenience

FAR Subpart 8.406-5

- ❑ The ordering activity has the right to terminate all or part of an order when it is in the Government's best interest (e.g., when an item is no longer needed).

- ❑ If the Schedule contracting officer terminates any services or supplies covered by the contract:
 - The contractor **must** complete any orders for those services or supplies

 - The ordering activity contracting officer **may** terminate the order for convenience



eTools

What GSA Resources are out there?



- Search
- Review
- Place Order
- View History

www.gsaadvantage.gov

GSA Advantage! - an online shopping service through which ordering activities may place orders against the Schedule using the Governmentwide Purchase Card.



- Post Requirements
- Issue RFI/RFQ
- Notification of Award

www.ebuy.gsa.gov

eBuy - An online RFQ system that allows ordering activities to post requirements, obtain quotes, and issue orders.



eLibrary

- Schedule listings
- Descriptions
- Clauses
- Contractor details
- SAM status

www.gsaelibrary.gsa.gov

eLibrary - The official online source for complete GSA and VA Schedule information – a great market research tool.

Conclusion

You should now be able to identify:

- ❑ The purpose, benefits, and regulatory foundation of the MAS Program
- ❑ The importance of acquisition planning and competition when using the Schedule
- ❑ Characteristics and Schedule flexibilities relating to the acquisition life cycle, including strategy, planning, and market research
- ❑ The task/delivery order administrative functions, documentation requirements, and ordering methods when using GSA Schedule





Webinars and Online Training

- Monthly Webinars sponsored by the MAS Program Office
<http://www.gsa.gov/masnews>
- Training Videos -
<http://www.gsa.gov/portal/content/210517>
- Continuous Learning Modules
 - Federal Acquisition Institute
 - Defense Acquisition University



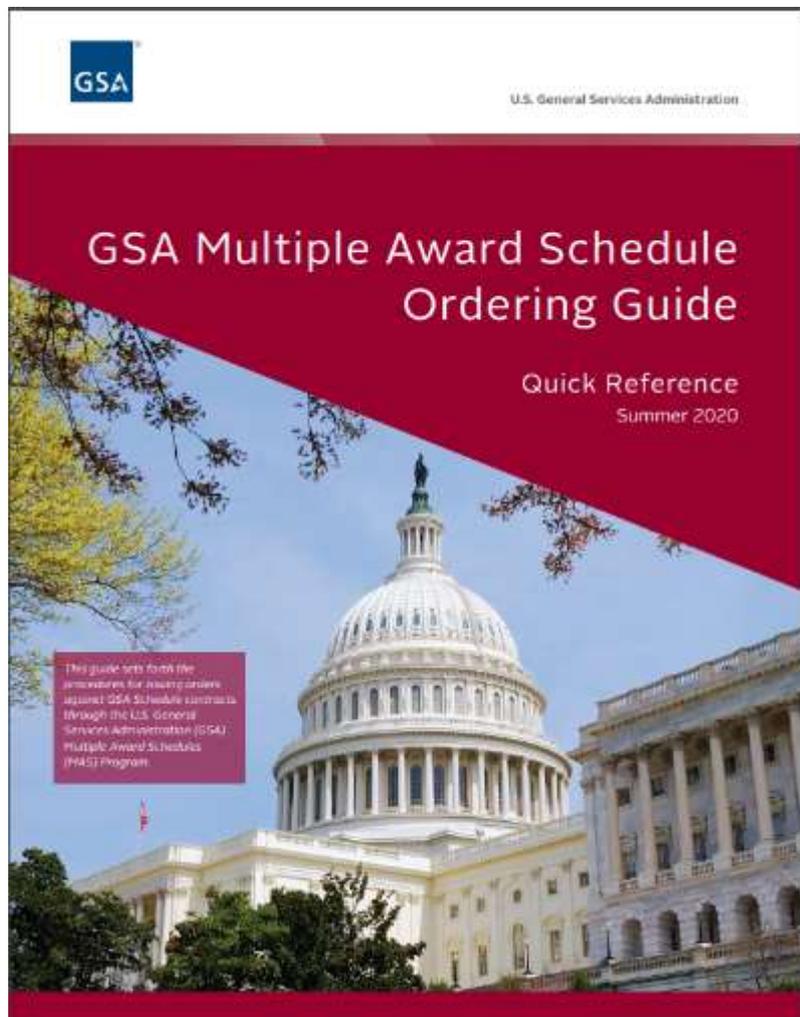
<http://icatalog.dau.mil/> Search for continuous learning modules with FAC prefix



DAU Continuing Education

| | |
|----------------|---|
| FAC 023 | Basic Contracting for GSA Schedule <i>*Requirement for a FAC-C Level I certification</i> |
| FAC 024 | GSA Global Supply |
| FAC 027 | GSA Schedule and Small Business |
| FAC 028 | GSA Schedule and Sustainable Acquisition |
| FAC 029 | GSA Schedule vs. Open Market |
| FAC 036 | Schedule BPAs CTAs |
| FAC 038 | How to Integrate Green |
| FAC 039 | GSA GWACs |
| FAC 043 | Ethics and Procurement Integrity for the AW |
| FAC 048 | GSA MAS Program: Buying Services Through GSA Schedule |

MAS Desk Reference



MAS Desk Reference

Available through CMLS

www.gsa.gov/cmls

Key GSA Web Resources

- ❑ www.gsa.gov/Schedule - MAS Schedule
- ❑ www.gsa.gov/Scheduleolicitations
- ❑ <https://calc.gsa.gov/> - CALC Tool
- ❑ www.gsa.gov/events
- ❑ www.gsa.gov/cmls
- ❑ www.gsa.gov/csd
- ❑ interact.gsa.gov (Look under “Community” then “Groups”)



Other Web Resources

- ❑ AbilityOne www.abilityone.gov
- ❑ Blanket Purchase Agreement www.gsa.gov/bpa
- ❑ Centralized Mailing List Service www.gsa.gov/cmls
- ❑ Electronic Request for Quotes System www.ebuy.gsa.gov



Questions?



Multiple Award Schedule Training

