U.S. GENERAL SERVICES ADMINISTRATION

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FEDERAL MARKETPLACE INDUSTRY DAY

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WEDNESDAY, DECEMBER 12, 2018

The Federal Marketplace Industry Day convened in the Department of Interior Sidney Yates Auditorium, 1849 C Street NW, Washington, DC, at 9:30 a.m., Crystal Philcox, Assistant Commissioner, Office of Enterprise Strategy Management, presiding.

PRESENT

EMILY MURPHY, GSA Administrator
CRYSTAL PHILCOX, Assistant Commissioner, Office
      of Enterprise Strategy Management
LARRY ALLEN, Allen Federal Business Partners
CHRIS AVERILL, Office of Congressional and
      Intergovernmental Affairs (OCIA)
MATTHEW BLUM, Associate Administrator, OMB,
      Office of Federal Procurement Policy
BETSY CERULO, AdNet/AccountNet, Inc.
ALAN CHVOTKIN, Professional Services Council
JULIA CONTI, CGI Federal
JEFF KOSES, Senior Procurement Executive, GSA,
      Office of Governmentwide Policy
MARK LEE, Assistant Commissioner, GSA, FAS
      Office of Policy and Compliance
CRYSTAL PHILCOX, Assistant Commissioner, Office
      of Enterprise Strategy Management
STEPHANIE SHUTT, Director, MAS Program
      Management Office
LAURA STANTON, Deputy Assistant Commissioner,
      GSA, ITC Category Management
ALAN THOMAS, FAS Commissioner
ROGER WALDRON, The Coalition for Government
      Procurement

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1              P-R-O-C-E-E-D-I-N-G-S

2                                        9:30 a.m.

3            MS. PHILCOX:  Good morning, everyone.

4            Good morning, and welcome to the

5   Federal Marketplace Industry Day.  Great to see

6   everyone here and it's so nice that this

7   auditorium was available and that DOI is allowing

8   us to be here.

9            We opened this Industry Day originally

10  in the GSA auditorium and sold out in four hours.

11  So we should have a full house here today.  We

12  also sold out this space.

13           So I think we will have people coming

14  in and out during the day and so just be mindful

15  of that.

16           We have got a great agenda for you

17  here today.  We have got a couple of really nice

18  panels.  We have got -- our administrator is here

19  to start off the day.

20           Our commissioner, FAS Commissioner

21  Alan Thomas, will close out.  They've got some

22  great information about sort of the vision for
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1   the Federal Marketplace, everything that that

2   entails -- how we intend to move forward with

3   that this year and into the next year.

4   And so without delay, I have the honor

5   of introducing the GSA administrator, Emily

6   Murphy.

7   (Applause.)

8   MS. MURPHY: Good morning. Thanks,

9   Crystal, for the introduction. I am really glad

10   to be here with all of you today and to see so

11   much interest in GSA's efforts to modernize,

12   simplify, and make it, frankly, just easier to do

13   business with the federal government.

14   We want to make it easier for our

15   agency customers to buy from GSA. You shouldn't

16   need a Ph.D. in GSA to find the solution you

17   want.

18   So as today is my one-year anniversary

19   as the GSA administrator, I can't think of a

20   better way --

21   (Applause.)

22   Thank you. I can't think of a better

1 way to celebrate it, though, than to continue our

2 dialogue with industry about the future of the

3 Federal Marketplace.

4   As I share my vision today for the

5 Federal Marketplace, I want to make one point.

6 One of the biggest risks to any transformative

7 effort and especially in procurement is the

8 unknown unknowns and we have got a lot of

9 expertise here in this room.

10   I want to really encourage you, if you

11 see one of those unknown unknowns, speak up.

12 Raise your hand. Talk to us about it.

13   This is our chance to make sure that

14 this is a success. I am always hesitant to say

15 it's our chance to get it right because I

16 promised not to give the "get it right" speech

17 anymore.

18   But this is our chance to get it

19 right. Your feedback is really critical.

20   So let's talk about what is the

21 Federal Marketplace. It brings together a lot of

22 initiatives to make procurement better and just,

1 frankly, smarter.

2 For customer agencies, it means we are

3 using data analytics to get actionable insights

4 to make it easier to find and buy solutions on

5 the schedules.

6 For vendors, it'll make it easier to

7 offer those solutions in a way that best fits

8 their technology and the way their customers

9 actually want to buy things.

10 And it'll make it easier across GSA to

11 find ways we can continue to improve and reduce

12 duplication, increase competition, improve

13 transparency, provide better consistency, and

14 streamline all of our processes.

15 In developing this broader Federal

16 Marketplace initiative we have identified 30

17 connected projects that'll improve the buying and

18 selling experience.

19 We are not starting on all 30 today.

20 Right now we are prioritizing what we feel adds

21 the greatest value and schedules transformation

22 at the top of that list.

1   Schedules have evolved. If you think

2   back to the origin of schedules when they were

3   really lists of supplies, we have gone from

4   having supplies to services and we are really

5   working on solutions at this point in time.

6   And it also means we are going from 24

7   schedules to one schedule. By consolidating to

8   one schedule, we will eliminate the need for our

9   industry partners to deal with multiple

10   schedules, multiple contracting officers,

11   multiple sets of terms and conditions, and really

12   just have duplicative efforts across the board

13   which are burdensome and complicated for all the

14   parties involved.

15   It'll allow industry to bring products

16   and services to the table from the same entry

17   point and I'll remove potential barriers to entry

18   for small businesses interested in doing business

19   with the federal government, providing value

20   across our offerings.

21   We are working to create the single

22   schedule this fiscal year and we are really

1 looking forward to the feedback we will receive

2 from today's panels to help make sure we get this

3 right.

4   Transforming our schedules is,

5 frankly, just overdue and it's really exciting.

6 But it's only a piece of the broader Federal

7 Marketplace strategy.

8   Beyond the multiple award schedule

9 reform, we need to do more to create value. We

10 need to improve how we manage our catalogs.

11   We need to improve our contract

12 writing system. We need to focus on the new

13 authority we have for unpriced services contracts

14 and incorporate that so that we can really focus

15 on the technical qualifications of vendors and

16 drive down pricing at the task order level when

17 it matters the most.

18   We need to reform eBuy to make it

19 easier to use and we have the eCommerce and

20 ePlatform discussion going on right now with the

21 RFI open for public comment until December 21st.

22   So our Phase 2 report is due in March

1   and with the goal of having a prototype in place

2   by the end of the calendar year of 2019.

3   Wrestling to reduce our internal

4   duplication, which means that PBS will become a

5   better customer of the Federal Acquisition

6   Service. It means that our own systems will work

7   more elegantly together.

8   It means that our systems will reflect

9   the business processes that we want rather than

10   having our business processes reflect the systems

11   we have.

12   And it means we are going to be able

13   to really leverage our own workforce. We have

14   got wonderful 1102s and we want to take them from

15   doing data entry to doing data analytics and

16   using it to make sure that we get the right

17   solution for all of our partners.

18   All of these initiatives are designed

19   to bring value to you, our partners and our

20   stakeholders. So while I am excited to be here

21   today with all of our industry partners, GSA

22   success also relies on its relationship with our

1   customer agencies.

2   And I want to say that I think the

3   relationship is really strong. We have got a

4   great relationship with our customers, which I

5   think is the true testament to the leadership

6   within the Federal Acquisition Service.

7   In fact, in my 20 years of working

8   with GSA and in government contracting, I think

9   this is the strongest I've seen the relationship

10   between GSA and DoD.

11   I really want to especially thank the

12   FAS leadership, including Stephanie Shutt, Laura

13   Stanton, Judith Zawatsky, Becky Koses, Mark Lee,

14   Kyle Todd, Crystal Philcox, and Commissioner Alan

15   Thomas.

16   I just have to give them a round of

17   applause. They made my first year wonderful.

18   (Applause.)

19   This talented and dedicated leadership

20   team is critical to achieving success and we have

21   had a lot of success so far.

22   In the last year, GSA delivered $6.8

1   billion in savings. We have worked to simplify

2   our processes, resulting in smarter government,

3   the improvement of its schedules program with the

4   order level materials rule, with the commercial

5   supplier agreements.

6   We are implementing robotics process

7   automation. We are reducing the burden on our

8   vendors, on our customers, and on our employees.

9   And we are working to really drive

10   satisfaction -- data-driven decision making, you

11   know, better pricing for those customers and,

12   frankly, just ease of doing business for all the

13   parties involved.

14   It's our goal to thrill our customers

15   and to do that we need to thrill our vendors and

16   make sure that we are your portal of choice.

17   So, in closing, I hope that you have

18   a better idea of what GSA is focusing on today

19   and what we will be doing in the next year in the

20   Federal Marketplace strategy.

21   And I hope that we can count on you to

22   pursue this -- you know, keep this momentum going

1   and have a great fiscal '19 and a great fiscal

2   '20 and really continue to deliver on its

3   success.

4   I'd love to take some questions,

5   though, while I am here today. So if anyone's

6   got something they want to raise.

7   I did ask at the beginning if you're

8   aware of one of those unknown unknowns please

9   speak up.

10   PARTICIPANT: And for folks in the

11   audience we have four mics or you can raise your

12   hand and Sam will come bring a mic to you.

13   MS. COLLIER: Good morning, Emily.

14   MS. MURPHY: Good morning.

15   MS. COLLIER: Thank you for being

16   here.

17   My name is Stephanie. I am from

18   Federal Contracts Corp. We are in Tampa, Florida

19   and we sell heavy equipment. We have four

20   different schedules.

21   MS. MURPHY: Okay.

22   MS. COLLIER: One of the concerns that

1 we have is that in combining four different

2 schedules, which I think is a fantastic idea, how

3 do you determine what regulations stay, what

4 regulations go, because some of the regulations

5 on some of the schedules are working for us and

6 some of them on some of the other schedules would

7 not work.

8   A big part of the issue or a big issue

9 that I see that may be one of those unknown

10 unknowns is that currently small businesses in

11 the heavy equipment industry are measured and

12 determined to be small based on a different

13 metric for rental versus sales.

14   So if you sell it's based on number of

15 employees and if you rent it's based on dollar

16 volume.

17   I see that as an issue when combining

18 the schedules.

19   MS. MURPHY: So one of the ways that

20 GSA is looking at combing the schedules -- first

21 of all, I want to give credit to Stephanie Shutt.

22   One of the things she did when we

1 first were looking at this initiative was try and

2 map out all the terms and conditions across the

3 schedules and to continue to work, you know, to

4 see where we have variations and why those exist

5 and how we are going to drive it to a single

6 term.

7 These were not just created because

8 someone felt like it one day. They had their

9 rep. But I think that another way that she's

10 been looking at schedule reform is how do we make

11 it easier and not have this NAICS code confusion.

12 So one of the areas that I think we

13 are going to talk about later today is the

14 opportunity maybe move away from SINs to NAICS so

15 that'll make it easier for those small businesses

16 to better identify who's small, represent

17 themselves and make it clear if you're doing the

18 purchase or the lease and make it just, frankly,

19 an easier process for you.

20 It's also one of the reasons, though,

21 that customers who have multiple or vendors who

22 have multiple schedules will be the last group to

1   transition because we know that there is not

2   going to be a one-size-fits-all solution for

3   those -- for those companies.

4   MS. COLLIER: Thank you very much.

5   MS. MURPHY: State your name for the

6   record, please.

7   MS. COLLIER: Hi. Good morning.

8   MS. MURPHY: Good morning.

9   MS. COLLIER: How is this going to

10 affect the VA FSS?

11   MS. MURPHY: I am sorry. Is it going

12 to --

13   MS. COLLIER: The VA FSS, so Schedule

14 65. Is that included in this or will they

15 maintain separately?

16   MS. MURPHY: So VA is still operating

17 under a delegation of authority from GSA. We do

18 talk to them about how they could better leverage

19 our tools and I think that as we evolve our

20 tools, hopefully, that'll make it -- you know,

21 they will be interested in using those.

22   But I don't think it's going to have

1 an immediate effect on the VA schedules.

2   MS. COLLIER: Okay. And what about

3 our existing contracting officer? Like, our

4 schedules are managed out of Southwest

5 Acquisition currently.

6   Will you still maintain the separate

7 centers or --

8   MS. MURPHY: So one of the initiatives

9 GSA has looked at is how do we -- how do we

10 leverage our 1102s, and we have got contracting

11 officers -- as you mentioned, the Southwest

12 region. We have got great contracting officers

13 across the country.

14   This'll allow -- you'll still have one

15 primary contracting officer and you'll be doing

16 business with that individual and people will

17 keep their same area focus, at least to begin

18 with.

19   But it'll allow us to do some

20 rebalancing so that if there is additional work

21 in one area, you know, rather than having to, you

22 know, reassign things between regions or between

1   categories, it'll be a lot smoother over

2   transition as well.

3   And it's going to mean, though, that

4   we have to do a lot of work on change management

5   to make sure that our workforce gets the support

6   it needs and that we give them the tools because

7   this is about really giving them the opportunity

8   to do higher value work also and make sure that

9   we, you know, we transform them into, you know,

10   really business leaders that they are meant to

11   be.

12   MS. COLLIER: Okay. So not necessarily

13   a change?

14   MS. MURPHY: I can't guarantee you

15   that your contracting officer will remain the

16   same. But I don't think there is any -- we are

17   not anticipating that if you only have one

18   schedule with one contracting officer right now

19   that that would change.

20   MS. COLLIER: Okay. Great. Thank

21   you. Thanks.

22   MS. MURPHY: I've got time for one

1   more question, and someone is jogging down to ask

2   one. So --

3   MR. ERLWEIN: Good morning. Thank you

4   for having this Industry Day.

5   Ted Erlwein, High Sierra Consulting

6   out of Bishop, California.

7   MS. MURPHY: Okay.

8   MR. ERLWEIN: When you talk about

9   having one contracting officer for the combined

10   schedules, a lot of contracting officers today

11   have a specific expertise -- 48s, transportation,

12   72, furniture, hardware, security down in Fort

13   Worth.

14   How are you going to combine the

15   expertise or determine a contracting officer who

16   is now going to be overseeing all SINs, all what

17   is now schedules?

18   MS. MURPHY: So if you look across our

19   schedules, there only are about 1,500 schedule

20   alerts -- tell me if I am getting this wrong,

21   Stephanie. Only about 1,500 who have multiple

22   schedules.

1   So it's a smaller universe of

2   individuals. It's more we have been concerned

3   that companies aren't going and pursuing another

4   SIN that makes sense for them because they don't

5   want to cross over that schedule's barrier.

6   So I think that for those who do have

7   -- who are -- for our contracting officers who

8   are going to be working now across schedules we

9   are going to try and work with them to make sure

10   that they have access to that body of knowledge

11   and to the training and to make sure that they

12   get the resources that exist within GSA so that

13   they are going to continue to be able to

14   administer the contract effectively.

15   I think it's actually going to be a

16   great opportunity, though, for us to make sure

17   that there is a standard experience across GSA,

18   that you're not having one -- you know, one

19   interpretation on one -- of a clause on one

20   schedule, another on a different schedule.

21   MR. ERLWEIN: That's going to be an

22   advantage too because I see that one schedule

1 does it one way, another schedule does it another

2 way, even though there was supposed to be, you

3 know, consistency.

4   So I see that as a definite advantage

5 as well. Thank you.

6   MS. MURPHY: Well, thank you all so

7 much for letting me join you this morning. I

8 hope that it's going to be a really valuable day.

9 I look forward to hearing the results of the

10 Industry Day and continuing this dialogue for the

11 next several years.

12   So thank you very much for joining us.

13   (Applause.)

14   MS. PHILCOX: All right, thank you,

15 Emily. A big thanks to Emily for joining us this

16 morning sharing her vision for the Federal

17 Marketplace.

18   My name is Crystal Philcox. I am the

19 assistant commissioner for enterprise strategy

20 management at the Federal Acquisition Service and

21 I recently got this assignment and so in talking

22 with our commissioner about really what this was,

1   you know, I was trying to formulate in my mind,

2   right, what is Federal Marketplace and what is

3   that strategy.

4   It's really an integrated set of

5   policy, process and technology improvements that

6   help FAS establish a seamless people-centric

7   buying and selling experience that enables

8   mission-driven acquisition across government.

9   So I am an English major. I am going

10   to take the verb and object from that sentence.

11   It's really about establishing an experience.

12   And so I want to stop and emphasize

13   that we are doing that in a people-centric way.

14   That's an important word in that sentence.

15   So when FAS set off on this journey to

16   sort of reimagine the acquisition experience, we

17   very quickly realized that the needs of our

18   stakeholders were extremely important.

19   We wanted to co-design our solutions

20   in this marketplace and that was the only way we

21   were really going to be successful.

22   So we rolled up our sleeves. We dug

1   into a lot of the research that we -- and the

2   feedback that already existed inside FAS and

3   through our various -- our various studies, our

4   customer loyalty surveys, supplier relationship

5   management surveys.

6   We had done a lot of journey mapping

7   and other data sources and then we took a look at

8   the gaps in that data and that research that we

9   had in-house that really helped us guide the

10   development and the execution of a research plan.

11   So once we had identified those gaps

12   we then went out and conducted dozens of

13   interviews with buyers and suppliers to really

14   understand the current experience that they were

15   having, identify those pain points so that we

16   could address potential solutions.

17   We also, with the help of our chief

18   customer officer, we went to the lab at OPM and

19   got a deeper understanding of human-centered

20   design, which is really this iterative sort of

21   customer-centric approach to problem solving and

22   we are trying to really keep that at the center

1   of our process.

2   So that has really been a lot of the

3   last year. I want to thank Kay Ely and Laura

4   Stanton for their work on that.

5   But, you know, when people hear human-

6   centered design they sometimes think that that

7   just applies to systems and we are really

8   focusing on that principle -- that human-centered

9   design principle in all aspects of our strategy.

10   So really focusing this reimagined

11 Federal Marketplace on policy, process and

12 technology, and so it's a lot more than just

13 focusing on individual contracts and improving

14 individual contracts.

15   A lot of what we uncovered in the

16 research isn't new or surprising. In fact, we

17 heard a lot of it at the -- there was a FAS

18 Industry Day that had contract writing system --

19 TTS.

20   Heard a lot of it there again, and so

21 we are starting to see this pattern of feedback

22 that we are getting and so advances in

1   technology, increasing complexity in our

2   purchasing practices, duplication of contracts,

3   our reliance on legacy systems -- all of those

4   things we are hearing has resulted in sort of

5   this cumbersome challenging experience for both

6   buyers and sellers in the Federal Marketplace.

7   So we are, you know, working side by

8   side with our stakeholders. We are co-designing

9   solutions at this point and to some of these, you

10   know, challenges that we have heard from folks

11   and that is really what the Federal Marketplace

12   is about and that's what we are calling the

13   Marketplace experience and the Federal

14   Marketplace strategy and that's really -- that

15   experience is really the foundation of our

16   strategy.

17   So what does that mean exactly? Well,

18   before we make major policy changes or system

19   investments, we are not only going to ask

20   ourselves but you, our valued partners, a number

21   of questions, right.

22   We will be out continually iterating

1   the customer input that we are getting as we are

2   starting to make improvements.

3   So things like will this policy

4   change, enable industry to bring more competitive

5   solutions to government; does this system

6   enhancement simplify onboarding, ensure

7   transparency; does it maximize automation; does

8   this process improvement increase industry's

9   access to government contract vehicles; will this

10   new feature make it simpler for industry to match

11   their solutions to government requirements.

12   So human-centered design it really --

13   our goal with that is to make sure that our

14   stakeholders have the opportunity to not only

15   tell us what's wrong but to help us identify and

16   frame the problems and then participate in

17   prototyping solutions.

18   So today is really just one of many

19   opportunities in the months and years ahead when

20   we want to gather your candid feedback and

21   incorporate those ideas into our -- into our

22   strategy.

1   We have -- in addition to this room I

2 will say when I came on stage we had 830 folks

3 also online today. So a lot of interest in this.

4   And we will -- you should see us

5 reaching out over the next few months into --

6 over the next year and a half or so to get -- to

7 get your feedback.

8   So looking ahead, right, the Federal

9 Marketplace is not just sort of nice ideas. I

10 know Emily mentioned these 30 projects, right,

11 that are ongoing.

12   And part of the -- part of the role of

13 the Federal Marketplace is really to prioritize

14 those, to understand the dependencies between

15 them, to make sure that policy decisions are

16 coming out that support us moving forward.

17   So we have got a couple of panels

18 today that are going to talk about a couple of

19 the projects that are under the Federal

20 Marketplace or involved in the Federal

21 Marketplace.

22   One is the -- a Future of Multiple

1   Awards Schedules and the other is Phase 2 of the

2   Commercial Platforms Initiative, and that'll be

3   this afternoon.

4   So Alan will talk about these

5   initiatives as well as a couple of other key

6   cornerstone initiatives that are part of the

7   Federal Marketplace. I'll talk about those later

8   this afternoon.

9   But these two efforts really are

10 massive undertakings on their own and we are

11 looking really across the organization to

12 identify and align dependencies among these

13 projects and in the areas of both -- of process,

14 policy and technology.

15   So let's talk about policy first just

16 to give folks a sense of really what falls under

17 the Federal Marketplace.

18   We are talking about exploring

19 innovative legislation and policy reform that

20 will support agility, transparency and

21 competition.

22   One of those is promoting government

1 wide and other interagency contracts by removing

2 outdated reporting requirements for contracting

3 officers.

4 Another is increasing competition at

5 the task order level, which authorizes unpriced

6 indefinite delivery indefinite quantity contracts

7 for services so that true competition can take

8 place at the task order level. Emily talked

9 about that as well.

10 So both of these clauses are going to

11 be able to eliminate the creation of duplicative

12 contracts, increase opportunities for qualified

13 suppliers to compete in the Federal Marketplace.

14 So we will continue to recommend

15 additional legislative and regulatory changes

16 that benefit both our customer agencies and our

17 industry stakeholders and that also reduce

18 duplication and streamline processes.

19 So if you take a look at process then

20 -- so that was policy. If you take a look at

21 process, we will have a long conversation about

22 consolidation of schedules but I also want to hit

1   on a couple of other pilots that we are talking

2   about in that area and that we are going to be

3   working on that are really designed to increase

4   transparency and competition.

5   One of those is the eBuy open pilot

6   and that is a one-year effort to study the

7   effects of increasing eBuy transparency by

8   releasing post--award RFQ information on

9   FedBizOpps.

10   So we hear that a lot from our

11   suppliers that that's a concern for them. Also

12   the INFORM pilot; that stands for In-Depth

13   Feedback Through Open Reporting Methods.

14   So the goal of this is to improve

15   post-award communication between GSA and our

16   offerors who are looking to get on schedule by

17   providing offerors with the information that they

18   need to improve the quality of their future

19   responses to their solicitation.

20   So, again, another issue that we are

21   hearing from suppliers quite often.

22   One other pilot that we are running

1 right now is that we are delving into emerging

2 technologies and doing a little bit with robotic

3 process automation. So we are using scripts to

4 automate manual, repetitive, time-consuming and

5 high-volume FAS workforce tasks and processes.

6 So one of those examples is, like, the

7 pre-negotiation letter. We are starting to pull

8 together some -- to automate some of those

9 processes so that the process for issuing that

10 pre-negotiation letter is easier.

11 And then in the area of technology we

12 have a lot going on in the area of technology and

13 the first that I'll mention is the contract

14 writing system.

15 Emily mentioned this during her

16 comments, and it is a system that will help

17 internally our work force. But in doing so, I

18 think it'll provide a huge amount of implication

19 to both buyers and suppliers.

20 So it's really about delivering a

21 modern efficient enterprise contract-writing

22 system. It's going to be designed to improve the

1   quality, speed and satisfaction but while

2   reducing the burden and the systems costs.

3   Another technology project that we

4   just kicked off has to do with catalog

5   management. So it's really about enabling a more

6   user-friendly modern efficient marketplace by

7   allowing suppliers to integrate their catalogs

8   with the FAS systems and processes.

9   So, you know, I think early on we

10   recognized there was some issues. Especially we

11   got this feedback from buyers a lot that the

12   catalogs were -- the quality of the data in the

13   catalogs were a little spotty.

14   So that should -- that project is

15   intended to address that. So we understand that

16   there is a lot of dependencies that exist among

17   our systems and compatibility across

18   technologies.

19   So we are going to be looking at how

20   to -- how to map out our processes very carefully

21   and then make sure that we have got integrated

22   technology underneath that supports those.

1   So we have got a lot of work ahead but

2   we are excited. We are up for the challenge, and

3   I am going to close my remarks here.

4   But then I first want to emphasize my

5   sincere appreciation to everyone for your

6   participation at this event today.

7   We are looking forward to answering

8   your questions and exchanging ideas throughout

9   the day. We will be capturing questions that are

10   coming from the audience.

11   We will also be capturing questions

12   coming in online. We will try to address as many

13   as we can today.

14   If we can't, just know that we will be

15   capturing -- we will be capturing them and we

16   will be trying to address them as we go through

17   our work.

18   So, you know, this is a top priority

19   for us, engaging our stakeholders. We want to

20   make sure that we are providing opportunities for

21   this type of interaction as we -- throughout the

22   years we go through this.

1   And we are here today to listen and to

2   answer questions, to have an open honest dialogue

3   and would love to work with you in designing and

4   delivering sort of this future-ready government

5   marketplace together.

6   So with that, I would like to turn it

7   over to Stephanie Shutt and I will -- she's our

8   director of Multiple Awards Schedules Program in

9   the -- for the Program Management Office and she

10   has an esteemed panel with her, talking about the

11   future of the Multiple Awards Schedules and I'll

12   let them come up and introduce themselves.

13   MS. SHUTT: Okay. Let me -- can

14   everyone hear me? I'm hoping, yea? Okay. Up?

15   Okay, let's do that. There we go. I couldn't

16   hear my echo, so I was a little nervous with

17   that one.

18   Well, first off, I want to thank

19   everyone for coming and I want to thank my panel

20   for joining me today.

21   I know when I went through the

22   registration list, I knew a lot of the names on

1   there. I've met a lot of you guys through

2   industry days and other events.

3   But for those of you guys who don't

4   know me, my name is Stephanie Shutt, I am the

5   Director of the Multiple Award Schedules Program

6   Management Office, or in government-speak, MAS

7   PMO.

8   So, basically, what I wanted to go

9   through first is kind of how this panel's going

10   to work today. What we're going to do is, I'm

11   going to do some talking points really quick, and

12   then, I'm going to turn it over to the panel

13   members.

14   They're going to introduce themselves,

15   provide a brief history of their experience with

16   the MAS Program. And then, they'll go into what

17   they find great about the program and what they

18   would change if they could change it, and any

19   barriers they feel that we have towards industry

20   with that.

21   After the panel has given their

22   thoughts, we'll turn it over to questions

1   throughout the audience. As Adam stated earlier,

2   there are four mics, but if you want to stay in

3   your seat because you're in the middle of the

4   row, you can raise your hand and we will have

5   someone with a microphone comes towards you.

6   So, let's get started. So, right now,

7   it's a really exciting time to be in the Multiple

8   Award Schedules Program.

9   Over the last year, we started

10   implementation at a pilot basis with the order-

11   level materials and we created that special item

12   number, which was Mass Modded into a lot of

13   contracts, which has started to fill a gap that

14   we've had in this program for a very long time.

15   We've also had some legislative wins

16   over the last year. We've gotten the removal of

17   the best interest determination and unpriced

18   services.

19   So, these are things that are coming

20   in the future, based on other steps that need to

21   be taken, but it's really great that we're

22   starting to see these wins and see this movement

1   with this program.

2   So, over this year, we're going to

3   start with the consolidation of the Multiple

4   Award Schedules Program, and we've made this very

5   large, with this huge screen, graphic for this.

6   And we're going to actually put this

7   up, so everyone will be able to have it. It will

8   be on Interact. So, we'll put it out there for

9   those of you guys who don't want to have to take

10 pictures of it with your phone, but if you would

11 like to, go for it.

12   But what I wanted to kind of do is go

13 through what those phases mean. So, one of the

14 largest phases is going to be this fiscal year.

15 And actually, this phase started last fiscal

16 year.

17   So, over the last fiscal year, we

18 created an integrated project team. This

19 included members throughout FAS. It included

20 members from every Acquisition Center, every

21 portfolio, anything that touched MAS throughout

22 the FAS, and also in other departments of GSA.

1   We brought everyone together and

2   basically put everyone in a room over three

3   offsites to basically say, if you could fix this

4   program, if you could change this program, how

5   would you change it?

6   And over multiple different things of

7   issues that have come up and other things, this

8   group came together and they agreed that the best

9   step first was to consolidate this program.

10   There are just too many contractors

11   that are either stuck in one world, where they

12   don't have the resources to get an additional

13   contract to actually provide their solution to

14   market, and although the OLM SIN does provide

15   some assistance in this, it doesn't fix the

16   entire problem.

17   And then, there are other contractors

18   who have multiple contracts. I actually spoke

19   with one group this morning, who are trying to

20   work their way through this weird teaming, but

21   sub and priming with themselves to provide a

22   solution to an agency, but they have two

1   contracts, but they need both contracts, and how

2   do we do this?

3   And it's this weird murky world that

4   everyone has been working through over the last

5   couple of decades.

6   So, what we have been doing over the

7   last year is reviewing all the terms and

8   conditions. And what terms and conditions are

9   for everyone and which ones are very specific to

10   a category or subcategory?

11   And then, the next thing we've been

12   doing is we've been looking at all the special

13   item numbers. Where is there duplication? Where

14   is there overlap? Why do we have these weird

15   titles that make no sense? Why did we create all

16   these numbers that no one knows?

17   So, when agencies come to eBuy to pick

18   something, to put something out, they just

19   randomly pick a SIN, and it's up to industry to

20   contact them and say, oh, you have the wrong one,

21   don't do that one.

22   So, we're trying to do things where we

1 actually use real words, so that when agencies

2 are picking things or industry is trying to

3 decide which categories that they want to be

4 under, you actually understand what you're

5 picking and you don't end up with something that

6 is not even close to what you sell.

7   So, those are some of the things that

8 we've been working on over the year.

9   So, what we also realized is, when

10 consolidating with a contract this large, we

11 would definitely need to use the existing

12 category management that we've already started.

13 We may need to clean it up a little bit, but

14 utilizing that also helps with that subject

15 matter expertise.

16   I know that this question came up

17 earlier today, this will help us retain some of

18 that subject matter expertise, but creating this

19 IPT that crossed so many Acquisition Centers, it

20 also started to break down those silos, so that

21 the acquisition workforce could start learning

22 from each other as well and start working more

1   together as a group and an enterprise.

2   So, what we'll be doing is finishing

3   all of this, making sure we do any system fixes

4   that need to happen, and by the end of this

5   fiscal year, we're going to be releasing a new

6   schedule offering, and we're going to close down

7   all the existing schedules to new offers.

8   And we'll allow that new offering to

9   open up and we'll watch it for a little bit, to

10   see if there are any system glitches and make

11   sure it's all ready to go.

12   And at that point, starting in January

13   of 2020, we'll start Mass Modding everyone over

14   to the new terms and conditions. When you Mass

15   Mod over, just like when you do a Mass Mod today,

16   you'll keep your same contract number, so there

17   won't be any need to be transferring orders or

18   anything like that.

19   It will just basically clean up some

20   of those terms and conditions, some of them that

21   you guys have had for a really long time, that

22   maybe should have been dealt with a couple years

1 ago, but just haven't really gotten around to it.

2 So, it'll be fixing all of that.

3 And then, once everyone is Mass Modded

4 over, that's when we'll start the Phase 3, and

5 that will be a more in-depth part, but it will

6 also be more independent, based on that industry

7 partner. So, it's going to depend on how many

8 contract vehicles you have and where those

9 contract vehicles are in their life cycle.

10 So, if you have two, but one of them's

11 ending in, like, a year and a half, and the other

12 one's more of a follow-on, we'll let that one

13 naturally end as it is in its current time

14 period, because there's no point in consolidating

15 something where it's going to be ending.

16 So, we'll be working with industry on

17 the different options that you guys can take to

18 consolidate those schedules and we'll spend the

19 rest of 2020 doing that.

20 We do realize that there are going to

21 be BPAs and everything like that, so we do

22 realize that there is going to be at least a

1 five-year process to get everything all synched

2 up, because those BPAs are at least five years

3 long.

4   So, that's kind of the high view of

5 what's going to be happing for this.

6   So, one of the things I also wanted to

7 talk on really, really quick, before I turn it

8 over to my panel, is we've gotten a lot of

9 frequently asked questions already that have

10 started coming in since we announced this.

11   And there are some that I really

12 wanted to talk on, really quick, just so we can

13 get them out of the way.

14   The number one question we've gotten

15 is cooperative purchasing, what happens to it?

16 Well, because of the regulatory and legislative

17 restrictions around it, that cooperative

18 purchasing will go down to that category level.

19 It won't be expanded.

20   The next thing will be TDR, the

21 Transactional Data Reporting Rule. So, with TDR,

22 it will go down just like in Schedule 70 and the

1   Professional Services Schedule. It will go down

2   to those specific categories that are within that

3   pilot and it will stay within those categories.

4   And the last one I have that has come

5   up multiple times is, if I am planning to get a

6   new contract or I'm planning to get my first

7   contract right now, should I wait? No.

8   Please go ahead and do business as

9   usual, we will work with you through all of this,

10   but do not halt or wait for us to get caught up.

11   Continue doing everything that you would normally

12   be doing.

13   So, with that, I'm going to turn it

14   over to my panel members. We're going to start

15   with Betsy and work our way down and we'll end

16   with Roger. And after Roger's done, we'll open

17   it up for Q&A throughout the audience.

18   MS. CERULO: Good morning, everyone.

19   My name is Betsy Cerulo. I'm CEO and owner of

20   AdNet/AccountNet.

21   First, I want to thank Stephanie,

22   Crystal, and Emily for inviting us all here

1 today, for the opportunity to speak, to share

2 some good things and to share some not so good

3 things.

4 My company has been in business for 29

5 years, thus, my wonderful white top. Our company

6 is management consulting, professional staff

7 augmentation, executive search, and project

8 management.

9 We've been in the federal space for a

10 little bit under ten years, and I can tell you

11 that once I made the decision -- well, the

12 recession pushed me into the federal space. Once

13 I made the decision to come over here, I found

14 that it really enlivened me as a business owner,

15 in a good way.

16 The federal space is filled with many

17 puzzles and I think those of us that are most

18 successful are the ones that stay with the puzzle

19 until it's complete. And as we know, sometimes

20 it's never complete, but you never give up.

21 So, my work in management consulting

22 and staff augmentation is in the areas of

1   accounting and finance, human resources, and

2   legal, with a sweet spot with EEO.

3   I am very passionate about workplace

4   equality. I am a huge advocate for women and for

5   all people in diversity space, and welcome all of

6   my kindred spirits in the non-diverse side. I

7   fight for people and companies who are not being

8   treated fairly. So, that's really the foundation

9   of my company.

10   So, we are on the TAPS Schedule, which

11   is the Temporary and Professional Services

12   Schedule. Been on it since 2010 and was

13   fortunate enough, right out of the box, to get a

14   six-month contract.

15   Someone in the Department of

16   Education, I guess was looking in the database

17   and the timing was right and we got picked up,

18   because one of my stressors was, when we got onto

19   the schedule, oh my gosh, I only have, like, this

20   much time to be able to use this schedule or else

21   I'm going to lose it.

22   But fortunately, that set the stage

1 and it also opened up an opportunity for my

2 company to be a subcontractor on a five-year

3 contract with HHS, and allowed me to form other

4 partnerships.

5 So, where I'm going with this is,

6 while it can be cumbersome with the schedules, it

7 continued to open up doors for me.

8 So, we are also 8A certified, have

9 been in the program for two years. Because of my

10 schedule, I was able to leverage both ways to get

11 8A sole-source, 8A competitive.

12 And then, other flip side is when a

13 contracting officer says, we can't put it in the

14 8A Program, but I'm going to put it out on GSA

15 and you're going to be one of the three. So,

16 I've been able to navigate both sides, as a

17 result of having the schedule.

18 So, I think now is probably time for

19 me to talk about the good stuff. So, that's

20 definitely a really wonderful thing about the

21 schedule.

22 I highly recommend that you stay with

1 it. I know that there's a lot of people in the

2 room here that are with large businesses and

3 there's some that are small business, if it's

4 cumbersome, don't give up.

5   There's a lot of the large primes that

6 are sitting out in the audience or listening

7 today that need companies like us to fill the

8 gaps, because that's what we do. We come in when

9 other people have messed up and we fix it and we

10 clean it and we make it right.

11   And the large primes need us. And

12 oftentimes, we have to be on the schedule to be

13 able to be on the team, so stay with it.

14   One of the things that has been

15 cumbersome for us, we were in the PSS process and

16 we submitted our application in December of last

17 year.

18   Stayed with it, kept in touch with the

19 contracting officer, and at one point, I just had

20 to be a real pain in the neck and say, where's it

21 at? And found out that it was stuck in the

22 system.

1   Well, we have the screenshot to show

2   that we submitted it and it said it was

3   submitted. So, it was stuck in the system and we

4   were advised to resubmit.

5   So, we resubmit it, only to a couple

6   of months later, to get a rejection letter that

7   our documentation was no longer valid, because it

8   was information from 2017.

9   So, that was not fun. And I know that

10   we've all experienced it and I'm sure those of

11   you who are with GSA, you've heard the story

12   before.

13   If you're going to tell us to

14   resubmit, give us the whole story so we can

15   resubmit it the first time.

16   When you own a small business and when

17   you have -- you don't have a lot of people on

18   staff, resources are limited, and you need to get

19   the job done, and you need just direction to be

20   told how to get it done.

21   So, I still don't have the PSS. I can

22   tell you, at one point, I was just like, forget

1   it, forget it for now. That's usually what it

2   is, it's no, for now, forget it for now. Because

3   I don't give up, I'm a pain in the neck, in a

4   good way, and I'm relentless.

5   So, I'm glad to see, from what you

6   said, Stephanie, to continue it, because after

7   today, we're going to resubmit again. So,

8   because of a contracting officer that we've had

9   over the years, who is an absolute dream, I was

10   able to find out why we were rejected.

11   Which leads me to the other issue,

12   inconsistent feedback. But I know sometimes

13   that's a systemic issue, across the board in all

14   workplaces. So, this is in no way any finger-

15   pointing towards the contracting officer at GSA.

16   I think sometimes there could be

17   complacency, and maybe people don't want to pick

18   up the phone or don't want to answer the

19   questions.

20   The difference that you make for a

21   small business creates contracts for us. I will

22   have -- I can't even quantify, I have no idea how

1 much business I could have won if I had the PSS

2 in place during the summer, when it should have

3 been.

4 So, I just want to put out there to

5 the contracting officers, I know sometimes you're

6 thinking, oh gosh, here they are again, or I'm

7 overworked, which we all are, and I have too much

8 on my desk, if there's a way that you can at

9 least just send an email, a quick call, something

10 that points us in the right direction, you have

11 no idea how much that communication means. And

12 it's valuable, money-wise.

13 So, those are my main challenges. But

14 one thing I wanted to tell you about myself, on a

15 fun side, I'm also an author.

16 I have a leadership book coming out

17 next year that really talks about the joys and

18 the sorrows of leadership, whether you're a small

19 business owner, or whether -- probably most

20 everybody in this room is in leadership.

21 So, I'm committed to getting that

22 done, because I think more stories need to be

1   told, especially by women, on how we've overcome.

2   And I'm also -- I recently published

3   a children's book called, Miss Crabapple and Her

4   Magical Violin, and that also has stories of life

5   lessons.

6   So, I wanted to share that, because as

7   I'm up here with my hat of my small business hat,

8   and you know how sometimes business can be so

9   rigid for all of us, there's a passionate side of

10   me that loves to make a difference and I do that

11   through my writing, so I just wanted to share

12   that with you. So, there you go, thank you.

13   MR. ALLEN: Good morning. I'm Larry

14   Allen, with Allen Federal Business Partners. As

15   I look out into the auditorium today, I see a lot

16   of familiar faces. And let me tell you how

17   wonderful it is to see how young we all look.

18   (Laughter.)

19   MR. ALLEN: I think that that's

20   probably because of our benefit, being able to

21   work in government procurement and contracting,

22   it helps us all stay youthful.

1   (Laughter.)

2   MR. ALLEN: Evergreen, at least that's

3   what we're going with today.

4   I've been associated with the Multiple

5   Award Schedules Program since 1990, so I've seen

6   a lot of changes over the years. For 20 years, I

7   ran the Coalition for Government Procurement,

8   which Roger now ably runs.

9   And along the way, I worked on many of

10   the regulatory and legislative changes that have

11   created the Multiple Award Schedules Program that

12   we have today. So, a lot of the legislation that

13   came out in the 1990s, a lot of the regulations

14   that have come out since.

15   I also served on the Multiple Award

16   Schedules Improvement Panel that made a series of

17   recommendations, along with Alan, who's on the

18   panel today, and several people who are in the

19   audience.

20   I've contributed to probably what's

21   considered the main textbook on Multiple Award

22   Schedules Contracting. I've taught classes, both

1 basic and advanced, for over 20 years in this

2 arena.

3   And created the interagency contract

4 class, as an adjunct professor, at George

5 Washington University.

6   I've been on the radio, TV, here,

7 there, and everywhere talking about government

8 procurement. I could have done something useful

9 with my life, but as they say in The Godfather,

10 this is the business we've chosen.

11   (Laughter.)

12   MR. ALLEN: So, that's a little bit

13 about me. Today, when I look at the Multiple

14 Award Schedules Program, I see a program that's

15 actually on a little bit of a roll.

16   One of the things that both myself and

17 other longtime schedule commentators have said to

18 GSA is, this program could really be something if

19 you put some resources into it.

20   And the current management team at the

21 Agency really deserves lots of credit, I think,

22 for actually putting the resources into the

1 program.

2 If you've been with this program for

3 more than five years, you know what it's like to

4 have the Multiple Award Schedules Program not be

5 considered to be the cornerstone of the Federal

6 Acquisition Service or really even anything that

7 has a future inside GSA.

8 And now, it does. And when you give

9 the program a little bit of attention, when you

10 give it a little bit of a marketing push, see

11 what happens.

12 You have agency after agency saying,

13 we're going to not renew our own duplicative

14 contract for technology or services, we're going

15 to establish Blanket Purchase Agreements through

16 the GSA Schedule.

17 So, whether it's the FBI, whether it's

18 the Department of Homeland Security, or more

19 recently, even DISA, that's talked about doing

20 its huge DEOS cloud procurement through the

21 Schedules Program.

22 This is incredibly versatile and very

1   useful acquisition program and while some may say

2   that the best days of the Schedules Program are

3   behind it, I think that that's only true if the

4   Schedules Program sits still.

5   And one of the reasons why we have a

6   full auditorium today and many people on the

7   phone is that the program is not sitting still.

8   So, our management team, I think

9   deserves some absolute credit for moving the ball

10   forward and keeping this program on top of

11   changes that are going on, not just inside

12   government, but in the realm of acquisition

13   overall.

14   My basic feeling about the

15   consolidation of the GSA Schedules Program into

16   one schedule is that that's a great move. It's

17   been tried before, but we either have not had the

18   technology or the inside support that's

19   absolutely essential to making consolidation

20   work.

21   However, merely consolidating the

22   schedules contracts is not going to get GSA all

1   the way to its goal of making the program easier

2   for customers to use.

3   At the same time the program is

4   consolidated, there must be a new online

5   interface system, a new 21st Century e-commerce

6   experience, so that federal customers can more

7   easily search and find on the solutions they

8   need.

9   That's going to take some

10   standardization of contract terms and conditions

11   and some standardization of product and service

12   descriptions.

13   And while there may be some hesitancy

14   among those in the room and elsewhere in the

15   program to talk about standardization, let me

16   just say that one of the keys to the Schedules

17   Program remaining competitive is that we get that

18   type of standardization.

19   Because this afternoon, we're going to

20   be talking about commercial e-commerce programs

21   that bring with them standard product

22   definitions. And if we want the Schedules

1 Program to remain competitive, it's going to have

2 to have that same terminology as well.

3   Outside of building a new user

4 interface and making it a 21st Century e-commerce

5 experience, there are a couple of other things

6 that I think the Schedules Program should

7 consider.

8   As we move into technology and we're

9 talking about transparency, and it's a fair

10 point, every day, we have more transparency in

11 the Schedules Program.

12   Increasingly, the Price Reductions

13 Clause is an anachronism. It is a legacy from a

14 bygone era. And it really has no place in a 21st

15 Century Multiple Award Schedules Program,

16 particularly when we're talking about the advent

17 of non-price schedules.

18   So, as the Agency looks to make

19 consolidations and changes, I think it's time to

20 put the PRC on the chopping block.

21   It serves today really as no more than

22 a got you trap for companies that by and large

1   are actually trying to do a good job managing

2   complex contracts in a commercial and government

3   world that simply did not exist when the Price

4   Reductions Clause was first initiated.

5   Another challenge I'd like to mention

6   to the Agency is considering lowering the

7   Schedule Industrial Funding Fee. That fee stands

8   at 0.75 percent today for GSA and has not been

9   changed for over 15 years.

10   Last time we changed the schedules fee

11   to 0.75 from one percent, the technology that was

12   in place was similar to that of the abacus. So,

13   we now have the technological capability to do

14   that.

15   And when you have the VA Schedules

16   Program, with their IFF of 0.5 and NASA SEWPs,

17   that hover somewhere around 0.37, you want to

18   keep the program competitive by properly managing

19   your access fee.

20   I think we also need to move quickly

21   to reestablish a nationally-scoped training and

22   marketing event, that I will not name by its

1   previous title.

2   (Laughter.)

3   MR. ALLEN: There were two events held

4   in 2015 and 2016 in Huntsville, Alabama, that

5   filled training rooms to capacity, and they were

6   large training rooms as well.

7   There's a direct benefit to gathering

8   contractors, customers, and GSA officials in one

9   place.

10   In fact, one of the people I spoke

11   with this morning said that one of the reasons we

12   likely drove the type of attendance we did for

13   this meeting was because of the relative dearth

14   of in-person opportunities for everybody to get

15   together face-to-face.

16   Reestablishing a marketing meeting is

17   going to be important to that, whether you're a

18   contractor, GSA, or especially a customer agency

19   that wants to better understand these new

20   programs.

21   As GSA moves to a multiple-vehicle

22   marketplace, it will increasingly have to examine

1 the different terms and conditions of each

2 platform.

3 These differing terms are going to

4 drive differing pricing, because they are

5 differing terms, and recognizing this is

6 essential.

7 Part and parcel of this is being able

8 to provide in-depth training internally to GSA's

9 acquisition workforce.

10 We've seen this most recently with the

11 rollout of the pilot program, where you don't

12 have to submit commercial sales practice

13 information. Not all the contracting officers

14 understood this.

15 Simply put, getting the message out to

16 the workforce internally takes time. Making sure

17 that they understand the message and are ready to

18 act on it takes time. You can't turn an

19 acquisition workforce the size of GSA's around on

20 a dime.

21 Make sure that, as we're talking about

22 this, that we're bringing along the acquisition

1   workforce, so that they're part and parcel of the

2   process and are at least as well informed about

3   what the Agency is up to as we are today.

4   My final word is about consistency.

5   Consistency is a wonderful thing, but I want to

6   urge caution. We still need to maintain

7   flexibility. That's a good word too.

8   We have long talked in the Coalition,

9   when I was there, and I'm sure, since Roger has

10   been there, that consistency can mean

11   consistently bad.

12   So, let's make sure that we're using

13   some common sense and we're flexible at the same

14   time as we're trying to move the program forward.

15   Thank you.

16   (Applause.)

17   MS. CONTI: Good morning. I'm Julia

18   Conti. I am a Contract's Director at CGI

19   Federal, and managing their GSA Schedules

20   portfolio, GWACs, and other IDIQs. Thank you,

21   GSA, for inviting me to be here on this panel

22   this morning.

1   A little bit about myself, I have over

2   20 years' experience in government contracting

3   and have always worked for a large business.

4   Early in my career, I was a contract

5   administrator for a firm who generated about 80

6   percent of their revenue using GSA Schedules.

7   So, needless to say, I got a lot of

8   experience preparing Task Order Proposals and

9   managing Task Order Awards. This was in addition

10   to pursuing administering the full and open

11   contracts for that business.

12   From there, I moved on to another role

13   for a company, managing their GSA Schedules

14   portfolio and helping to grow that business for

15   them. So, I've basically been doing that for the

16   last 15 years.

17   So, been around the Multiple Award

18   Schedules Program for the majority of my career.

19   And overall, I'll say, the GSA Schedules Program

20   is an efficient and streamlined tool for the

21   government to satisfy the requirements and it

22   includes and covers a large industrial base.

1   As I mentioned, as a contract

2   administrator, I think it's the easiest proposal

3   to put together, in terms of price and terms and

4   conditions perspective.

5   Providing training to my internal

6   customers on GSA Schedules has been a large part

7   of my role over the years, so I have a funny

8   story to share with you.

9   So, we were offering training to our

10   internal program managers and business

11   development folks, on how to use GSA Schedules.

12   And after we provided the highlights and the

13   features and capabilities, I had one gentleman

14   raise his hand and go, this is illegal.

15   I guess, from his perspective, having

16   pursued only full and open competition type of

17   contracts, this seemed all too easy for him.

18   So, I'm pleased to hear about the

19   consolidation, I think it's a step in the right

20   direction. It's a great opportunity to

21   reenergize and refresh the program.

22   Addressing industry needs, as well as

1   government needs, and tossing in policy, process,

2   technology, all layered on top, the devil will be

3   in the details, but I'm sure we'll get there.

4   Efficiency, to some degree, will be

5   achieved by both government and industry, as

6   Emily mentioned, reduced duplication efforts, for

7   example, getting down to one award document,

8   having one set of terms and conditions, not

9   having to review and accept a number of refresh

10   mods, having one schedule number, and so on.

11   But assuming all else stays the same,

12   migrating SINs under one umbrella doesn't

13   necessarily alleviate the burden of negotiations

14   and compliance.

15   So, what would I recommend GSA change?

16   I would say, ensure consistency in the process

17   and administration.

18   In my experience, I've found it varies

19   from Center to Center, within a Center, from CO

20   to CO, and even with the same CO, from one mod to

21   the next. Their interpretation of the forms, the

22   data required, all differs.

1   The consolidation will sync up the

2   period of performance, but I would say, keep in

3   mind on that next or forthcoming option renewal,

4   it will be a heavy lift, both for government and

5   industry.

6   Where you would have had one or

7   several SINs on an individual schedule, now you

8   have them aggregated under one umbrella and at

9   that time, it will become a heavy lift.

10   Take a look at reducing the number of

11   SINs, perhaps making them broad enough to cover

12   the scope.

13   And be mindful of transitioning

14   existing BPAs, so that you don't unnecessarily

15   truncate their period of performance in this

16   migration.

17   As it relates to systems

18   modernization, I would say ensure that the

19   solicitation aligns with the process and the

20   system, and reduce that need for the duplicative

21   data entry.

22   GSA, having received their authority

1   for the unpriced services, I would say, seek to

2   incorporate that now and remove the Price

3   Reduction Clause.

4   Lastly, on the customer side of the

5   equation, the consolidation will prove to be a

6   one-stop-shop, but more will be needed to improve

7   the customer experience and ensure their

8   understanding of the schedules, features, and

9   capabilities.

10   I think as Larry said, making it

11   easier is not necessarily just keeping it on

12   auto-pilot. You need to focus on helping enable

13   the customers to purchase and purchase their

14   solutions to meet their requirements.

15   Too often, today, I see RFQs that ask

16   for things that are not in conformance with the

17   schedules and they are unnecessarily burdensome

18   and are not required.

19   The Multiple Award Schedules Program,

20   30 billion-plus, needs continued outreach and

21   assistance.

22   While this is somewhat happening, I

1 think GSA needs to put resources towards that,

2 for that continual support to those customer

3 agencies, whether they're one-offs or high usage

4 customers. It will better serve those agencies

5 and allow the program to grow, so perhaps they

6 can be customer liaisons.

7   One final note, and I think contracts

8 folks might relate to this, at one time, I could

9 tell, I have seven schedules I have to manage,

10 and I'd call it a portfolio. But now that we're

11 going to one, I don't know, do you have a

12 portfolio of one?

13   (Laughter.)

14   MS. CONTI: But it'll be a super one.

15 Thanks.

16   (Applause.)

17   MR. CHVOTKIN: My name is Alan

18 Chvotkin, I'm the Executive Vice President and

19 Counsel for the Professional Services Council.

20 PSC is a national trade association, we represent

21 over 400 member companies, all of whom sell

22 professional services and technology services to

1   the federal government.

2   This is my second century working in

3   the Multiple Award Schedules arena.

4   (Laughter.)

5   MR. CHVOTKIN: A youthful two centuries

6   at it, I might say. I started as a -- my first

7   exposure was as a Congressional staff member.

8   Then, when I left the Hill, I went to

9   work for a company that had numerous schedules,

10   as well as telecommunications services to the

11   federal government.

12   I've been at the Professional Services

13   Council for 17 years now, which surprises the

14   heck out of me every single day, as it does the

15   organization. They tried to fire me several

16   times and I refuse to leave.

17   (Laughter.)

18   MR. CHVOTKIN: I was very pleased and

19   privileged to represent the Professional Services

20   Council and our members on the MAS Advisory Panel

21   that Larry served on as well. And it's hard to

22   believe that was ten years ago that it was formed

1   and eight years ago since the final panel

2   recommendations were made.

3   And when I was invited to participate

4   in this panel, and I appreciate the invitation

5   very much, I had a chance to go back and look at

6   those MAS Panel recommendations from 2010, and

7   many of them are still very relevant. In fact,

8   we're talking about some of them today.

9   I had the opportunity, through PSC, to

10   work with GSA closely on the Schedules Program,

11   the evolution of it, as it moved from products to

12   services to solutions and now to an almost -- as

13   a service model.

14   Along the way, we've seen some

15   experimentation with a variety of different tools

16   and opportunities, some better than others, some

17   more valuable to others.

18   But at least the program has tried to

19   keep pace with what the agencies need, because at

20   its core, the Schedules Program are nothing more

21   than an enabler to help the federal agencies

22   achieve their missions.

1   And I think it'll be important, as we

2   look at the consolidation, that we not simply

3   stop at consolidating to where we are today, but

4   that we provide the tools for agencies to look to

5   2020 and beyond and where the agency's going,

6   what are those marketplaces likely to look at?

7   That will add to the challenge of

8   making sure that the scopes of work and the

9   Schedules Programs are as flexible as they can be

10   to meet the change in marketplaces and needs of

11   the companies and the users from the agencies.

12   To its credit, GSA, through its

13   Interact and other programs, has been among the

14   most successful and respected, in terms of its

15   communications tools and its ability to keep the

16   community informed of what's going on within the

17   Agency and among the changes.

18   And I complement them for doing that,

19   I encourage them to continue to be a leader in

20   terms of communication, with the vendors, with

21   the agencies, with the marketplace, so that

22   others are well informed about not only the

1 opportunities, but as Ms. Murphy said in her

2 opening, what are some of the unknowns and the

3 unknown unknowns that the Agency needs to be

4 aware of?

5   We saw some of those when we engaged

6 closely with GSA on the Professional Services

7 Schedule Consolidation that started a couple of

8 years ago, and some very valuable lessons that

9 were learned from that initiative, some of which

10 I hope are repeated and some of which I hope are

11 not repeated.

12   But that was a good experience, those

13 of you who have been -- who participated and took

14 advantage of that consolidation, ought to share

15 those experiences again, to make sure that

16 they're part of the learning that took place.

17   And as we saw with the Mass

18 Modifications at that time, again dealing

19 primarily with Professional Services, there were

20 a couple of those terms and conditions that have

21 been the bane of many of us, like coverage of the

22 Service Contract Act and the mythology of self-

1   deleting clauses in those Mass Modifications.

2   So, watch, there's some good lessons,

3   we intend to be active participants in this

4   consolidation and sharing those issues with the

5   Agency as well.

6   But there's some related issues to

7   keep in mind as well, as we go through the

8   consolidation.

9   First of all, the schedules are not

10   the only tool in the GSA toolbox and they're

11   certainly not the only tool in the Agency's

12   toolbox.

13   And so, as the Agency looks across

14   other GSA reforms and other GSA IDIQ contracts

15   and other Agency IDIQ contracts, the whole idea

16   of category management and how that relates to

17   both the future Schedules Program, as well as

18   future contracting by the federal agencies will

19   be important issue to keep in mind.

20   How this new revised schedule, the

21   consolidated schedule, today and in the future,

22   compares with some of the other competing

1   vehicles that have been designated as best in

2   class by the Office of Management and Budget.

3   There's also the issue about

4   predictability for agencies, for contractors, and

5   for others, as we look to put the schedules

6   together.

7   I'll echo the comments of Larry and

8   Julia about the anachronism of the Price

9   Reduction Clause. We've been an opponent of that

10   clause forever and will continue to be an

11   advocate for its elimination.

12   It never made sense in services, never

13   makes sense in solutions, and it really should

14   have no place in a future marketplace and as a

15   service business model.

16   So, we look forward to the opportunity

17   to continue to engage and welcome engagement both

18   here and in the future in support of GSA's

19   consolidation efforts. Thank you.

20   (Applause.)

21   MR. WALDRON: Good morning, everyone.

22   And first of all, I want to thank GSA for

1   inviting the Coalition for Government Procurement

2   to attend this meeting and participate.

3   And I want to thank Stephanie for

4   moderating this panel and all the panelists for

5   participating today. And thank you all for

6   coming. This is a great, this is a great -- I

7   look forward to a great conversation here.

8   Just a little bit about myself, I

9   guess, is I worked for GSA for 20 years, 15 of

10   those years, I was in the Office of General

11   Counsel.

12   My clients were the Federal Supply

13   Service, first of all, and the Federal Technology

14   Service. When they merged, the two into the

15   Federal Acquisition Service, they were my client

16   as well.

17   I advised the GSA Schedules Program,

18   both on a policy level and, specifically, the IT

19   Schedule 70. I also advised the GWAC Programs

20   primarily, as well.

21   And I did that for about ten years and

22   then, I went to -- and became part of the

1   program, I became one of the clients, right?

2   (Laughter.)

3   MR. WALDRON: So, I worked in

4   acquisition policy with Jeff, in acquisition

5   management at the Federal Supply Service first,

6   and was responsible for a lot of the policies and

7   procedures regarding the operations of the GSA

8   Schedules Program.

9   Then, during that time, I also served

10   on the SARA Panel, Services Acquisition Reform

11   Panel.

12   And I'm glad to see the unpriced

13   schedule, because that concept originated with

14   recommendations that came out of the SARA Panel,

15   with regard to the IT Schedule 70 and unpriced

16   professional service line item concept that the

17   Panel recommended that GSA take a look at that.

18   So, we're gratified, it is quite a

19   bit, few years later, but at least it got done

20   and look forward to that implementation.

21   Then, I left GSA, ultimately, went to

22   work for Mayer Brown, where I advised clients

1   dealing with the GSA Schedules Program, amongst

2   other things.

3   And now, to turn to the topic for the

4   day, first of all, I just want to say, the

5   Schedules Program is a remarkable, remarkable

6   program. It has been around in some form or

7   another since 1910. It's older than GSA, in some

8   ways, right?

9   And it's probably the longest running

10   procurement program, in one form or another, in

11   the history of the United States, fair to argue.

12   And it is currently the largest commercial item

13   contracting program in government.

14   Just during my career, in government

15   procurement, and its strength is its, what we're

16   talking about today, the ability to transform to

17   meet market conditions, to adopt new practices.

18   That's really about leadership and that's what I

19   think GSA's been blessed with over the years, to

20   get to that point.

21   So, just in my career, what we've seen

22   is, services added to the schedules in the 1990s.

1   The schedules went from a $3 billion program to a

2    $30 billion program.

3   Post-9/11, the schedules were --

4   agencies turned to that for translation support

5   services in the battle, in the War on Terror.

6   Post the financial crash, agencies

7   turned to the Schedules Program to put BPAs in

8   place to provide financial audit support, as we

9   dealt with the aftermath of the financial crisis.

10   And today, we have -- the schedules

11   are being used to create identity protection

12   BPAs, in response to the cyber breaches over the

13   last few years.

14   And also, now, DoD is turning to it

15   for its cloud, the DEOS procurement and the

16   replacement for NETCENTS.

17   Those just reflect, when there's

18   things that need to get done and you need to do

19   them quickly and you need to do them effectively

20   and get good value for the taxpayer and for

21   customer agencies, time and time again, this

22   government has looked to the Schedules Program.

1   And I'd like to say this year is, 2018

2   is the year of the schedule. And let's just talk

3   real quickly about the things that have happened.

4   Order-Level Materials or ODCs, was

5   adopted in the regulation, a huge transformative

6   opportunity for products, solutions, and services

7   across the Schedules Program.

8   Jeff is in the audience here, Jeff is

9   the unsung hero of ODCs and Order-Level Materials

10   in his work getting that through the Agency.

11   When I came to the Coalition in 2010-

12   2011, early 2011, the very first issue members,

13   Ted, members came to me with was ODCs. And we

14   did a white paper, we talked to GSA, and

15   ultimately, with the new administration and

16   Jeff's leadership, it got there. That's a huge

17   issue.

18   The Commercial Supplier Agreement and

19   addressing intellectual property rights and

20   allocation of risk, that was adopted this year.

21   Something that people don't talk a lot

22   about, streamlining of the ordering process, this

1   year, huge win for GSA.

2   And the increase in the micro-purchase

3   threshold to $10,000 for individual orders, and

4   the increase in the simplified acquisition

5   threshold to $250,000, huge streamlining

6   opportunities for the Schedules Program.

7   TDR has been made optional. So,

8   contractors can make good business decisions on

9   what should apply to them.

10   And now, we're talking about BPA

11   growth, 46 percent of the dollar volume going

12   under schedules now are through BPAs. That means

13   GSA has been effective in educating agencies how

14   to leverage requirements, compete those

15   requirements, in the context of BPAs.

16   In fact, four BPAs are considered best

17   in class, the identity protection one, JanSan,

18   MRO, and the wireless, are all identified as best

19   in class. And a couple line items on IT Schedule

20   70 are also identified as best in class in the

21   Category Management Initiative.

22   It's the power of simplicity, the

1 power of creating a competitive market where

2 there are millions and millions of items and

3 thousands of contractors, all out there trying to

4 do business with the federal government.

5   Now, the single schedule concept, it's

6 something that our membership at the Coalition

7 endorses.

8   It's a great opportunity to leverage

9 solutions, to reduce artificial barriers between

10 schedule contracts, with regard to scope. It's

11 an opportunity to increase competition and

12 increase access to the commercial market.

13   Some of the things that we need to

14 think about as we implement, we've heard a lot of

15 them already, I won't dwell on them, but

16 management of the program, it's got to be unity

17 of effort.

18   And I'm confident, with the

19 leadership, this administrator, Commissioner Alan

20 Thomas, Stephanie, and the entire team, unity of

21 effort towards a common goal of getting the

22 single schedule.

1   That's one of the hurdles that the

2   Agency faced when it tried to do corporate single

3   schedule back about two decades ago, that

4   performance measure's got to focus on that unity

5   effort in the strategic goal. Okay.

6   Systems, and it's already been touched

7   on, but the systems have to keep pace with the

8   changes in the contracts, and even have to be

9   ahead of the changes in the contracts.

10   You have to be able to effectively --

11   customers have to be able to effectively find and

12   acquire what they need, through when you go to a

13   single schedule.

14   And the flip side of it, the systems

15   have to meet the needs of the contractors, and an

16   ability to more efficiently and effectively

17   execute mods and contract actions.

18   SINs, and I would just say, don't be

19   SIN-ful.

20   (Laughter.)

21   MR. WALDRON: There's lots of

22   duplication of SINs, there's overlap of SINs,

1   this is an opportunity to rationalize the SIN

2   structure.

3   And we've heard about NAICS, but our

4   experience and one of the things that I know the

5   furniture folks in Iowa Center looked at trying

6   to consolidate SINs to make it look more like the

7   commercial marketplace.

8   And I think that should be the driving

9   light of, when you're thinking about the SIN

10   structure, the underlying, where the rubber meets

11   the road, where you have the Task Orders, how do

12   you effectively make that look like the

13   commercial marketplace?

14   That will increase the efficiency for

15   government and it will increase the efficiency

16   for contractors to be able to deliver better

17   value and better pricing.

18   Implement the unpriced schedule

19   concept. Enough said.

20   Eliminate, as Larry and Alan and we

21   all, like, we're in violent agreement about the

22   Price Reduction Clause. And just to echo on

1   that, it's an anachron -- I can't even say it,

2   thank you, Alan.

3   But it goes back to a 1980s, 1970s

4   policy, and at a time when the schedules were a

5   mandatory source, there was no competition

6   requirements under the Schedules Program, it

7   wasn't open, continuous open seasons, we didn't

8   have the internet, it was horse and buggy days.

9   So, it was built in a time where you

10   could maybe understand why there was a Price

11   Reduction Clause, because of the mandatory nature

12   and the single contracts and lack of competition

13   at the order level.

14   Now, the market should drive pricing.

15   The schedules need to be open to the market.

16   And, ironically, the Price Reduction Clause

17   limits the market.

18   Companies don't put stuff on contract,

19   because of the risk of a Price Reduction Clause.

20   They don't offer the latest technology, because

21   of the Price Reduction Clause.

22   And then, ultimately, from a policy

1   perspective, the government needs to make, and I

2   think it's time for it to do so, and we've said

3   this multiple times, the Price Reduction Clause,

4   the government should not have a clause in its

5   contracts that, as a condition for doing business

6   with the government, it restricts your ability to

7   do business in the private sector.

8   That's what the Price Reduction Clause

9   does and it needs to be eliminated.

10   (Applause.)

11   MR. WALDRON: Okay. And I just have

12   one more area, and it's great, this is a great

13   event and this afternoon's going to be great, and

14   this is where I want to touch on, we've heard

15   about the integrated marketplace, a holistic

16   marketplace across the program.

17   So, I think the last area that GSA,

18   and Larry talked about IFF, all those things

19   should be on the table, as you're looking at

20   retransforming the future of the schedules.

21   The last area I think that GSA needs

22   to take a look at is contract requirements, okay?

1   And I do that in the context of the marketplace

2   as a whole, that GSA's envisioning, and having

3   different channels with different sets of

4   contract requirements.

5   What is core? Are there core

6   requirements? We talked to our members and

7   things that they hear about and talk about, Trade

8   Agreements Act, counterfeit, cyber and supply

9   chain risk, that's coming for, it's ubiquitous

10   and that's coming for everybody.

11   It's going to be part -- that is going

12   to be, over the next decade, where commercial

13   item contracting and cyber and supply chain risk

14   come together is where the energy, the interest,

15   the rules is all going to come. You're seeing it

16   every day in the newspaper. That's a big deal.

17   Competition and leveraging

18   requirements. We've seen, as I mentioned, BPAs,

19   46 percent of the spend now, through BPAs.

20   That's opportunities for companies, that's

21   opportunities for customer agencies.

22   So, thinking about those things, what

1   kind of -- are you going -- in asking the

2   question, what makes sense, do you have two

3   systems, one -- and, Stephanie, I have to quote

4   you, as I wrap up here.

5   One of the things that you've said at

6   multiple events is that one of the biggest value-

7   adds that customer agencies see with GSA is

8   compliance, right?

9   You've done surveys on it, GSA's done

10   a lot of surveys on it. That's a big deal for

11   your customers, that's a value-add that GSA

12   provides.

13   So, what's core to the requirements?

14   And what isn't core in making those decisions?

15   So, when you look, think about the conversation

16   this afternoon, the current model as proposed,

17   essentially has no core requirements.

18   The Trade Agreements Act doesn't

19   apply. There's no cyber or supply chain risks

20   requirements, that I'm aware of, identified in

21   the RFI.

22   And so, and people are using -- the

1   micro-purchase threshold is cited as the process

2   by which those things are waived. Well, I think

3   you're putting the cart before the horse.

4   The conversation should be about, with

5   all the stakeholders involved, and I don't know

6   what the right answer is, but I'm just raising

7   it, are there core requirements that should

8   apply, regardless of the process?

9   The process is a streamlined process,

10   it waives a bunch of things. So, when you -- and

11   then, I'm going to just finally use trade

12   agreements as an example.

13   The purpose of the Trade Agreements

14   Act, and you go on the USTR website, is to

15   promote fair treatment of American-made products

16   by foreign governments. That's one of the goals

17   of it.

18   We apply it here so that we treat

19   companies who've signed up to it in a fair

20   manner. That translates into American jobs and

21   American opportunity.

22   And one of the things that I hear from

1   our members is, one channel where the Trade

2   Agreements Act, where theoretically, and I'm just

3   saying theoretically, 100 percent of the items

4   bought under that channel could be from non-TAA

5   countries, so you could buy 100 percent from

6   China. Whereas, under the Schedules Program, the

7   rule is, zero from non-TAA countries.

8   I think that's a fair conversation to

9   have about what are the policy imperatives of

10   that type of government contract requirement?

11   And is it meeting certain things that are

12   elemental to our federal government?

13   And cyber is the other example,

14   because at the end of the day, what is more

15   fundamental to the federal government than

16   protecting the United States and maintaining our

17   freedom?

18   And if supply chain is compromised or

19   cyber is compromised, through acquisition of some

20   sort, inadvertently, by accident, or whatever,

21   that's a big deal.

22   And I think those are some of the

1   conversations I look forward to, as we move

2   forward in this, and I know our members look

3   forward to it.

4   And rather than focusing on a process

5   waiving requirements, I think a more healthy

6   approach and a holistic approach is try to have a

7   conversation with the entire procurement

8   community about whether there are certain

9   requirements that should apply and then,

10   streamline a process through commercial platforms

11   in that manner.

12   It can be done. There's multiple e-

13   commerce platforms out there, whether they're

14   commercial ones, whether it's GSA Advantage,

15   whether DoD's building FedMall, and I'm not

16   citing those as the way to go, I'm just saying,

17   there's all kinds of varieties and flavors of e-

18   commerce platforms.

19   And the technology is there to do the

20   screening that's necessary, if it is necessary.

21   And the Statute 846 specifically contemplates the

22   administrator or GSA, or really GSA, providing

1   whoever the marketplace provider is the necessary

2   information to screen products.

3   To me, that means vetting companies

4   and products on whether they're Trade Agreements

5   Act-compliant, and providing that information to

6   the marketplace.

7   And so, when you think about that, I

8   bring this up at the end, because we are talking

9   about a holistic marketplace across the board,

10   and how do the two programs interrelate?

11   And by the terms of the statute, one

12   of the things that GSA has to assess is the

13   impact of the program, of the e-commerce

14   platform, on preexisting programs, like the

15   schedules and small business.

16   And with that, I will stop, finally.

17   (Applause.)

18   MS. SHUTT: Okay. So, first, I want to

19   thank everyone for their comments and their

20   insight that they brought to this panel today.

21   We're going to turn it over to the

22   audience for Q&A. We have about 30 minutes, I'm

1   sure Crystal will do the one question left sign

2   when we get close.

3   We can do a combination of both some

4   questions that are online and that are in the

5   room. But if you guys would like a microphone

6   brought to you, raise your hand or if you would

7   like, you can come up to one of these four.

8   And I'm going to also invite the

9   panelists, if you guys have comments or insights

10   on what is being asked, please go ahead and

11   provide that information.

12   PARTICIPANT: We have a question online

13   from Meg Whitehouse, Evergreen Fire and Security,

14   would like to know, how will the consolidation

15   affect competition for GSA contractors?

16   MS. SHUTT: So, with the consolidation,

17   we'll still have the need to do it at the -- have

18   categories within the consolidated schedule,

19   which will promote a competition more so at that

20   order level.

21   Because agencies will be able to find

22   those correct industry partners, in which the

1   category they're actually looking to buy, which

2   will promote a better competition across those

3   industry partners for that.

4   PARTICIPANT: I have a follow-up

5   question actually to that one, which is, how do

6   you -- I heard a couple of times mentioned that

7   we're still going to be buying at the category

8   level, selling at the category level.

9   As a person who sells products, and

10   the issue that my company has right now is, we're

11   on four different schedules with products that we

12   consider related, how do you keep the category

13   idea from just devolving into the schedules with

14   the same problems? It seems --

15   MS. SHUTT: Yes. So, yes. So, there

16   are two different things with products.

17   For products that you're going to be

18   purchasing through Advantage, and orders within

19   that side of things, you'll continue to search

20   for those actual products and not have to worry

21   about what SIN do I look under and that kind of

22   thing, for those things.

1   For those that are going through,

2   like, eBuy or FedBizOpps or something like that,

3   that is a more large-scale, because you'll be

4   assigned those different categories, and when we

5   clean them, hopefully there won't be -- you won't

6   have categories on two separate, like,

7   intersections within your contract. You'll be

8   just offering them once.

9   But as long as you have one of those

10   categories, if someone puts out a request on one

11   of those categories, your company would come up,

12   so that you could actually put together your

13   solution that you need to do, rather than hoping

14   they pick the right schedule to find you, if that

15   makes sense?

16   PARTICIPANT: It does make sense. So,

17   my follow-up question is, that right now, that

18   becomes an issue, the same issue. I heard you

19   say, if you have that category.

20   So, for right now, people put -- I'm

21   in heavy equipment. People don't -- the end

22   users, the purchasers are not the end users,

1   right?

2   MS. SHUTT: Yes.

3   PARTICIPANT: So, the purchasers

4   frequently don't understand the product, they put

5   it in some sort of bizarre SIN, category,

6   schedule, whatever it is they put it in, that

7   doesn't actually apply.

8   And so, then, we never see the

9   solicitation, because it's been designated

10   something that it's not.

11   In the terms of seeing the problems

12   that we didn't know existed, it seems to me that

13   if it has to be defined by a category, we're

14   maintaining a similar issue.

15   MS. SHUTT: So, yes. So, that's one of

16   the things that we have to actually really kind

17   of go through and really clean up, while we're

18   looking across this duplication, because that is

19   something that we noticed when we were doing

20   that.

21   It's also creating actual real titles

22   that help logically get that purchasing officer

1 and gearing towards that person that doesn't

2 really know what they're buying, but actually

3 provide that description in there, so they can be

4 like, oh yes, that's what I need over there, kind

5 of thing, rather than them trying to guess which

6 schedule or SIN that they're doing.

7 But trying to figure out what that

8 verbiage is to guide them down that path, because

9 there has to be some delineation, otherwise it's

10 so big, it's just unmanageable at that point.

11 So, it's trying to find that happy

12 medium of where those sit, so that we don't make

13 it overly cumbersome, but make sure that the

14 right RFQs are going to the right industry

15 segments and they're not going to, let's say, a

16 bunch of professional services contractors, when

17 they're actually trying to buy a backhoe or

18 something large.

19 But that is one of those things that

20 I definitely would recommend, as we go through

21 this, to definitely participate in different

22 things that we put out on Interact or even just

1   emailing me your different thoughts and different

2   things like that, because that helps us get to

3   those correct verbiage.

4   Because you guys know what you're

5   selling better than we do, at the end of the day.

6   There's not going to be a day where I suddenly am

7   the queen of all description knowing, it's not

8   going to happen, I don't have the time to learn

9   it all.

10   So, you guys know it best. So,

11   helping us with those things, and we're actually,

12   before we -- while we're going through this,

13   we'll be putting out this information on Interact

14   for comment, consistently.

15   So, what we're going to be asking is,

16   when we do those categorizations and

17   subcategorizations, that you guys look through

18   those different titles.

19   And we'll try and put it in a way that

20   it's chunked out, so that you can easily find

21   your section, and so that you guys can say, yes,

22   I could easily find it, yes, it had the words

1 that I needed in there, yes, it made sense to me,

2 and yes, I found the one person in my company who

3 has no clue what we're doing and they could find

4 it.

5   So, if it hits all of those markers,

6 then we're on a good path. But if it doesn't,

7 then it's where you guys need to really come back

8 and tell us, no, no, no, no, no, the words should

9 be something in this arena instead.

10   But that's one of the things we'll be

11 going through this year.

12   PARTICIPANT: Got it. And not to

13 monopolize the microphone, but I'm standing here,

14 so, as a follow-up to that, clearly, the

15 technology needs to follow.

16   MS. SHUTT: Yes.

17   PARTICIPANT: And several of the

18 technology projects that have begun have fizzled,

19 failed, whatever. Where are the finances going

20 to come from? Is GSA prepared to dedicate the

21 finances to really improving the technology, so

22 that this works?

1   MS. SHUTT: So, yes. We are looking

2   into that. So, one of the things Emily had

3   mentioned was the robotic process automation.

4   And I know Jeff Lau, I see him in the audience

5   today, who his region is running that project.

6   We also have, that is co-working with

7   my group, through the information technology

8   category, we're looking into distributed ledger

9   technology, so we can actually ledger the

10   information.

11   Some of these emerging techs will

12   allow us to, as we go through this, and one of

13   the first things you guys will see, a slightly

14   different screen-on, if you're getting a new

15   contract after March, will be, like, the

16   financial determination.

17   So, what we're doing is, we're process

18   mapping out all of the different items you would

19   have to go through through eOffer to get on

20   contract or through eMod to adjust your contract.

21   And after process mapping it out,

22   seeing what we can use from digitization of data,

1   but also from ledgering and then, pulling and

2   syncing that information, so that, A, you guys

3   aren't guessing what you're supposed to put in,

4   it's more intuitive, you guys can figure out what

5   information you need to gather.

6   And the first one we'll be testing is

7   that financial determination, because for most of

8   you guys who know, currently, for financial

9   determination, you kind of have to guess what

10 information you need and you put it in an

11 attachment in others and you hope your

12 contracting officer can find it.

13   So, this way, we'll be able to be

14 like, oh, you need these fields filled out and

15 you need these attachments. And the contracting

16 officer knows where they're at, they don't have

17 to ask you.

18   Or if you're missing a page, the

19 contracting officer doesn't have to go back to

20 you or, worse case scenario, reject your offer

21 because you're missing a page.

22   These kind of things will be

1 overlaying inside of the eOffer/eMod and we'll

2 slowly start taking each section until we can

3 eventually move into this new technology.

4 PARTICIPANT: Thank you.

5 MS. SHUTT: Yes?

6 MR. ARMSTRONG: Hi, I'm Steve

7 Armstrong, from MSC Industrial Supply. We supply

8 a lot of products, industrial products, to the

9 GSA's customers.

10 And in thinking about what we're going

11 to be talking about this afternoon, which are the

12 e-commerce portals, which are going to be very

13 important to us to sell our products, we're

14 trying to figure out what impact that's really

15 going to have on our schedule.

16 I mean, if people are buying -- if our

17 customers, joint customers, are buying an e-

18 commerce portal, for supplies like MSC, won't

19 that mean our schedule is virtually meaningless

20 going forward?

21 MS. SHUTT: So, I think right now, the

22 honest answer is, we're not sure how it's going

1 to do. I think the first stage we need to really

2 do is get through that proof of concept and see

3 how that works all together.

4   And we're working closely, my group is

5 working very closely with the commercial platform

6 team, to always be involved in that thing. But

7 at this point, honestly, we're not sure how

8 that's going to affect it.

9   We're hoping that, as we go forward

10 and the proof of concept happens, we'll be able

11 to bring that industry comment in and discuss

12 with you guys what the best solution going

13 forward is for that and what is the most

14 profitable and competitive?

15   So, what's best for industry, what's

16 best for our agencies, and what works for GSA as

17 a broker between everyone.

18   MR. ARMSTRONG: Okay, thank you.

19   MS. SHUTT: Yes?

20   MR. SISTI: Hi, Tom Sisti, SAP. Thank

21 you very much for this panel, all your

22 presentations were extremely valuable to me.

1   Roger, I appreciated your comment on

2   the micro-purchase threshold, as Larry and Alan

3   and others here worked on the development and

4   implementation of that threshold, I think.

5   I appreciated recognizing that you

6   don't build a program on a waiver. You -- when

7   that threshold was put in place, it was not even

8   envisioned to be leveraged in that kind of a

9   context, because it just didn't exist.

10   But you raised a number of things,

11   Roger. You raised this whole cyber issue. We

12   have the deliver on compromised report.

13   You've -- your organization has

14   produced a study, which now represents the second

15   study, showing the price advantage associated

16   with GSA Advantage over piloting of certain

17   commercial e-commerce solutions.

18   Are we hitting a point where it's

19   appropriate to take a pause, do a deep dive on

20   exactly what we're doing here, in the context of

21   the policies driving micro-purchase, policies

22   driving supply chain risk management, the deliver

1 on compromised policies, and some of the findings

2 you're seeing in these studies, to assess exactly

3 what we're doing with these parallel programs

4 that you've identified, and others have

5 identified here with their questions?

6   MR. WALDRON: That's a tough question

7 there, Tom.

8   (Laughter.)

9   MR. WALDRON: I guess the way I would

10 answer it is, I would go back to what I said

11 earlier, I think the conversation initially needs

12 to be about what are the government's

13 requirements or not?

14   Is Trade Agreements -- because you are

15 creating dual marketplaces with different terms

16 and conditions. That affects, from a company's

17 perspective, and a company is talking about, what

18 does it mean for their schedule?

19   Well, if you have to comply with the

20 Trade Agreements Act on one contract and you

21 don't have to comply with it on a marketplace,

22 and they're both channels where potentially

1   billions of dollars can go through, that impacts

2   competition.

3   It can distort the competition, if you

4   go to low cost places that aren't TAA. I mean,

5   that bleeds into the -- anything that's plugged

6   into a network in the future, I just see

7   different sets of rules.

8   Even if it's a commercial item

9   acquisition, we're starting to see that coming

10   out of the Department of Defense already, in some

11   specific acquisitions, where even though the

12   guidance is it doesn't apply to commercial items,

13   they're including clauses.

14   So, I think you would start there,

15   like, what should or shouldn't apply, and try --

16   because I'm confident that these problems and

17   issues can be solved, and that e-commerce can be

18   leveraged to support the government in a very

19   effective way.

20   Whatever e-commerce is, and there's

21   three different models that are identified in the

22   report. But also, e-commerce through existing

1 programs as well.

2   So, I think, just looking at those

3 requirements -- and I think the big thing, not to

4 put too much pressure on GSA, is what they say in

5 their report coming out in March, because you

6 read the statute, there are specific things that

7 they're supposed to address.

8   Like, they're supposed to address

9 their conversations with agencies about unique

10 requirements relating to health products or IT

11 products and cyber.

12   They're supposed to assess and provide

13 what's the impact on preexisting programs.

14 They're supposed to try to identify what should

15 or shouldn't apply.

16   What we really haven't heard is why it

17 should or shouldn't apply, I guess, in its basic

18 terms. It's, we're using the micro-purchase

19 threshold, therefore, they do not apply. But

20 there hasn't been a real explanation, from a

21 policy perspective, as to why they should or

22 shouldn't apply.

1   And I don't think some of those

2   requirements, if they're core, they're going to

3   apply the FASA says, to the maximum extent

4   practicable, you use commercial terms and

5   conditions.

6   And so does 846, that you're supposed

7   to, to the maximum extent practicable, use the

8   platform provider's terms and conditions.

9   So, that begs the question, are there

10 some things that the government needs to have in

11 place or not?

12   And the feedback I get from our member

13 companies is, you have one program where you're

14 going to have all those things, or you have what

15 the government has currently identified as core,

16 like Trade Agreements Act.

17   Then you're going to have another

18 program that's arguably a direct competitor in

19 some ways, at least that's the way companies and

20 industry see it, where those core requirements do

21 not apply.

22   So, how does GSA reconcile that? And

1   do you go to -- first question, why are you

2   waiving it? What is the public interest? What

3   is the cost-benefit analysis of waiving

4   something?

5   And maybe there are policy reasons, we

6   haven't even talked about small business and what

7   the impact is there.

8   MR. SISTI: So, just as a quick follow-

9   up, could I ask, does this have implications for

10   systems integrators? If the systems integrators

11   are provided GFE under one program versus another

12   and then there is some kind of catastrophe --

13   MR. WALDRON: Right.

14   MR. SISTI: -- do you have a forensics

15   issue and a liability issue associated with that?

16   MR. WALDRON: We've heard from a number

17   of systems integrators that that's a real issue,

18   with regard to buying things and plugging them

19   into networks, without even into a network that a

20   system integrator is managing on behalf of

21   customer agencies, and how the government handles

22   that.

1   And these aren't -- this isn't about,

2   no, you shouldn't do it, or yes, you should do

3   it, it's about, how do we do it in a smart way

4   that makes sense?

5   That takes advantage of the dynamic

6   nature of the commercial market, while at the

7   same time, protecting, whether it's cyber or

8   whatever policy imperative the government has in

9   place?

10   That's why I go back to the question,

11   why? And answering those questions is, I think,

12   a very positive approach to it and it gets all

13   the stakeholders involved.

14   MR. SISTI: Thank you very much.

15   MR. ALLEN: Just to add on to that,

16   briefly, I think that Roger definitely addressed

17   that pretty thoroughly, but this is absolutely a

18   management issue for GSA, understanding that

19   these different platforms, we're going to have

20   different outcomes, we're going to have different

21   pricing outcomes and profiles.

22   We're in a big community and there are

1   a lot of -- we have the oversight community, both

2   inside the Agency and on Capitol Hill. We have

3   the fourth estate that does its job.

4   We want to make sure that from an

5   acquisition management standpoint, that we stay

6   out in front of these issues, and realizing, A,

7   that they're going to happen, and B, what does

8   that mean for terms of how certain of these

9   programs are going to move forward? What are our

10   justifications going to look like? What are our

11   policy decisions? What are our business

12   management justifications?

13   These are all things that the

14   acquisition management team is going to need to

15   consider, because if not, then we're quickly

16   going to lose the ability to drive this train to

17   where we think it should go and instead, it's

18   going to be taken over by people who look at it

19   and say, well, the government's doing something

20   wrong, why are they doing that?, which is really

21   only a surface analysis.

22   But as we all know, because we all

1   live in this area, surface analysis is sometimes

2   as far as it goes.

3   MS. KIRKHOFF: Hi, I'm Jennifer

4   Kirkhoff, I'm from Philips Healthcare. My

5   questions actually relate to a number of topics

6   that have been brought up this morning.

7   The one thing that we've noticed is

8   that, while the 65 II A is for non-configurable

9   medical devices, it could be anything from a

10   Band-Aid to a scalpel, it also includes things

11   that have become highly technical and highly

12   complex, that integrate into systems. So, things

13   like a patient monitor.

14   So, today, the way that you buy it, if

15   you use the schedule that the VA is responsible

16   for, you purchase the device on the Schedule 65

17   and then, you buy the interfaces, the integration

18   into the EHR system, all of those things, open

19   market, because there's no place for it.

20   And healthcare has evolved

21   tremendously, so much so that you created a SIN

22   on the Schedule 70.

1   But what we didn't consider is all of

2   those companies that touch the patients, who have

3   things like health informatics and other things

4   like, where they might be a Class II medical

5   device, not an imaging equipment, because there's

6   certainly a contract for that.

7   But as IT or health IT evolves, and

8   they're touching the IT systems inside of these

9   agencies, and I don't just mean the VA and the

10   DoD, we're also talking about DHS, we're also

11   talking about HHS.

12   These are customers who would like to

13   be able to acquire these things, but right now,

14   there's no vehicle for it, there's no schedule

15   for it, because you can't put all of these things

16   onto the existing schedule.

17   So, I'm wondering if we're going to

18   think about those things and whether we should

19   talk through it, because it's also -- there are

20   also commercial devices that have TAA issues.

21   And there's just things that we have

22   to think about, because there's a lot of money

1 being spent on these things that are not really

2 being tracked and they're not really easy for the

3 agencies to acquire.

4 MS. SHUTT: So, yes. Over the last

5 couple of months, almost last year, GSA has been

6 making a more concerted effort to work more

7 closely with the VA and their schedules.

8 Whether that be by incorporating them

9 into our systems and different things like that,

10 some of these things have started to rise to the

11 surface, is the need of their schedules and the

12 scope of their schedules.

13 There is a definite disconnect and

14 whether or not our side, for MAS, we have the

15 ability to include the other half of what we have

16 done on that. So, like, the first step, the

17 information technologies category has added those

18 Health IT SINs.

19 But you're right, it hasn't quite

20 gotten to that full solution situation yet. I

21 think what we'll see is, over the next year, and

22 in the following years, GSA continuing to work

1 with the VA, to see whether or not there are

2 categories we need to add to our schedules, to at

3 least facilitate this, while they're determining

4 what they want to do with their schedules as

5 well.

6   This way, we can bring that solution,

7 even though it will be somewhat piecemeal,

8 because it will be on two different vehicles.

9   MS. KIRKHOFF: Yes, and that's what

10 we're finding, is that people are buying things

11 on SEWPs, so they can avoid --

12   MS. SHUTT: Yes.

13   MS. KIRKHOFF: -- trying to figure out

14 how to go through a -- a piece through a GSA

15 schedule, a piece through a 65, a piece here, and

16 it's very hard for your customers to acquire the

17 next generation of healthcare IT.

18   MS. SHUTT: Yes.

19   MS. KIRKHOFF: Okay.

20   MS. SHUTT: So, yes, that has been a

21 concern that even the VA has brought up

22 themselves, and I know that they have been

1 concerned also with their PALT time, of being

2 able to get certain things on to contract quick

3 enough to keep up with different things, such as

4 NASA SEWP.

5   So, we're hoping to expand the

6 communication with them more this year, and see

7 where we can work together to start helping

8 government agencies, but also help industry be

9 able to provide that solution base, because it is

10 something that -- I mean, us in our personal

11 lives, we don't piecemeal out what we're buying.

12   MS. KIRKHOFF: Right.

13   MS. SHUTT: So, if you go somewhere and

14 you order furniture, for example, you don't say,

15 okay, I just want the furniture, I've got to go

16 somewhere else and find someone else who can

17 install it. You want to buy it all at one thing.

18   MS. KIRKHOFF: Exactly.

19   MS. SHUTT: So, as GSA definitely moves

20 towards this more solution-base, we're hoping

21 that the VA will look into it as well, but we are

22 opening those communications with them. We just

1   -- it's very early in that stage at this point.

2   MS. KIRKHOFF: Well, we'd be happy to

3   help and the trade industry that we're part of

4   would also be happy to help, as an organization,

5   to provide some insights on that.

6   MS. SHUTT: So, yes, definitely. Yes?

7   MS. THAYER: Good morning, I'm Randa

8   Thayer with Schult Industries, and we carry a

9   Schedule 72.

10   And much like a lot of schedule

11   holders here, these schedules tend to blend with

12   several other schedules, hence the reason we're

13   doing this.

14   But my question is, what measures are

15   we putting in place to ensure that we don't have

16   vendors that maybe specialize in general

17   construction or in furniture and installation

18   start creeping into a floor covering segment,

19   where maybe they're not necessarily the subject

20   matter expert, and at the end of the day,

21   ultimately not giving the customer the quality

22   install that they're looking for?

1   MS. SHUTT: So, that exact reason was

2   the reason we realized that we kind of had to

3   keep a basic category structure, not only just

4   because it would be too large to not have it, but

5   we have set up this certain subject matter

6   expertise throughout the Acquisition Centers to

7   ensure that people and contractors were in the

8   right groupings, basically, and to ensure that

9   those regulations and contract terms and

10   conditions, and whether or not they can even be

11   on schedule or that item could be on schedule,

12   because I know sometimes that line gets a little

13   blurry, of how far you can go, basically, and

14   where that caps out on there.

15   So, we will be keeping that subject

16   matter expertise alive, but the other thing we'll

17   be doing is, we'll be having the Acquisition

18   Centers, they're already starting to talk more to

19   each other, but we'll be definitely moving to a

20   more enterprise view on that thing, so that we

21   can identify different COs who have that.

22   So, if a CO who mainly has done

1   professional services, for example, gets a

2   category that they're not used to, they have

3   someone to contact to get that information on

4   there, so that they can help guide the contractor

5   or perspective contractor to ensure that they're

6   fulfilling everything in the right terms and

7   conditions, but also avoid certain gaps,

8   basically, where we could have something come in

9   that is buffering on that zone of maybe they

10 shouldn't be quite on there.

11   MS. THAYER: So, just a quick follow-up

12 question, then. As these conversations begin, a

13 lot of our strategic partners in the industry

14 continue to come to us, kind of asking, well, I

15 hold a Hardware Superstore or I hold a Furniture

16 or a Package Room Contract, and so, they're

17 coming to us now requesting these letters of

18 supplies, to make sure that they are ahead of the

19 game.

20   So, are you guys going to be listing

21 maybe a thought process on different schedules

22 that could be grouped together, that could

1   overlap, and allow some of our Hardware

2   Superstores to sell the SIN numbers that are

3   underneath the Schedule 72?

4   MS. SHUTT: So, yes. So, that's kind

5   of where it all kind of started. So, what we

6   actually, when we first started doing this, we

7   weren't quite sure if we were going to go to one,

8   so we were trying to find pockets where there was

9   no overlap.

10   What we found out is, no pocket

11   existed. There was always something that was

12   crossing over somewhere.

13   But one of the things that we'll be

14   doing as we go forward with this is doing that

15   emerging technology and with eOffer, to help

16   basically build those paths, expanding the MAS

17   Plan Language Roadmap that's on GSA.gov, so that

18   we can show those categories and give examples of

19   different things.

20   But this will basically take all those

21   Special Item Numbers that are essentially the

22   same, but on different contract vehicles, and

1   bring them together into one category.

2   So, there won't be this, oh, I sell

3   hammers, I need eight schedules to sell them.

4   You'll just need that one category. So, this

5   will bring that kind of ability in there.

6   And also, the other thing it kind of

7   -- we always have, not issues with, but concerns

8   from industry about is, I sell hardware, for

9   example, but I only sell stuff that I manufacture

10   and the Hardware Superstore isn't a good fit for

11   me, and I don't really feel I fit anywhere else,

12   I feel like I should fit here, but I'm kind of

13   guessing at this point, because I know this is

14   something I could sell the government, but

15   because I don't fit this exact model, I can't

16   quite find my first footing.

17   So, creating a world where it's a

18   little bit easier to figure out where I go is one

19   of the steps that we're really trying to do while

20   we do this process.

21   MS. THAYER: Thank you.

22   PARTICIPANT: Okay. We have --

1   MR. WALDRON: Stephanie, can I --

2   MS. SHUTT: Oh, go ahead.

3   PARTICIPANT: -- a couple of questions

4   online.

5   MS. SHUTT: Hold on. Hold on, Savi

6   (phonetic), Roger has something.

7   MR. WALDRON: So, I don't want to beat

8   a dead horse, but I did want to just clarify one

9   thing.

10   When I'm also talking about cyber and

11   supply chain risk, also, another big issue for

12   our members is counterfeit and our grey market

13   items that the schedules addresses. And just put

14   that out there.

15   And I actually had a question, if you

16   don't mind, if that's okay? Is this an

17   opportunity, through the consolidation, to take

18   another look at Evergreen Contracting, in terms

19   of making Evergreen truly evergreen?

20   MS. SHUTT: So, I think it's an

21   opportunity to look at everything, but we kind of

22   have to bucket things. So, bucketing them into

1   what would be potentially rulemaking, what would

2   be something that we could change.

3   For Evergreen, I would suspect that

4   that would need to go through a process of

5   rulemaking, so that would be something that we

6   could put on the table, however, it's not going

7   to be an instantaneous thing, nor will it be in

8   time for the consolidation.

9   Savi, let's do your question last.

10   PARTICIPANT: Just a couple of quick

11   questions. We had one from Stacy Zielinski.

12   Will contractors still have the size

13   determination at the schedule level? If so, how

14   will that determination work?

15   And then, a second question from Joyce

16   Nowak from Caldwell's Windoware. Our son has a

17   small business set-aside, will that continue or

18   will it go away?

19   MS. SHUTT: So, for the socioeconomic

20   statuses, so we will still be using the

21   preponderance NAICS and that preponderance NAICS

22   will determine your size standard and your

1   socioeconomic status for your contract vehicle.

2   That being said, I do know that there

3   is a FAR case in place, that you have to have a

4   NAICS per category, and once that FAR case comes

5   in place, that will kind of change how that goes

6   and that will more move that socioeconomic to the

7   order level, but that won't happen until that FAR

8   case and other system fixes are completed.

9   So, for right now, it will stick with

10   the preponderance NAICS. So, whatever your

11   preponderance NAICS, if it's small business, if

12   it's woman-owned, whatever that is, that will

13   stay the same.

14   But I think we're out of time for

15   that. And I want to thank everyone for coming

16   and for all of the great questions. If you have

17   more questions, we do have an email address that

18   we have multiple people that manage, the

19   MASPMO@GSA.gov.

20   For those of you guys who have gotten

21   emails about the sunsetting of 72 A, you've seen

22   this email address, because it's who you're

1   emailing to ask when this is happening.

2   But this email address will come to

3   myself and some other people on my team to answer

4   those questions.

5   Also, we will be providing updates

6   along the way and opportunities to comment

7   through Interact, this entire period. But I do

8   welcome any comments or questions that anyone has

9   at any time.

10   And with that, we'll close it up and

11   thanks for the panelists.

12   (Applause.)

13   MS. PHILCOX: Okay. Thanks to

14   Stephanie and all the panelists, we appreciate

15   it.

16   And just want to let you know that

17   we'll start promptly back here at 12:30 for the

18   Commercial Platform Phase II Update. No need to

19   check back in when you come back, just come back

20   in to the auditorium, and we'll see you then.

21   (Whereupon, the above-entitled matter

22   went off the record at 11:29 a.m. and resumed at

1   12:32 p.m.)

2   MS. PHILCOX: Hello, everyone.

3   Welcome back. Hope you enjoyed lunch. And it

4   looks like there -- it looks like there is a few

5   new faces in the audience. We may have swapped

6   some out, had some leave, and had some join us

7   for this afternoon. So thank you for being here.

8   We've got a large contingent online as well.

9   So we're back to talk about the

10   commercial platforms and give everyone a Phase II

11   update. So without further ado, we have an

12   esteemed panel with us here today of mostly GSA

13   folks who can help explain what commercial

14   platforms are and how we're planning to go about

15   addressing the requirement that we got.

16   And here to moderate this panel for us

17   is our own Chris Averill. He is with the Office

18   of Congressional and Intergovernmental Affairs at

19   GSA, and he will moderate the session for us.

20   MR. AVERILL: Thank you, Crystal.

21   Good afternoon, everyone. We're pleased that

22   you're here. Thanks for sticking it out through

1   the lunch break and coming back, and thanks to

2   everybody who is new for joining.

3   We are going to have a wonderful

4   discussion this afternoon about the commercial

5   platforms initiative. And so we'll start with

6   all of our panelists, giving some brief updates

7   from their perspectives, and then there will be

8   time for Q&A, at which point I would ask

9   everybody to kindly limit their questions to one,

10   so we can get through as many as possible. And

11   if there's additional time, we'll consider

12   others.

13   So for the afternoon, the team is here

14   on stage to focus on providing a Phase II update

15   on the initiative. That will include a review of

16   research findings to date, some insights on the

17   road ahead. That includes some extensive

18   discussion around the draft program documents

19   that GSA and OMB recently released on FedBizOpps

20   for feedback on that proof of concept.

21   So there are some links to that

22   information that are on the Commercial Platforms

1   Interact Group. If you don't have the link to

2   that, we will make sure to provide it by the end

3   of the afternoon, so that everybody can view the

4   documents in their entirety and provide comments

5   in the recommended timeframe.

6   And so without further ado, let me

7   introduce the folks that are on the stage.

8   To my immediate left is Matthew Blum.

9   He is the Associate Administrator for OMB's

10   Office of Federal Procurement Policy. To his

11   left is Laura Stanton. She is GSA's Deputy

12   Assistant Commissioner for the ITC Category

13   Management. She is also the executive sponsor

14   for the commercial platforms effort.

15   Mark Lee to -- is down on the end.

16   I'm a little out of order here, apologize.

17   Assistant Commissioner for GSA's Federal

18   Acquisition Service, Office of Policy and

19   Compliance. And, finally, we have Jeff Koses.

20   He is GSA's Senior Procurement Executive in our

21   Office of Governmentwide Policy.

22   And so with that, I will turn it over

1   to Matthew, who will be our first speaker.

2   MR. BLUM: Chris, thanks very much.

3   As I said, I think this is now our third public

4   meeting on the commercial online marketplaces, so

5   I feel like we are almost like a family now. And

6   I guess we have to give names to the -- to our --

7   to keep track of these events, and maybe this

8   could be the home for the holidays, or maybe not.

9   We'll see.

10   (Laughter.)

11   MR. BLUM: But as everyone knows by

12   now, the President's management agenda is

13   intended to drive integrated bold change in how

14   the government delivers its mission.

15   And earlier this morning you heard a

16   lot about GSA's vision for modernization of the

17   federal marketplace. And as the Office of

18   Federal Procurement Policy thinks about what

19   modernization looks like across the government to

20   build on GSA's ideas, we were giving careful

21   consideration to the role of pilots and testing

22   as a way to help accelerate incremental

1   transformation to our acquisition processes.

2   Last time I think I started with a

3   history lesson on open market buys. I won't do a

4   long history lesson today, but suffice it to say

5   that when OSTP was first created in 1974,

6   Congress had the good sense to include as one of

7   our core functions the encouragement of pilots

8   and proofs of concept.

9   And over the years we have seen some

10   significant pilots that have had an important and

11   positive impact on our system. One easy one that

12   comes to mind was the migration of the old

13   Commerce Business Daily to federal business

14   opportunities.

15   And I'm old enough to remember when we

16   had the Commerce Business Daily, and I thought it

17   was going to be intractable and we'd never be

18   able to move off of the paper copies of that and

19   to the -- to federal business opportunities. So

20   that had a lot of goodness that actually started

21   with pilot authority that was given to us by

22   Congress in the Federal Acquisition Streamlining

1   Act.

2   But by and large, I think it is

3   probably fair to say -- and I think my colleagues

4   would probably agree -- that, you know, while we

5   do have good examples of pilots and

6   demonstrations, by and large, they have been

7   relatively small in comparison to the

8   opportunities that regularly present themselves.

9   Pilots and proofs of concept have a

10   number of important benefits that you know well.

11   First, they help us build the evidence to support

12   further investment, and they allow us to make

13   course corrections based on the evidence that we

14   have. And if done correctly, they allow us to

15   disrupt the environment in a manageable way.

16   So what do I mean by "manageable

17   disruption"? And you know all of this, too, five

18   kind of points here.

19   One is, you know, talk to stakeholders

20   to shape the proof of concept in the most

21   thoughtful way possible considering impact and

22   feasibility.

1   Second, start small. Test, evaluate,

2   retest, before you scale and institutionalize.

3   Third, collect meaningful data to

4   enable smart course corrections.

5   Four, understand risk. Go in eyes

6   wide open, and in the case -- and this has come

7   up in our prior conversations, and I know a

8   little bit this morning, making sure we

9   understand the challenges faced when buying, you

10   know, from a source -- from sources that haven't

11   necessarily been fully prescreened.

12   And, fifth, rationalize results. And

13   here, you know, if something works well for COTS,

14   you know, through this process, we need to figure

15   out, if it makes sense to apply in other spaces,

16   we need to harmonize our activities to the nature

17   of what we're buying -- COTS -- and not

18   necessarily to the vehicle that is being used, a

19   point that you all have made clear to us.

20   Well, I'm guessing most of you here

21   have had a chance to at least peek at some of the

22   materials that GSA has shared in advance of this

1   meeting, and you will obviously see that we are

2   positioning ourselves to evaluate the

3   opportunities posed by the commercial market line

4   -- sorry, commercial online marketplaces by

5   starting with a proof of concept and following

6   the principles that I just described -- talking

7   to stakeholders, starting small, collecting data,

8   understanding risks.

9   And let me put a pin for a minute in

10   the first point of stakeholder engagement. In a

11   moment, Laura, Jeff, and Mark are going to spend

12   some time helping to digest the vision for this

13   proof of concept as presented in the materials

14   that have been shared with you.

15   And as you listen to them, I hope it

16   isn't lost on you that your input that you have

17   provided, whether it's in response to some of the

18   RFIs or in one-on-one meetings, if you have been

19   part of them, that they are helping to shape

20   features of our internal implementation efforts.

21   And I do think this is important

22   because your time is valuable, and we want you to

1 understand, as we have these sessions and move

2 forward, how we are thinking about what you're

3 telling us. And let me give you three relatively

4 simple examples, but I think they set the

5 framework for the discussion today.

6 So Example 1 is the scope of the proof

7 of concept. As you know by the four corners of

8 the law, this initiative is limited to the extent

9 it focuses just on COTS and purchases below the

10 SAT. And I think when the law was first enacted,

11 it probably is fair to say that we were thinking,

12 okay, you know, the SAT is pretty manageable.

13 It's a relatively small percentage of our total

14 dollars. You know, we'll work towards doing

15 activities and transactions that go up to the

16 SAT.

17 Well, the feedback that you provided

18 this past summer to the RFIs that GSA issued

19 reinforced the potential complexity we face even

20 in the SAT space and sorting out the roles and

21 responsibilities between four parties, right?

22 This is a true quadratic equation -- GSA, the

1   platform providers, sellers, the ordering agency.

2   And for the many compliance

3   requirements that apply even below the SAT, this

4   is -- this, you know, seems somewhat daunting

5   until you think through it and work through it.

6   So this has played a big role in focusing our

7   initial plans for the pilot on activity under the

8   micropurchase threshold.

9   Example 2, rules of the road. At the

10 last town hall, I discussed our vision of how

11 online marketplaces might be thought of as an

12 opportunity to modernize the three phone calls

13 rule of the 1980s and 1990s where buyers could go

14 to their rolodexes, identify three vendors, make

15 calls, and basically select a winner.

16   And for those of you that have been

17 around for a while, you will remember that that

18 was probably the most significant source of

19 flexibility -- I see some nodding heads -- that

20 existed in the 1980s and early '90s.

21   And when we were negotiating the

22 Federal Acquisition Streamlining Act with

1 Congress, many of our senior procurement

2 executives were like, please, let's raise

3 thresholds and focus on that relief.

4 While it's interesting, by the way, as

5 an aside, after I did that little review of

6 history, some folks came up from the last event,

7 and there were some millennials that were like,

8 "Oh, we really loved this history lesson. Thank

9 you so much. What's a rolodex?"

10 (Laughter.)

11 MR. BLUM: Translation: you are so

12 old.

13 (Laughter.)

14 MR. BLUM: But then, also, some of the

15 folks that are my contemporaries, you know, said,

16 "Not so fast," weren't quite as enamored with my

17 storytelling and said that, you know, "Let's not

18 talk so quickly through this. And, remember,

19 there is an important difference between what

20 we're talking about today and the three phone

21 calls." And that being that that authority is --

22 which is in the FAR was provided to warranted

1   contracting officers that had a fair amount of

2   training in our system and rules.

3   So as you move forward, we need to

4   make sure that if we're going to place more

5   attention on the use of marketplaces and cards

6   and those current cardholders, we need to

7   remember that the rules that exist in the FAR for

8   micropurchases may need a little bit of tweaking

9   to reflect the good thinking that our warranted

10 contracting officers were doing with three phone

11 calls.

12   And you will see in the handout

13 materials that we have developed -- or I should

14 say GSA has developed a set of ordering

15 procedures that we are putting out for your

16 comment and thought well in advance of when this

17 will take effect, so that you can work and offer

18 your thoughts back to us as we try to strike that

19 right balance between efficiency and smart

20 buying.

21   Example 3, rationalizing our tools.

22 So many are asking if we are thinking about the

1 relationship of this program as it relates to

2 category management as well as the schedules and

3 other existing vehicles that people use today for

4 buying small dollar -- making their small dollar

5 purchases.

6 You're going to be hearing a lot of

7 discussion on the role of data, which is probably

8 the single most important value add that GSA can

9 offer initially in this program. Why do I say

10 that? Well, it's going to help our buyers, and

11 it's going to help our managers make rational

12 decisions as to which tool makes the best sense

13 in any given situation, which they can't easily

14 do today.

15 And by doing that, it preserved the

16 toolbox approach that we have always -- and I

17 think need to continue to embrace -- to give our

18 buyers as many options as possible while

19 minimizing unintended consequences.

20 These three features start with

21 micropurchase, have online ordering procedures

22 ready to go at the outset, and emphasizing our

1   data analysis were all honed based on the many

2   conversations that we have had with you. And I,

3   again, applaud GSA for this prudent market

4   research.

5   At the same time, and my last point,

6   is I also applaud them for starting to nail down

7   a timeline for launching this proof of concept,

8   which Laura and team are going to talk at this as

9   well today.

10   So why am I emphasizing this latter

11   point about, you know, we need to move forward?

12   Well, many of you have asked us what we're doing

13   about agencies that are starting to experiment

14   with marketplace providers on their own. And to

15   be honest, some of these questions have come to

16   us kind of in a whisper, and some of them have

17   come, you know, with you using your outside

18   voices in blogs and in other kind of very public

19   statements, which is very fair. This is a

20   legitimate question to ask.

21   And as GSA and OFPP, one thing we

22   share in common is we are responsible by statute

1   for thinking through whole of government issues.

2   But the truth of the matter is, it isn't bad

3   behavior on the part of our agency colleagues who

4   want to continually look for new and better ways

5   to serve their customers, right?

6   This is the most basic definition of

7   "innovation" and the strongest antidote to

8   insanity where we do the same thing every day and

9   expect better results. And as I said at the

10   outset, we need to do more piloting and

11   experimenting. So in some levels, you know, we

12   are in kind of a weird situation if we don't move

13   forward, because we can't then criticize our

14   agency colleagues for wanting to take advantage

15   of these technologies and figure out how they can

16   buy faster and smarter.

17   That said, we don't want Balkanization

18   where a whole of government sandbox can be stood

19   up to do this testing. So while we must continue

20   to exercise prudence, and I can -- I am confident

21   that my colleagues and I know our office are

22   going to do that, the sooner that GSA can stand

1   up a smart proof of concept and get that off the

2   ground I think the better off we are ultimately

3   going to be in rationalizing our testing, our

4   understanding, and our ultimate scoping of this

5   opportunity for the longer term.

6   So with that, I am now going to turn

7   to Laura, Jeff, and Mark, who are going to do

8   somewhat of a deeper diver on some of the details

9   of this proof of concept.

10   MS. STANTON: Great. Thank you,

11 Matthew. And thank you, everybody, for being

12 here today. We did get a little bit of an

13 upgrade from the GSA auditorium in order to

14 accommodate all of you.

15   But today is important for a number of

16 reasons, not only because we've had a chance to

17 dig deep into the federal marketplace based on

18 what was -- what the GSA administrator had an

19 opportunity to address this morning, the

20 schedules modernization, and now going into

21 another aspect of the federal marketplace, the

22 commercial platforms initiative.

1   And I appreciate Matthew really

2   highlighting three key elements of this. First

3   of all, the proof of concept and the importance

4   of pilots. The second is the whole of

5   government, and the third is the data, because

6   all three of those have been recurring themes

7   that we have been hearing that he quickly

8   identified and pulled out in the way that Matthew

9   does.

10   I also do feel like -- a little bit

11   like I have -- you know, that it has become sort

12   of a sibling group with the four of us spending

13   this much time together over the past year, and

14   all of you seeing us together, too.

15   But today is also the one-year

16   anniversary since the FY18 National Defense

17   Authorization Act was signed that brought Section

18   846 into law. And during that one year, we have

19   been -- we have spent a considerable amount of

20   time listening to you to learn more and to take

21   the lessons that Matthew -- that Matthew

22   identified and then all go deeper into to make

1   the decision -- actually, to put forward the

2   ideas. I won't even call them decisions yet,

3   because we want to hear your feedback on them

4   before they begin decisions, but to begin to

5   identify the path forward.

6   That was built off of the listening

7   session that we held back in January where, if

8   you remember, the only thing that we said was to

9   actually ask a whole series of questions. In

10   June of 2018, we sat down again and went through

11   another listening session where we began to also

12   share some of the initial market research and

13   some of the report information that we had

14   completed back in March.

15   And then, finally, today we are

16   finally ready to share with you and highlight

17   some of the key thoughts and the path forward

18   that will move us into the proof of concept for

19   the whole of government the way that Mathew

20   described.

21   And during this time, what you'll hear

22   from us is -- I think a number of you, I hope,

1   will recognize the feedback that you gave us and

2   understand how we took that, we learned from it,

3   and that we began to use that to shape our

4   progress forward.

5   But before I get into sort of what

6   that is, let's just take a step back and talk a

7   little bit about Section 846, what it -- and for

8   those of you who may not be as familiar, some of

9   you have been along the path every step of the

10   way with this, and others might just be coming

11   into this today.

12   First of all, GSA is charged with

13   establishing multiple contracts for electronic

14   commerce portal providers. We have to consider

15   portals that are widely used in the private

16   sector and that provide features such as supplier

17   and product reviews, invoicing payments, and

18   customer service.

19   The program would be implemented in

20   phases over several years, allowing the

21   government to consider such issues as data

22   security, supply chain risks, and cybersecurity

1   threats. That was originally called out, that we

2   wanted to do a phased implementation to allow us

3   time to identify and work through some of these

4   issues.

5   And then, finally, GSA has asked to

6   accept portal provider terms and conditions,

7   where possible, but should judicious in asking

8   for exemptions from existing rules and

9   regulations. Put that into plain English: we

10   are asked to accept all commercial terms and

11   conditions at the same time that we make no

12   changes to our -- to the existing procurement

13   laws and regulations.

14   For those of you who are familiar with

15   both worlds, you're aware of what the -- what

16   challenge that presents to us, and we have worked

17   very hard to sort of thread that needle in the

18   most useful way possible.

19   Then, a few months ago, the FY19 NDAA

20   was signed, and the commercial platform's e-

21   commerce surfaced once again with some important

22   clarifications based on the conversations that we

1   had been having. GSA now has the authority to

2   develop the competitive procedures, and this is

3   both -- and Jeff will address competition at a

4   deeper level, but this addresses both at the

5   marketplace competition level and at the ordering

6   level, and the role of competition is critical to

7   the success of this program.

8   The language in the FY19 NDAA

9   reiterated the need for multiple contracts with

10   multiple portals. This was a point that we heard

11   from all of you starting last January, as well as

12   that we should be looking at this as a proof of

13   concept, and that we need to have the buyers

14   comparison shop as they go -- as they make their

15   purchases.

16   Data usage protections were

17   strengthened, stating that portal providers

18   cannot use spend data for pricing, marketing, or

19   competitive purposes. This has been one area

20   where we have heard a lot -- quite a bit of

21   feedback, and we're taking that into account as

22   we go forward.

1   We know that we still need further

2   feedback from you in this particular area, and

3   you'll see that that is called out in the RFI as

4   well. And in FY19 -- and for 2019, the

5   micropurchase threshold increased to $10,000 for

6   Department of Defense.

7   So having stated these items, based on

8   the legislation, we also share -- we also have a

9   series of program objectives that we're working

10   to accomplish. The first is modernizing

11   commercial product buying experience. The second

12   is simplifying and streamlining COTS item

13   purchases to allow agencies time to focus on

14   their mission-oriented acquisition.

15   And then, finally, analyzing the COTS

16   item purchasing spend data to allow for better

17   buying decisions. We held -- we recently held a

18   customer workshop, and we are talking about the

19   value proposition. During that workshop, one of

20   the agency -- we asked what the value was for --

21   and one of the agency representatives literally

22   leapt out of her chair going "Data. I want the

1   data." And she was one of many voices in the

2   room emphasizing the need and the desire to be

3   able to get to that level of transactional data.

4   We conducted a significant amount of

5   research in Phase 1, and we heard a series of --

6   we heard a number of key themes around maximizing

7   the flexibility and maintaining a balance of

8   regulation and good public policy. We are still

9   trying to work through exactly the tensions with

10   both of those.

11   But our Phase 1 recommendations

12   focused on modernizing competition requirements,

13   given the -- and which we did get as part of the

14   FY19 NDAA. We are currently in Phase 2 of this

15   effort, which calls for intensive market

16   research. That research was used to guide the

17   recently released request for information and

18   will help us shape the contents of the March 2019

19   report.

20   So we appreciate everything that

21   you've done to date and ask you to continue to

22   help us out with more and offer feedback. In the

1   last year alone, we have conducted the three

2   industry days that I referenced already. We have

3   released multiple RFIs. We also have met with 75

4   companies for one-on-one demonstrations and

5   discussions about what this program could

6   potentially do, and we have participated in

7   numerous industry events to speak about this

8   initiative.

9   So we have conducted extensive

10   stakeholder research on the industry side, and we

11   have worked across the government to understand

12   what the critical things are for them as well.

13   We still have more -- I want to emphasize,

14   though, that this -- we are going to continue to

15   have opportunities for your involvement and for

16   your feedback.

17   As we begin to talk about the RFI that

18   was released, that is beginning to shape and form

19   the proof of concept that we are targeting for

20   the end of 2019, and that is all built on what we

21   have learned to date.

22   So as we think about the proof of

1   concept, we have a couple of goals. The first

2   is, let's get something out there that the buyers

3   can start using, so we can figure this out.

4   Going back to Matthew's point, we have spent --

5   we have spent a lot of time learning.

6   Let's now do something. Let's test

7   this effort and acquisition reform at large in a

8   controlled environment before going all in. And

9   then, finally, to begin to understand the

10   potential impacts on other programs as we begin

11   to use real spend and begin to see that.

12   So the proof of concept is really --

13   is critical, and it's also something that if we

14   don't -- we need to continue to progress, so that

15   we have alternative and we have Section 846 in

16   place for the whole of government to be able to

17   use.

18   As part of the RFI, we talked about

19   the key objectives, the same one I referenced

20   earlier, the modernizing the commercial buying

21   experience, simplifying and streamlining COTS

22   item purchasing, and analyzing the spend.

1   So we also have -- what we have done

2   with this RFI is we have actually put something

3   on paper for you. As I said, we have been

4   listening. And after a year of listening, we

5   have decided that it's time that we owe you

6   something.

7   So let me walk through the program

8   outline, the go/no-go requirements, and then

9   ultimately the capabilities that we are looking

10   for. GSA intends to award multiple commercial e-

11   commerce portals in support of the commercial

12   platforms initiative. Starting from the

13   beginning, you have told us that we need to have

14   multiple marketplaces. I remember -- I remember

15   it very distinctly back in the January -- we

16   heard it loud and clear during the January

17   session.

18   We planned to -- we planned for the

19   proof of concept to permit spending up to the

20   limits of the micropurchase threshold, which is

21   today capped at $10,000 per order. Orders will

22   not be accepted above that, and keeping purchases

1 below the micropurchase threshold really keeps us

2 very closely aligned to the commercial buying

3 practices.

4   This gets back to what I mentioned

5 earlier on being able to sort of thread the

6 needle on commercial versus retaining the rules

7 and regulations. The proof of concept will test

8 an e-marketplace model. The e-marketplace model

9 is defined as an online marketplace that connects

10 buyers with e-marketplace providers, proprietary

11 products, and third party vendors' products, or

12 in some case only the latter.

13   E-marketplace providers and third

14 party vendors are responsible for fulfilling

15 orders for their respective products with some

16 exceptions where the e-marketplace providers may

17 complete order fulfillment for an extra fee.

18 GSA's intent is to start with a lightweight model

19 that is different than what is commonly used

20 today in the government e-commerce portals.

21   The other thing we learned is that

22 e-commerce -- e-marketplaces are relatively new

1   in the business-to-business space. We may be

2   familiar and use them extensively in our personal

3   lives, but many of the B2B capabilities that we

4   are asking for and that we are looking for are

5   relatively new and often just under development.

6   And so we want to be able to grow with the

7   providers as they mature their offerings as they

8   go forward.

9   On the go/no-go requirements that we

10   are looking for, we really -- and these are based

11   on the stakeholder research, we are really going

12   to be looking at what would not reflect

13   commercial practice, and the proof of concept is

14   really intended to address a smaller segment of

15   the federal markets to allow us to test these

16   acquisition reform concepts on a smaller scale.

17   And then, finally, on the capabilities

18   that we are looking for, we are looking for the

19   in-depth product content and product reviews to

20   aid the market research. We are looking for

21   dynamic pricing and price comparisons to ensure

22   competitive pricing available to the federal

1 buyers. We are looking for information and order

2 status, and delivery tracking is part of the

3 post-purchase process, and a robust workflow

4 process between the work -- between the

5 purchasers and the approvers.

6   With all of these attributes combined,

7 we feel that the buyer will really experience a

8 more robust and a modernized COTS buying

9 experience than we have today. We want to be

10 able to offer up the maximum amount of research

11 for the buyers to have access to, and to be able

12 to acknowledge and identify the cost savings

13 across the commercial items.

14   And we want to be able to leverage

15 commercial practices by offering that -- the

16 workflow processes and detailed visibility into

17 the order status.

18   There is more information on all of

19 these items that I discussed, but this gives you

20 a flavor as to our initial thoughts and where we

21 want to take this.

22   So I'm going to -- that's very much

1   the fact-based outline, and I'm going to be

2   passing it over to Jeff to talk about really how

3   GSA is using this to balance the policy

4   objectives.

5   Thank you, Jeff.

6   MR. KOSES: Thank you, Laura. Matthew

7   really gave you a terrific overview sense of

8   three of the key items to be thinking about and

9   set the context beautifully. Laura then married

10   up -- those of you who have been following this

11   initiative through every twist and turn for the

12   last year, to those of you who are new to the

13   initiative, gave you the overall sense of where

14   this is going, when it's going, and some of the

15   key things.

16   I wanted to take you now into some of

17   the policy reasons, some of GSA's thought

18   process, as we have been laying out our initial

19   set of thoughts. And I'm specifically saying

20   initial set of thoughts, not decisions, because

21   we see this as a continuation of a dialogue which

22   has been underway for the last year.

1   So as we're going through these

2   thoughts, we have not locked down, yes, this is

3   the exact answer, but I think it will be helpful

4   if we go through how we're thinking, approaching

5   these issues, and why we have put out the

6   concepts the way that we have.

7   To organize this part of our

8   conversation, I think it is helpful if for the

9   next few moments we think in terms of five major

10   buckets to kind of walk through, talk through,

11   and understand the policy issues that are at

12   play.

13   These five that I'm going to talk

14   about are, first, competition, what that means,

15   where we're going with it; second, customer

16   satisfaction and the importance of that in this

17   whole effort in maintaining the unity of

18   government that Matthew spoke of.

19   I want to talk about creating the

20   right incentives, the right incentives for all of

21   the different parties who are part of this. I

22   want to talk about understanding and managing

1   risk, and then I want to talk about a broad

2   category that I'm calling savings and public

3   policy. This is an area where I expect many of

4   you are going to have a lot of questions that we

5   can spend some time talking through.

6   So as you've already heard, we're

7   looking at operating at the micropurchase level.

8   So let me then turn to competition first as the

9   first of these buckets to start walking, talking,

10   and thinking through.

11   From the earliest moments that GSA

12   learned of Congress' interest in this initiative,

13   we started stressing the importance of a

14   competitive procedure. That was our very first

15   set of comments on the first draft is, no, it's a

16   mistake to go with an idea of awarding one, that

17   there needs to be an award to several, and we

18   outlined several reasons, not the least of which

19   is the long-term risk to us in being dependent on

20   a single provider.

21   Also, concerns about stability of the

22   marketplace, small business opportunity, we

1   outlined a number of concerns on competition. We

2   stayed pretty consistent on that message through

3   every twist and turn, through all of the

4   subsequent versions of the bill, until we

5   actually saw the version that was enacted into

6   law and even the most recent set of changes.

7   But when we are talking competition,

8   we're talking competition at multiple levels, and

9   I think it's really important to understand each

10   of these levels.

11   One, we're talking competition at the

12   contract level. In the June meeting, I spent a

13   few minutes talking about that. And at that

14   time, I told those of you who were then following

15   along that we need to make more than one award,

16   that if we receive only one technically

17   acceptable offer in, that we are going to cancel

18   the solicitation, we are going to take several

19   steps back, we are going to return to our market

20   research, figure out why we didn't get better

21   competition, and then figure out a path forward.

22   I want to reaffirm that today. We are

1   not looking for a proof of concept with one

2   provider. There needs to be multiple e-

3   marketplaces for this to be successful, for this

4   to accomplish its purpose.

5   Second, though, we are talking

6   competition at the order level, and this is a

7   significant and fundamental shift when we think

8   about what a micropurchase is, how it operates,

9   what it means. We have never had a standard of

10   requiring competition at the micropurchase level.

11   We are now putting that out. That is

12   a significant and really impactful change. That

13   is a direction that would take federal government

14   purchasing into new space, new procedures. And

15   the importance of that really needs to be heavily

16   underlined.

17   We are also, though, talking

18   competition from the supplier perspective. One

19   more reason we thought it's important to have

20   multiple e-marketplaces is so that suppliers

21   themselves have a choice, are not forced into

22   just one relationship. We heard that message

1   from a number of the product vendors that we met

2   with over the last year.

3   We have heard different concerns about

4   different business practices among the

5   marketplaces. We heard different degrees of

6   comfort, different thoughts about which one best

7   would work for different commodity groupings,

8   different areas of spend, and we saw it as

9   absolutely essential that the suppliers, that the

10 sellers, whatever term we want to use, have a

11 choice of one or several portals, whatever best

12 fits that business model.

13   That brings me to the second major

14 bucket as we have been thinking this through.

15 That's the issue of customer satisfaction. I

16 think Laura mentioned that we had about 75 one-

17 on-one meetings. A lot of those were demos of

18 existing capabilities. We saw and heard from our

19 portal operators, from e-marketplaces, and from

20 the e-procurement solution providers.

21   One thing that really stood out for

22 us, something we found tremendously impressive,

1   was the emerging capability in the B2B

2   functionality. We saw a number of things that we

3   thought were especially valuable and impactful.

4   I'd put some of the workflow tools at the very

5   top of that list.

6   I would also include product

7   comparisons, ability to have a preferred vendor

8   listing, ability to load your existing contracts

9   within those, the capacities for discounted

10   pricing, a lot of really intriguing tools.

11   That combination of elements really

12   led us to say, you know, when we talk about proof

13   of concept, where is the best place to start?

14   That's part of what took us to the thought that

15   it's likely the e-marketplaces that make the most

16   sense as the first iteration to move forward in

17   this.

18   That said, we also are really

19   interested in some of the functionality we saw

20   through the e-procurement systems. Our sense is

21   that comes at a future stage of the procurement -

22   - of the program. It probably doesn't fit when

1 we're talking micropurchase. It certainly

2 doesn't fit when we're talking a lean start and

3 moving forward.

4 But it clearly seems to be part of

5 this program. There is a really compelling,

6 intriguing vision, one that we want to learn more

7 about as we move deeper into it, as we move to

8 successive proofs of concepts, and as the effort

9 matures.

10 As we're talking about some of these

11 issues in and around customer satisfaction, we

12 recognize ease of use, compliance, good pricing,

13 they're all going to be key. Part of why they're

14 going to be key is we're asking a lot of a lot of

15 different players in this space, and it's

16 important -- let's recognize, what are we asking

17 from the different participants?

18 Let's start with our purchase

19 cardholders. We are asking them to operate very

20 differently than they have up until now. We are

21 asking them to consistently look at more than one

22 source. We are asking them to recognize some new

1   brief documentation requirements. We're asking

2   that they be prepared to likely face additional

3   questions, and ask -- we're trying to build this

4   environment.

5   We are specifically asking them to

6   move their open market spend, their true

7   micropurchase spend, to a GSA-managed program. I

8   want to emphasize that we are talking a very

9   sizeable spend that does not go through any

10   contract vehicle today. We are not talking the

11   micro -- we are not talking buys under $10,000

12   that may have schedules. We are talking true

13   micropurchases, vehicles today that don't have a

14   contract, and we see just tremendous value in

15   targeting and focusing on that segment of spend

16   and moving it. That's our purchase cardholders,

17   though.

18   Second, our agencies. What are we

19   asking of federal agencies as part of that?

20   Well, this is about starting to bring management

21   to their micropurchase buys. It's about the need

22   to get the visibility, to see what and how that

1   spend is happening, and potentially to start

2   shifting that spend, not just shift it to the GSA

3   solution, but perhaps shifting that to some of

4   the mandatory sources.

5   Today, for instance, we have no

6   visibility on the AbilityOne spend in this space.

7   We have no visibility on the federal prison

8   industry spend. Candidly, we just don't have the

9   insights into what happens in micropurchase spend

10   to date.

11   Laura told you there is a huge thirst

12   for data among the agencies. There is a big

13   desire on our part to share that data with the

14   agencies to have them use that to start changing

15   behavior. That imposes yet another burden,

16   another requirement, on the federal agencies.

17   We are now talking an extensive effort

18   at retraining hundreds of thousands of P-

19   cardholders over time, certainly not at this

20   stage of the program. At this stage, we are

21   talking a proof of concept. Long term, though,

22   this is all about agencies retaining cardholders.

1   Third audience, what are we asking of

2   our suppliers? Certainly, better pricing. When

3   do we not ask for better pricing, right? Of

4   course we want better pricing. More than that,

5   we are looking for you to be able to compare

6   marketplaces, to identify which is the right

7   channel for you to sell, and sometimes this is

8   saying, "Let's establish a new channel, let's

9   come into a managed program" in doing business

10   across the government marketplaces.

11   We're certainly asking for a lot of

12   workflow functionality. We'll go through several

13   of these, I suspect, both in the statements and

14   public policy comments and in your questions.

15   But EPLS checks, for example, we would love to

16   have some assurance that we are not buying from

17   excluded parties and to have the proof of that.

18   We are looking for the marketplaces to

19   be able to display things such as environmental

20   attributes, a whole host of data elements that in

21   different ways federal agencies can provide, but

22   we don't have today centralized, invisible,

1 across micropurchase spend.

2   In marketplaces, we're asking for

3 extensive data collection and reporting-type

4 requirements. So if we're going to be asking so

5 much more of the buyer, of the agency, of the

6 supplier, of the marketplace, we need a better

7 overall experience. We need to have the savings;

8 we need to have the value.

9   That brings me to my third major

10 bucket as we're thinking this through. That's

11 how do we create the right incentives? So let's

12 run through those same four players in this. The

13 purchase cardholders -- well, for them, the

14 buying experience, it has to be fast, it has to

15 be easy. They have to have confidence that they

16 are getting good pricing; confidence they will be

17 in compliance with the rules; frankly, confidence

18 they are not going to be criticized for using

19 this.

20   One of the GSA initiatives that we're

21 working I'm calling taking the fear out of

22 buying. It's part of our initiative. It's part

1   of our focus across the agency this year.

2   As we're talking our purchase

3   cardholders, one of the values that agencies have

4   communicated is their folks are so uncomfortable

5   making a buying decision. There is a lot of

6   value for us if we can free that fear up from our

7   purchase cardholders, make them feel confident

8   that they are not going to be attacked for making

9   a decision.

10   For federal agencies, what is the

11   incentive? It is freeing up contracting officers

12   to do more complex buys, to focus on high dollar

13   levels. As Matthew told you, that's hardly a new

14   idea. I suspect we can probably trace that back

15   decades as we're trying to say, where do we want

16   our contracting officers to spend their time?

17   And I'd suggest it's probably not

18   buying COTS products when there are established

19   prices. It probably is in a whole host of

20   contract administration and oversight activities.

21   It's about giving the agencies the data to direct

22   the spend into more appropriate channels.

1   We heard really great interest in

2   specialty markets, everything from a first

3   responder market to various types of technical

4   equipment. And we heard lots of interest about

5   supply chain and different supply chain concerns,

6   something that we will return to.

7   For the suppliers, this is all about

8   offering new access to federal opportunities.

9   It's about addressing the concerns that they have

10   with what data is out there, how is it going to

11   be used. It's about giving them a choice.

12   For the e-marketplaces, well, clearly,

13   we need the ability to drive traffic and make

14   this a worthwhile investment.

15   Laura talked a little bit about the

16   direction that we have from Congress, which

17   basically -- stick as close to the commercial

18   practice as you can. Well, we understand that,

19   and we think there is great room for us to

20   leverage what the marketplaces already have

21   developed and are developing. We are not talking

22   any fundamental change to the business model.

1   We see a whole lot in the workflow

2 tools, in the account structure, in what is made

3 visible to different buyers, that we think

4 comports beautifully to the program attributes as

5 we are currently envisioning them.

6   So four different audiences, each of

7 whom need something very specific. We have to

8 give all of them the right incentives. At the

9 same time, I have already mentioned agency

10 concerns with supply chain. That takes me into

11 number four. We have to know -- we have to

12 understand the risk.

13   One of the pieces in the legislation

14 told GSA, give a lot of thought to IT and

15 healthcare items; think about whether or not they

16 should be bought through this type of portal.

17 And we have heard a lot of different views on

18 that.

19   At this point, the program document,

20 as you see, does not limit product categories.

21 So why did we get there? How did we get there?

22 Well, as I say, we went back -- we looked

1   carefully at the legislation, at what it said,

2   and it very much said, "GSA, think about this."

3   It didn't say include it; it didn't say exclude

4   it. It said, "GSA, study this, assess it, come

5   to a reasoned conclusion."

6   We then met with a number of the

7   industry associations, both in the IT space and

8   in the healthcare space, and we specifically

9   explored and tried to understand their supply

10   chain concerns.

11   What we walked away with, our

12   understanding is there is always going to be a

13   level of risk, and that level of risk goes up as

14   the size of the order goes up, as the type of

15   equipment you're talking about goes up, as the --

16   as we start to enlist services, as other pieces

17   start getting added to that supply chain.

18   So we're starting at the

19   micropurchase. We think that starts us at a

20   pretty low-risk environment. We also talked to a

21   number of agencies, and in talking to the

22   agencies they each seemed to have very different

1   ideas on what is and what is not an acceptable

2   risk, and where should products be limited or not

3   limited.

4   Our understanding, having seen a host

5   of demos, is through account setup tools, through

6   user profiles, the marketplaces can manage that,

7   can let agencies establish the limits that work

8   based on their mission, their view, their

9   understanding, in a fast emerging area.

10   We heard this morning some comments

11   about how supply chain is likely to be a major

12   focus of the next several years. We think it's

13   early to be making decisions. We don't think

14   this is the moment when we should be establishing

15   a buy and don't buy list across government. But

16   we do think it is the right time to start giving

17   agencies the tools to make some decisions.

18   Point five or bucket five, savings and

19   public policy. In this area, we heard a whole

20   big collection of issues from, will there

21   actually be savings, trade issues, AbilityOne

22   issues, excluded parties, a whole litany of

1   issues well worth talking about.

2   So let's start with maybe one of the

3   more fundamental questions. Will there be

4   savings? Well, what do the advocates say? The

5   advocates tell us that there is going to be big

6   cost reductions, reduce administrative costs for

7   agencies in completing their buys. They tell us

8   that there will be reduced compliance costs on

9   industry.

10   They tell us that there is going to be

11   easier access to competition, that there will be

12   more firms coming in looking to sell to us. They

13   will tell us that there is the ability to

14   negotiate B2B pricing or, better, they will tell

15   us that we can use the data to better manage our

16   buying behavior, and that will result in savings.

17   What do the critics say? Well, the

18   critics say that the schedules already have

19   really good pricing, and let me just stop and

20   enjoy that point, if you don't mind, for just a

21   moment.

22   (Laughter.)

1   MR. KOSES: I can't tell you how many

2   Hill briefings, how many FAR Council briefings,

3   how many agency conversations, how many seminars,

4   I have stood up and defended and talked about why

5   these schedules have good pricing. So, yeah, I'm

6   enjoying our new fans of schedule pricing.

7   That's awesome.

8   (Laughter.)

9   MR. KOSES: But, again, we are not

10   actually targeting the buys going through

11   schedule -- we think there is a vast and

12   substantial market of open market -- true open

13   market micropurchases that is out there.

14   Critics also point to things such as

15   the recent Navy postgraduate study. Other

16   current examples, some of the work that the

17   coalition has done and released just this week.

18   They pointed to the fees that are charged by the

19   marketplaces and say, you know, all of these

20   things, they are going to push your prices up.

21   There are savings that are going to be eaten up

22   in marketplace fees.

1   So who is right, you know? Let me

2   suggest the only fair answer is today, we don't

3   know. We have two theories of the case. We have

4   some pretty interesting arguments on both sides.

5   We have no responsible data. We don't know, are

6   there or are there not savings? What do we know?

7   We know Congress gave us the authority to run

8   with the program. We know Congress' sense is

9   that there is the potential for significant

10   savings for streamlining for time savings.

11   So as we think this through, that is

12   part of how we came up with the idea when we

13   launch the proof of concept, we should launch it

14   at the micropurchase threshold. Could we have

15   launched it at a higher dollar threshold?

16   Absolutely. We had the legal authority to go up

17   to the simplified acquisition threshold, up to

18    $250,000.

19   Matthew, I think you mentioned the

20   word "prudent" in the decisions a few minutes

21   ago. So where do we think it was prudent to

22   start an experiment; to run with a proof of

1   concept; to say, you know, there may be great

2   savings, or we may be paying more; this may work

3   and generate all kinds of time savings

4   efficiencies; it may not.

5   We thought, okay, let's strike the

6   right balance. Let's run -- we have a culture,

7   we have an opening, we have a time when we can

8   experiment, when we can try new things in the

9   applicant environment. We don't always have that

10   opening. There are times it's very hard to

11   innovate and try new things.

12   We have got the opening. We want to

13   explore it, and we think that the right place to

14   do that is at the micropurchase threshold. It

15   lets us test the theory of the case. It lets us

16   gather data. It lets us analyze the data. It

17   lets us prove which of the two savings sides are

18   right, the advocates or the doubters.

19   If we see the benefits emerging, if we

20   see cost savings, if we see other improvements,

21   then we can expand and grow the program and move

22   to higher dollar values, more proofs of concept.

1   If not, we know that we've pursued a benefit that

2   didn't work out, figure out why not. Do we

3   retrench the program? Do we revise it? They say,

4   "No, this wasn't a way to generate savings."

5   Thus, data is really key to where we

6   go, but there's lots of other aspects of public

7   policy besides the savings pace. Identification

8   we think is a critical component. Let me return

9   to AbilityOne. It was mentioned a couple of

10 times. We're looking for assurance that

11 AbilityOne items actually are included and are

12 being purchased. Today we don't have that

13 assurance at the micropurchase threshold. We

14 don't have the data. We don't have the

15 visibility.

16   Our understanding is by providing a

17 feed of ETS items that that can be made visible

18 to the buyers in lots of different ways, and the

19 buyers can then make the right decisions.

20   Small business -- we're looking for

21 ways to promote small business through the

22 program, and our thought is that small businesses

1   who choose to will be able to register as such

2   through SAM, and that information can then port

3   over to the marketplaces to be visible -- any

4   socioeconomic information -- for the buyer to

5   make a decision. It may not happen day one, it

6   may not happen year one, but that's a really

7   intriguing and new opportunity for the small

8   business space.

9   We'd like to have some real assurance

10   that we are actually preventing purchasing from

11   excluded parties, and believe that by providing

12   the feed from SAM, the excluded part of the

13   listing, the marketplaces can implement some of

14   the appropriate controls, so we have that

15   assurance.

16   We also think there is great value in

17   displaying environmental attributes and, again,

18   believe there is a data source from agencies on a

19   host of those where we can put the information in

20   front of the buyers.

21   Trade issues. Certainly, an area that

22   we have thought a lot about and considered.

1   We've talked about, should we establish a more

2   restrictive policy? But we concluded at this

3   point it makes more sense to align with

4   micropurchasing procedures. Do we want to make

5   it hard for people to use a government-wide

6   program and instead create 50,000 different

7   variations with every agency setting up its own

8   program? No. That doesn't make a lot of sense.

9   Bigger picture, we see this as a huge

10   deregulatory opening. We have been able to have

11   some very good conversations on the importance,

12   on the value, of deregulatory actions. This

13   year's National Defense Authorization Act used

14   our GSA draft in trying to adopt a regulatory

15   rollback provision, letting the FAR Council go

16   back and look at the last couple of decades of

17   new regulations and say, "Hey, does this really

18   need to apply to commercial items?" Give that

19   another thought. And, if so, explain why it

20   does.

21   You know, so if we're actively pushing

22   for a regulatory rollback, if we have the

1 opportunity, if we have the opening, why would

2 our first action be to apply a regulatory

3 environment not required by law, not required by

4 statute? We have to commit to our own belief,

5 our own view, on what is the right program

6 direction?

7   When we talk about the contracts, we

8 see the contracts with the e-marketplaces being

9 commercial item contracts, service contracts,

10 and, as such, we put out some draft terms and

11 conditions. They're a pretty limited list. The

12 terms and conditions are either: 1) required by

13 law to apply to commercial contracts; 2) required

14 by executive order, and I think we may have more

15 required by executive order than we do by law at

16 this point; or we think that they are consistent

17 with the customary commercial practice.

18   We think that based on your responses

19 to the earlier RFIs, based on the one-on-one

20 conversations. But, again, we're still in a

21 testing phase. We're asking you. So if we've

22 drawn those incorrectly, if we've missed key

1   points, if they are not consistent, or if you

2   read the law and EOs differently, let us know

3   that. This is the opening to make these changes

4   still.

5   You know, so getting to this limited

6   list, it's a pretty substantial deviation to the

7   FAR and the GSAR. But that is, indeed, our

8   thought process at this point.

9   For suppliers, the terms and

10   conditions, again, are minimal -- just those

11   required by law or executive order -- and they

12   are really minimized by treating these as

13   individual micropurchases, not as big umbrella

14   contract with the suppliers.

15   So hopefully that gives you some

16   insight into how we've been thinking, talking,

17   exploring these issues.

18   Let me now turn it over to Mark Lee,

19   FAS Assistant Commissioner for Policy and

20   Compliance.

21   MR. LEE: Thank you, Jeff, and I just

22   want to say you heard from Laura you've sort of

1   got a program objective. Obviously, Jeff went

2   through and gave you some of our thinking around

3   the policy considerations.

4   But now let's -- we'll talk a little

5   bit about the opportunity that we have with

6   commercial platforms, and I think you're hearing

7   a theme that is resonating this morning, the

8   theme of data and visibility and transparency.

9   And so what we really do is see this as an

10   opportunity to take some of the open market

11   micropurchase spend that is going on there and

12   bringing it under better management.

13   So what are those opportunities? One

14   is the opportunity to be a smarter buyer through

15   access to that spend data. Two, it's really to

16   have some visibility and transparency into those

17   buys of what are we actually introducing into the

18   federal supply chain. And, three, we want to get

19   an easy experience to buy these COTS items, to

20   the government agencies, through simple ordering

21   procedures.

22   So let me take a little time and talk

1   about spend data. GSA anticipates through the

2   spend data that we are going to gain new insights

3   into spending, what is going on, particularly

4   around transactions that aren't visible today.

5   This is going to help us meet a variety of

6   different important government purchasing

7   objectives, particularly in the areas of small

8   business, socioeconomic considerations,

9   AbilityOne.

10   And so in the RFI, we outlined a

11   number, a variety of different data elements that

12   GSA would be looking for e-marketplaces to

13   provide that. GSA plans to house the data

14   essentially, and we plan to make it available to

15   the customer agencies.

16   So what are some of the data elements

17   that we're looking to obtain that should shed

18   some light on agency spend? First is purchased

19   data, things like ship date, sell price, total

20   price, agency need.

21   Next is product data. We really want

22   to have good data around what products we're

1   actually buying, description data, information

2   like country of origin.

3   We're also looking at vendor data,

4   which is socioeconomic status, different things

5   about that.

6   In providing these data elements out

7   for comment, we are really trying to seek a

8   balance. In our market research, we saw that

9   different e-marketplaces have a variety of

10 different capabilities. But we also need a

11 common set of data, so that we can actually

12 aggregate the data across the program, but also

13 assess the impact to existing programs through a

14 proof of concept.

15   In addition to standard data elements,

16 we are also looking at the data analytic

17 capabilities and dashboard capabilities. So

18 we're looking to gain insights at the enterprise

19 level, what is going on within an agency, so at

20 the bureau levels and on down.

21   We are looking at -- for information

22 on frequency of purchases by agency, cost saving,

1   shift in delivery time, and a lot of others. We

2   want to make purchasing history and invoices

3   available at the buyer level. And all of this

4   should lead to a complete analysis of the spend

5   below the micropurchase threshold.

6   We are also looking for platforms that

7   provide workflow, and this is really important,

8   where agencies' approvals -- we'll be able to

9   approve purchases at certain dollar thresholds

10   and have access and visibility and transparency

11   into what they spend. And we heard this loud and

12   clearly, that there has been some hesitant in

13   terms of the customer agencies out there wanting

14   to authorize purchase cardholders to go up to

15   10,000. We believe the workflow capabilities may

16   solve some of those problems.

17   We are also thinking about the catalog

18   data and how do we get access to the catalog

19   data. So GSA is looking at some of the

20   capabilities of how we would do these things and

21   surveil some of the market -- e-marketplace, so

22   that we are ensuring that they are meeting some

1   things like important supply chain risk

2   management requirements.

3   We will be looking at things that are

4   prohibited products out there, are there

5   potential supply chain risks, and monitoring

6   price fluctuations.

7   One key area that we have heard a lot

8   of feedback about is data rates. This has been a

9   concern that has been reiterated in the

10   legislation, through our conversations with e-

11   marketplace providers, suppliers, other important

12   stakeholders. This is the area of particular

13   points that we have called out in our most recent

14   RFI, and we are actively seeking all of your

15   thoughts and inputs on this before the March

16   report.

17   In last year's National Defense

18   Authorization Act for 2019, there is a section

19   called 838. And it states, "The e-marketplace

20   provider shall not use government spend data for

21   pricing, marketing, competitive, or other

22   purposes, any information, including any

1   government-wide-owned data, such as purchasing

2   trends or spending habits related to the product

3   from a third party supplier featured on the

4   platform, provided through this contract, or the

5   transaction of such product, except those

6   necessary to comply with the requirements of the

7   contract."

8   And so we are trying to take a very

9   balanced perspective in terms of this statutory

10   requirement.

11   We have heard a number of different

12   things from e-marketplaces. We have heard that

13   this language is too restrictive, that some could

14   interpret it as the inability for that market --

15   e-marketplace to effectively manage the

16   marketplace.

17   It could limit things like the ability

18   to perform quality control functions or oversee

19   performance. We have also heard that -- from

20   e-marketplace providers that it's not in their

21   business model to go in and -- it is in their

22   best interest to have third party suppliers that

1 are accessible on their e-marketplace, and that

2 is an active part of their business model.

3 We have also heard concerns from

4 suppliers. We have had concerns particularly

5 about controlled access to the federal market.

6 They are concerned that if they have to go

7 through e-marketplaces to gain access to the

8 federal market that that would limit their

9 capabilities.

10 I want to reiterate that GSA is

11 committed to continuing competition and ensuring

12 that suppliers have choice of e-marketplaces to

13 choose to sell for. If they want to participate

14 through the program, we are also committed to

15 making sure that they do have other channels to

16 sell to the federal marketplace.

17 Competitive advantage. We have heard

18 concerns from suppliers that e-marketplace,

19 having access, that it would give them insights

20 that could force them to gain a competitive

21 advantage over those third party sellers selling

22 in the marketplace.

1   GSA recognizes all of these concerns,

2   and we are continuing to strike a balance beam

3   that will leverage the benefits of e-commerce

4   while at the same time making sure that we are

5   setting up a channel that is attractive and

6   effective for suppliers to sell to the

7   government, and making sure that we are

8   increasing competition, both at the marketplace

9   level as well as the supplier level.

10   Now let's turn to a topic that we

11   heard a little bit this morning about -- federal

12   supply chain risk. You heard Jeff talk about one

13   of the key things that we're looking to do is

14   make sure that we understand and manage risk.

15   And this is how we are very much looking through

16   the lens of this issue.

17   Supply chain is an important

18   consideration for our national security. It is

19   an emerging challenge in federal acquisition, but

20   it is also an emerging challenge in the

21   commercial world we all purchase from today. And

22   so we are seeing a lot of movement in federal

1   acquisition. We will continue to see the

2   movement in terms of how to address supply chain

3   across the government.

4   In the development of the latest RFI,

5   there were a number of factors that we believe

6   reduces risk, and we're actively seeking your

7   thought and impact before the March report.

8   Here are a couple. One is the dollar

9   value. The proof of concept is limited to orders

10   below the micropurchase threshold. The

11   legislation actually authorizes it up to the

12   simplified acquisition threshold. Dollar values

13   of the transactions, Jeff thought -- our thought

14   is that it increases as the dollar value goes up.

15   Two, we are actively looking to

16   leverage commercial supply chain risk

17   management's practices that exist today, and you

18   will see that in the RFI. Jeff and Laura

19   mentioned that we had over 75 one-on-one

20   meetings, and through that, particularly with the

21   e-marketplaces, we got the opportunity to get a

22   deep dive of what type of supply chain risk

1   management practices they already do. They do do

2   things like supplier value. They do worry about

3   issues like counterfeit items.

4   And so in the vein of adopting

5   commercial practices, we should already be

6   leveraging the supply chain risk management

7   practices that exist commercially.

8   Three, applying the existing

9   requirements. You will see in the RFI that we're

10 applying the existing supply chain requirements

11 that apply to micropurchases. We also

12 anticipating that this is going to change in the

13 federal marketplace, so we are also asking the

14 really important questions of what the portal

15 provider's capability are to manage these

16 requirements over time as the government's

17 requirements change over time.

18   This is an emerging area in federal

19 acquisition policy, and I think we all know that

20 there will be new requirements for the government

21 as those policy decisions are made. So we want

22 to make sure that the e-marketplaces are

1   positioned and capable of being able to meet

2   those requirements as they evolve out and over

3   time.

4   Four, we are looking to limit the

5   product categories at the agency level. GSA

6   started with e-marketplaces' full category --

7   catalog of items because it is appropriate to

8   government-wide supply requirements there are no

9   limitations that exist for micropurchases today.

10   We are being very deliberate in that decision.

11   We want to maintain balance incentives for both

12   government and industry to fully utilize this

13   channel versus the open market.

14   However, we do recognize that

15   e-marketplaces have the ability to limit certain

16   categories. We also recognize that there is

17   policy considerations at the agency level and

18   respect the supply chain. So we are very much

19   looking to the ability for the e-marketplaces to

20   carry the catalog that would be available to

21   certain agency buyers.

22   Lastly, and one of the most important

1   concepts that we have is the idea of

2   transparency. We have -- we recognize that today

3   our purchase cardholders can go into the open

4   market. They can go to a brick and mortar store.

5   They can buy an item today.

6   We have no visibility, no transparency

7   into that -- those items. We don't know in some

8   cases what we're introducing into the federal

9   supply chain. We see this as an enormous

10   opportunity to bring some of that spend under

11   management to gain insight to what are the items

12   that we're actually introducing into our supply

13   chain. That will definitely let us better

14   understand our risk and also take better actions

15   to mitigate risk.

16   The last topic I would like to briefly

17   touch upon that was included in our RFI practice

18   was the draft ordering procedures. Our approach

19   in coming up with the ordering procedures was to

20   maximize the flexibility that was allowed for by

21   law, and we had a couple of goals.

22   One, easy. We wanted to make it easy

1   for both our buyers and sellers.

2   Two, compliance. We wanted to have

3   compliance with mandatory sources such as

4   AbilityOne.

5   Three, competition. We want to make

6   sure that we're driving competition, both at the

7   e-marketplace level and the suppliers' levels.

8   Four, small business. We want to make

9   sure that we're encouraging the utilization of

10   small business through this program.

11   And, lastly, we want to make sure that

12   purchase decisions are being driven by best

13   value. We recognize that there is a multitude of

14   factors that can drive a purchase decision, and

15   we want to make sure that e-marketplaces have the

16   capability to capture the basis for that purchase

17   decision, but let buyers make the best value

18   decision.

19   Again, we see significant opportunity

20   through the e-marketplace initiative to bring a

21   lot of open market micropurchase spend

22   management. I look forward to your questions and

1   continued opportunity.

2   With this, I am going to turn it back

3   over to Laura for some closing remarks.

4   MS. STANTON: Great. Thank you, Mark.

5   Thank you, Jeff.

6   Just I think that over -- throughout

7   the course of all four of our comments, first of

8   all, I think -- I hope that you understood that

9   we have heard and incorporated the feedback that

10   you shared with us. And so in that light, and in

11   that context, we had hoped what we wanted to do

12   today was really walk you through all of -- not

13   only the history, the facts, but also more of the

14   context, the background, and what we're trying to

15   accomplish with this, and I hope we've

16   accomplished that.

17   So with that, we have another RFI out

18   on the street that lays out a path forward that

19   we would like to ask you to comment on by

20   December 21st, which would give us time to

21   incorporate it in the report that we have due to

22   Congress in March.

1   So, and as we go forward with that, we

2   will be using that also to inform the proof of

3   concept, to be able to test out these procedures,

4   this path forward, and get a sense, an answer,

5   all of the questions and feedback that we have

6   raised today.

7   So with that, I know -- I think many

8   of you in the audience might have a few questions

9   for us, and so let me pass it over to Chris to

10   get things going.

11   MR. AVERILL: Thank you, Laura. Thank

12   you, everybody. Actually, I think you answered

13   everything that everybody in the room might --

14   (Laughter.)

15   MR. AVERILL: -- have, so I'll give

16   everybody time back. No. I do appreciate the

17   detailed and straightforward discussion that was

18   just had, but I'm sure we will not lack for

19   questions.

20   We have some microphones set up, so

21   please begin queueing shortly. But I will begin

22   with a few framing questions that I think might

1   be on people's minds, and then we can go to the

2   audience for further questions.

3   The first thing I'd like to ask, and

4   I will direct this to Laura to start, and anybody

5   else can feel free to supplement as needed, but I

6   want to combine -- many of you were probably here

7   for this morning as well, and we heard about the

8   consolidation efforts of the MAS program.

9   So I want to ask how you see this

10   commercial platforms effort aligning with that

11   initiative. And, broadly, can you speak to how

12   this ties into the broader federal marketplace

13   initiative?

14   MS. STANTON: Great. Thanks, Chris.

15   So today's event -- and I started out addressing

16   this -- was really focused on the entire GSA

17   federal marketplace initiative, which the vision

18   is, how do we improve the market -- the federal

19   marketplace as a whole for the buyers and

20   sellers?

21   And so what you heard about this

22   morning with the MAS reform is really -- and the

1   modernizing the schedules program, is to reflect

2   the integrated nature of the market, where the

3   commercial markets moved to, and how does GSA

4   best support that.

5   We view, really, this commercial

6   platforms initiative in the same light, in the

7   modernization of how simple COTS purchases are

8   made, specifically those made on the open market

9   as you heard echoed from across the four of us

10   today.

11   We recognize that there is multiple

12   channels available to buyers, and as part of the

13   federal marketplace effort we have the

14   opportunity to really refine all of GSA's

15   offerings to be able to meet the buyers and the

16   sellers where they are.

17   So, really, we see both the MAS

18   consolidation effort and the commercial platforms

19   program as complementary to one another, and

20   really focused on that same goal of improving the

21   buying experience for the federal buyer and be

22   able to focus contracting officers and the

1   acquisition workforce back on their mission.

2   MR. AVERILL: Perfect. Let me target

3   this one to Matthew, and, Jeff, if you can fill

4   in as well a little bit. I think over the course

5   of this -- the discussion on how to best

6   formulate this pilot, we received questions about

7   whether or not we are eliminating the need to

8   comply with Buy American Act and Trade Agreements

9   Act's regulations. Can you address that topic?

10   MR. BLUM: Sure. Maybe I'll go ahead

11   and start. And we have had a lot of

12   conversations, both in our public meetings and

13   also in some of the sessions that industry

14   associations, coalition and others, have

15   sponsored. And just to maybe unpack it a little

16   bit, I think the question isn't about whether the

17   Buy American Act or Trade Agreements Act applies

18   as a matter of law, at least to the proof of

19   concept, because as we know, the law doesn't

20   apply the BAA and the TAA to micropurchases.

21   The question I think really is getting

22   at GSA's decision made the corporate decision a

1 business decision that GSA made a number of years

2 ago for the schedule to make sure that all of the

3 products on your program do comply with the Trade

4 Agreements Act.

5   And so the concern I think -- and you

6 guys are here, so you can correct me if I'm wrong

7 -- but I think it's premised on the assumption

8 that the online marketplace is going to take work

9 away from the schedules. And by the way, this I

10 think is a great example of where the lack of

11 data creates churn and anxiety. And in the

12 absence of knowing affirmatively what is going

13 on, you know, fear can fill the void.

14   And we don't know, but there are at

15 least two or three specific indicators that would

16 suggest to me, at least going into this, that we

17 shouldn't assume that this program is going to

18 immediately be taking work away from the

19 schedules.

20   One is what Jeff mentioned earlier,

21 some analyses show that schedule prices are in

22 fact cheaper, that all of the work that GSA does

1   up front in prequalifying contractors has an

2   impact. And so, once again, the rainbow is

3   shining over my GSA colleagues, and we have a

4   moment of happy silence to celebrate the good

5   value that schedules provide. So that's one.

6   A second and closely related and goes

7   directly to what the discussion was this morning

8   are happy customers, right? I mean, rational

9   behavior is that people that are happy stay with

10   general approaches that work for them. And GSA

11   isn't trying to improve the schedules program

12   just because they have time on their hands and

13   nothing better to do.

14   They want the program to remain a

15   viable and go-to program that then continues to

16   be the largest single program we have in

17   government for providing our buyers with access

18   to the commercial marketplace. So the happier

19   the customers are, you know, the more that they

20   are going to stay with those customers. And if

21   they're getting good prices, all the more reason.

22   And I think, you know, also, that at

1   least anecdotally, but as best we can tell, after

2   Congress raised the micropurchase threshold,

3   agencies didn't rush to just increase the

4   authorizations on the purchase cards for all of

5   their purchase cardholders. There are a number

6   of them that have expressed some reluctance to

7   increase, and we think this is, you know, using

8   good prudence.

9   And the fact that, you know, GSA can

10   offer, you know, information and insight for

11   managers to see what is going on may make them

12   more comfortable.

13   Equally important in this, though, is

14   for those people that are not using the schedules

15   and are facing this risk, as they do today, you

16   know, GSA has appropriately asked, in its RFI,

17   the portal providers for information regarding

18   their capabilities to provide country of origin

19   data. And I believe that the ordering procedures

20   also anticipate that this sort of information can

21   be taken into account by our buyers in making

22   decisions about what makes sense.

1   And that I think is an appropriate

2   step, because as you heard, you know, Mark and

3   Jeff saying a few minutes ago, with respect to

4   supply chain, this isn't a passing fad. This is

5   something that is only going to become more

6   important and more central to the shape of our

7   acquisition programs.

8   And for those of you that have been

9   following the dialogue, this administration has

10   been working proactively with Congress on supply

11   chain risk management legislation that would, in

12   part, create a council to help rationalize lots

13   of the activities that are going on and bringing

14   the main players together -- DHS, DOD, DOJ, OMB,

15   NIST, Commerce, GSA -- to have whole of

16   government conversations that make sure people

17   are carrying out their supply chain risk

18   management responsibilities, many of which are

19   already kind of captured by FISMA.

20   And equally important, making sure

21   people understand their roles and

22   responsibilities in doing supply chain. And one

1   in particular is the role of GSA. When you think

2   about Kaspersky and others, I think oftentimes

3   people from -- our colleagues from Congress will

4   run to GSA because that's the government's buyer,

5   and then expect GSA to be taking actions on its

6   own to solve the supply chain challenges when in

7   fact those responsibilities still rest with

8   individual agencies.

9   Now, GSA does have a role to play in

10   working with agencies and in conveying

11   information to ordering agencies, and that is

12   precisely what I think you have heard Mark and

13   Jeff talking about in terms of why data is so

14   important, so that managers can understand what

15   information is out there and make sense of it.

16   And to the extent that there are -- there is

17   country of origin information, that this can be

18   taken into account, into the calculus.

19   And, lastly, let me just point out

20   that even though small dollar, you know, should

21   help to manage risk, we already know through

22   Kaspersky, you can have a $10 purchase and that

1   can create significant risk in some

2   circumstances.

3   So, again, this -- this challenge,

4   this risk, already exists with the existing

5   micropurchase threshold. The online marketplace

6   pilot isn't creating a new risk as we have

7   discussed it today, but hopefully it will reduce

8   risk by providing greater insight into our

9   purchases.

10   MR. KOSES: Thanks, Matthew. I

11   offered some comments a few moments ago that I

12   think largely address our thoughts around some of

13   the trade rules, but let me add a couple of

14   additional considerations.

15   We fully understand the argument in

16   the data of trade agreements, the creation of

17   American jobs, the whole series of really good

18   and noble public policy that comes out of that.

19   We have also over the last year been working on a

20   couple of other high-level important policy

21   goals.

22   One has to do with bringing new

1   suppliers into the federal marketplace. There is

2   a number of firms who, for a whole host of

3   reasons, have not wanted to do business with

4   federal government. They see risk, they see

5   complexity, they see slow payment, they see a

6   host of things.

7   GSA drafted and with -- we came to the

8   Hill -- the importance of raising the

9   micropurchase threshold and the SAT. One of the

10   key benefits of that is the opportunity to bring

11   the non-traditional, the new suppliers, the

12   emerging supplier, companies who have not wanted

13   to do business with GSA.

14   So as we are looking at a new program,

15   and as we are looking at a discretionary

16   opportunity to create those incentives, to reduce

17   a regulatory burden, we are at this moment

18   feeling pretty reluctant to start adding in

19   voluntary regulatory restrictions not required by

20   law when we know that they cause impacts, some

21   deliberate, some unintended.

22   Our sense is, let's test out, let's

1   learn from this environment, and we can make, of

2   course, adjustments as we need to.

3   MR. AVERILL: Great. Thank you both.

4   I have one final framing question.

5   And if anybody wants to begin lining up for the

6   audience, we will take them after this. But,

7   Mark, I will start with you.

8   We have heard a lot this afternoon

9   about the importance of, and excitement around,

10   transactional data. Could you talk a little bit

11   about whether GSA planned -- or how GSA plans to

12   limit a portal provider's ability to use

13   proprietary information or transactional data

14   that is derived from third party suppliers?

15   MR. LEE: So, I mean, that's an issue

16   we're actively seeking feedback within our RFI.

17   So we're clear about, in terms of data rates,

18   what I went through in my talk, of what is in ED3

19   of this year of FY19's National Defense

20   Authorization Act. And with any ongoing

21   contractual requirement, then we are going to

22   have to have ability to surveil that.

1   So that is one issue that we are

2   looking at that currently we are abiding by the

3   law. There will be a contractual requirement.

4   And then we are also looking at, how would we

5   monitor that requirement?

6   We recognize that there is a

7   perspective, though, from the e-marketplace and

8   the supplier community, and, again, we are trying

9   to balance those perspectives. But this is an

10   area that we say, "Please do weigh in on the RFI

11   in that particular area."

12   MR. AVERILL: Great. Anybody from the

13   audience that might have a question? Very shy

14   group this morning, or this afternoon. Excuse

15   me.

16   Okay. We have one gentleman in the

17   back. And if you could identify your name and

18   affiliation or organization, we'd appreciate it.

19   MR. WILLIAMS: All right. I'll start

20   off. My name is Burl Williams. I'm with

21   Integration Technologies Group. We're a

22   government contractor. We've been in business

1 for over 30 years. We have had the GSA schedule

2 for over 20.

3   I was on GSA Advantage the other day

4 for an IRS requirement. And they were looking

5 for specific items, and I went to Advantage and

6 pulled up one of the items. And I know, because

7 I've been in the business for 30 years, that it

8 is not TAA, it doesn't meet EnergyStar, and

9 doesn't meet the general contractual

10 requirements.

11   But on Advantage, I can see it by --

12 provided by 15, 20 different vendors. And then I

13 go look at each individual one, and there is

14 different countries of origin, different

15 descriptions. One company says Made in U.S.A.,

16 another one says Taiwan, and another one says

17 Korea. There is no consistency.

18   If you can't keep GSA Advantage and

19 the current contract holders on schedule, correct

20 and accurate, how is this marketplace going to

21 manage more vendors, more openness, with similar

22 contractual terms that the agencies require,

1   without some type of governance and ensuring that

2   it's right when GSA can't even do it themselves

3   today?

4   MR. KOSES: Okay. You know, there's

5   probably two parts of that question that we

6   should talk about separately. One is, what do we

7   do on Advantage today to try and oversee and

8   enforce and ensure that the contracts indeed are

9   representing accurate information?

10   And, two, how do we translate that

11   into the portal environment?

12   I'm going to partially defer to Mark

13   on the first part and ask him to expand, but we

14   have continually been trying to increase our

15   suite of tools that check and look for some of

16   the differences in data.

17   A key to that has been product

18   standardization, getting to common part numbers,

19   because when we add a common part number, and we

20   have 10 companies tell us an item is made in

21   Canada and one tell us it's made in India, or the

22   opposite, you know, that's some of the

1   indications that we can use in better managing

2   the program and building some of the tools.

3   I'd suggest that, again, in starting

4   at the micropurchase threshold, we deliberately

5   are reducing the complexity, reducing the

6   challenge of the product regulation, it's the

7   opportunity to also start harvesting and running

8   with the data. This only works because of

9   today's technology. That's the only way that we

10   can build the compliance systems, the edits, the

11   controls.

12   We have had a number of conversations

13   with the e-commerce operators to understand what

14   is possible to do from the accounts set up from

15   the user standpoint. Part of that then starts

16   taking us into some key roles within the agency

17   all around account management structures. We

18   didn't talk a whole lot about the agency piece of

19   this, but, clearly, there is going to be some

20   significant agency responsibilities building on

21   kind of the motion of the Level 2 cardholder of

22   today, that there will need to be -- if any

1   agency has specific requirements, they are going

2   to need to start building that infrastructure to

3   manage and oversee that.

4   And I guess that's part of the

5   conversation that needs to continue with agencies

6   to be meaningful.

7   MR. LEE: Yeah. I'd like to just jump

8   in here a little bit about what we do to manage

9   trade agreements for the schedules program. One,

10   I want to remind one -- the way the policy works

11   is the certification requirements. So the vendor

12   community has the obligation for compliance.

13   There is a number of things that GSA

14   actually does to manage that risk. One thing we

15   do in a pre-award is that actually a tool that I

16   have -- it's called 4P -- that my office manages.

17   It has become a widely adopted tool across our

18   contracting officers where it takes your proposed

19   price offer information and runs price analysis

20   and supply chain risk assessments, including

21   Trade Agreements Act, and that is prior to award.

22   It flags some of the items that aren't TAA

1   compliant and asks you to revise your offer based

2   on various different inferences.

3   Secondly, in a post-award sense, we

4   use the same kind of data inferences and have a

5   dashboard that is looking at that, and we're

6   actually instituting some streamlined processes

7   to take those items off of -- off of contract.

8   Right now, we're piloting that with items that

9   are not designated or improperly designated as

10   made in America.

11   Three, in addition to that, we have

12   the initial operation community that goes out and

13   does supplier visits. And one of the things they

14   look at is your practices when it comes to the

15   Trade Agreements Act.

16   Finally, part of this federal

17   marketplace is we're actively looking at how

18   we're doing our catalog management. We have a

19   key initiative that is looking at our catalog

20   capability and how we improve that across the FAS

21   enterprise.

22   MR. AVERILL: Thank you both. Any

1   additional questions from the audience?

2   MS. COLLIER: I have a question.

3   MR. AVERILL: Okay.

4   MS. COLLIER: Stephanie Collier,

5   Federal Contracts Corp. We're in the heavy

6   equipment arena, and so a lot of this initial

7   stuff is not going to apply to us because not

8   many of your purchases fall under the

9   micropurchase threshold. But when this

10   e-commerce reform option was announced we started

11   looking into it, and we have had some

12   conversations with some of the -- okay, let's be

13   honest, we talked to Amazon to see what Amazon

14   does.

15   And one of the concerns that we have

16   is that some of these e-commerce platforms don't

17   allow us to distinguish between selling to only

18   federal government and the commercial

19   marketplace. And for us our -- we don't sell

20   commercially. Our agreements with the

21   manufacturers that we deal with is that we will

22   sell to the federal government.

1   So for us, we would be limited at

2   participating in something like this because we

3   could not limit it to marketing only to the

4   federal government. Is there a plan to address

5   that?

6   MS. STANTON: So thank you for --

7   thanks for the question. The first thing I'll

8   say is we have heard that concern from you and

9   from others. Part of the legislation does call

10 for commercial marketplaces that are actively out

11 there looking at being used by the private

12 sector. So there is -- so the intent was always

13 that these would be commercially available

14 marketplaces already.

15   The second piece of it is that by

16 having multiple e-marketplaces available would be

17 to allow for that type of negotiation and that

18 type of discussion between the suppliers and the

19 marketplaces to be able to -- to be able to find

20 one that aligns best with the needs of your

21 company to be able to put your catalog out there.

22   So by offering that level of

1   competition also among the suppliers about what -

2   - which marketplaces you sell through, hopefully

3   some of that would be addressed.

4   So we -- that's also a point of

5   feedback that we would like to receive in the

6   RFI. As I said, we have heard some of that in

7   other conversations as well. And we have been

8   looking at sort of -- at what role does GSA play

9   with that.

10   MR. AVERILL: Let me ask you, Laura --

11   oh, you have one? Perfect. Great.

12   MR. SISTI: Tom Sisti, SAP. If you go

13   back and look at the beginning of this process

14   when 846 was a standalone bill, you will recall

15   that there was concern about it being too

16   restrictive. And after a lot of deliberation, we

17   came up with the language of 846, which talks

18   about a broader look at solutions in the

19   marketplace, talks about broader activities on

20   the part of the administrator, the definition of

21   e-commerce in the bill, talks about solutions

22   that are being considered.

1   So then we fast-forward to the

2   implementation plan that was drafted in March,

3   and we saw the presentation of three models. And

4   at the time, industry had said, you know, we are

5   concerned. We're concerned because when you take

6   the spectrum of solutions and you say, okay, here

7   are three models, you run the risk of focusing on

8   one model, creating sort of a technological

9   winner and a technological loser in the process,

10   giving people a leg up, first, to market status

11   all those concerns.

12   The feedback was that you heard that

13   thing; that's not what you're trying to do.

14   Today, well, we saw the RFI, and of

15   course there is a focus on one of the models.

16   But today I'm hearing, and I guess I'm trying to

17   validate if I'm hearing correctly. What I'm

18   hearing is you're piloting one of the models, but

19   that's not to say that the other models aren't

20   going to be implemented, number one.

21   And, number two, that just because

22   you're piloting this model doesn't mean it's

1   going to be issued first, that it will be

2   assessed, and then there will be some kind of

3   context put to it and, consistent with the face

4   of the statute, the language on the face of the

5   statute, the spectrum of what you've laid out --

6   marketplace e-procurement, et cetera -- will be

7   issued out there as a competitive model.

8   Am I correct in interpreting it that

9   way?

10   MR. KOSES: Tom, at this point, we

11   have evaluated several models. Our current line

12   of thought is that we would begin with the e-

13   marketplace model. That's not saying that will

14   be the only model. As I said, we see a

15   significant value at a later stage for the e-

16   procurement phase. I don't think we have reached

17   a conclusion on the portal pace.

18   We have seen, we think, a substantial

19   value in the e-marketplace. Our current line of

20   thought is it makes sense to begin the first

21   proof of concept there, but the whole idea is

22   piloting and experimentation and learning from

1   what we see in these.

2   It is also intended to be a very

3   collaborative dialogue, and if we have missed

4   some key pieces, we need to know that. That is

5   part of why we are having conversations of this

6   sort.

7   MR. SISTI: Okay. Just to clarify my

8   question, because I --

9   MR. KOSES: Go ahead.

10   MR. SISTI: -- I understand what

11   you're doing on the piloting. I'm talking about

12   when you hit the point where you're going to

13   issue -- you're going to issue a solicitation for

14   contracts for the solutions, are you saying that

15   you are only focusing on what you have defined as

16   an e-marketplace, thereby restricting what exists

17   on the face of the statute? Or are you going to

18   solicit them all?

19   MR. KOSES: What we are saying is the

20   one that we are contemplating soliciting for

21   first is the e-marketplace. I'm not saying that

22   we're not contemplating soliciting for the

1   others. I'm saying that the one that we are

2   thinking we would move first on is the

3   marketplace.

4   MR. SISTI: Okay. And that's not

5   consistent with the statute.

6   MR. KOSES: I don't agree with that.

7   MR. SISTI: Okay. Well, I'm --

8   MR. KOSES: But we can certainly have

9   a dialogue, and tell us your reasoning.

10   MR. SISTI: That's right. So with

11   that, we should put in our responses to the RFI.

12   Correct? Yes? No?

13   MR. KOSES: Yes.

14   MR. SISTI: Okay. Thank you.

15   MR. WALDRON: I mean, I think the

16   concern, and that's -- there is concern across

17   industry that the pilot approach, taking first --

18   I actually heard about a different model today

19   from a company outside the three that you have

20   identified.

21   So the concern is, fundamentally, that

22   you are pre-selecting one approach that

1 ultimately is going to define the market, period.

2 And we haven't heard anything different from what

3 you just said. That's a concern from the

4 companies who have the e-procurement solution.

5 That's a concern from the companies who have the

6 e-marketplace solution. And you've done nothing

7 here to alleviate that concern.

8   So we will reflect it in our comments,

9 but you are redefining the statute essentially by

10 picking a winner up front, one particular type,

11 when the statute's definition is much broader.

12 Okay? That's the view, and it would be --

13 behoove GSA to explain how it's acting consistent

14 with the statute; they're going down that path to

15 implement the e-marketplace first. I think

16 that's a fair -- that's a fair observation, and I

17 think it's a fair -- it's a widely held concern

18 across industry. Okay?

19   And then I just need to follow up on

20 a couple of things. I appreciate the comments,

21 and this is a great meeting. But you have

22 confirmed what we thought, that -- and it's a

1   circular argument. The process defines what is

2   waived, not what is the merit of what is being

3   waived or not being waived in terms of cost-

4   benefit analysis. And the process is the

5   micropurchase threshold.

6   Time and time again, the reference is

7   the micropurchase threshold doesn't apply these

8   things. There is no discussion here about the

9   merits of whether it's Trade Agreements Act or

10   other provisions and whether those apply or

11   should apply or not.

12   And you can go back in the history of

13   GSA -- and you know this -- it's not a business

14   decision, and we had the NASA SEWP versus GSA

15   issue of applying the Trade Agreements Act, where

16   NASA SEWP used to apply it much in the way you

17   want to apply it in this program. And this is a

18   program. It's not a set of micropurchase buys.

19   So it's -- so NASA SEWP used to apply

20   it at the order level. GSA schedules, Jeff, as

21   you know, applied it at the -- based on the value

22   of the contract. There is a huge debate in the

1   procurement community as to what's appropriate

2   and what's in the best interests of the federal

3   government.

4   NASA SEWP now applies it at the

5   contract level to be consistent. And I can tell

6   you, when I was at GSA, I sat in meetings with

7   the U.S. Trade Rep when we were contemplating

8   waiving TAA on non-availability determinations

9   and we were urged not to do that because of the

10   trade implications of it and what the USTR was

11   trying to do to promote fair access for American

12   products across the globe.

13   So here we're creating a program that

14   could potentially reach the millions, tens of

15   millions, hundreds of millions of dollars, where

16   we're not even talking about whether it should be

17   applied or not. We're just saying because the

18   micropurchase threshold applies to a program that

19   could account for millions and millions of

20   dollars of purchases, therefore, it doesn't

21   apply.

22   What we hope you do is in your report

1 you lay out the cost-benefit analysis from a

2 trade perspective, from a U.S. jobs perspective,

3 that addresses the decision and the merits of

4 waiving the TAA versus having it, in the context

5 of this, because I don't think it's going to --

6 in a large part what people look at that and have

7 said to me is that the statute says GSA is

8 supposed to provide -- can provide information to

9 the marketplace providers for purposes of

10 screening products or suppliers. It's clearly in

11 the statute.

12   TAA, cyber, excluded parties list,

13 counterfeit gray market, those are all things

14 that the way the statute is written GSA could

15 theoretically be responsible for assisting buyers

16 in making decisions via the e-marketplace. But,

17 instead, what we're doing here is we're putting

18 all of those decisions onto the buyer.

19   So I think you need to look at that,

20 too, to see if it's actually going to make it

21 easier for the buyer, or if it's actually going

22 to reduce risk, and what is GSA's appropriate

1 role in that? Because the statute clearly

2 contemplates that.

3   Thanks for your time.

4   MR. AVERILL: All right. Thank you

5 for the comment. I think we have a question in

6 the back.

7   MR. BURTON: Rob Burton, Crowell &

8 Moring. I'm curious as to why it appears as if

9 you are applying new rules to micropurchase. I

10 can understand GSA's desire to limit this initial

11 phase to micropurchase, but looking at the RFI

12 that just came out, I think it's rather clear

13 that you are planning to impose new contract

14 clauses and new requirements to micropurchases

15 which have never existed before.

16   And I think most people in industry

17 would agree that it has always been good to have

18 fewer rules apply to micropurchase. And as you

19 know, virtually no rules apply right now.

20   I don't think I saw Congress

21 encouraging new rules applying at the

22 micropurchase level. I'm curious as if -- as to

1 whether you think Congress did give you the

2 authority in this statute to actually apply new

3 contract clauses and rules to micropurchase. So

4 if you guys could just elaborate a little bit on

5 the idea of applying more rules to micropurchase.

6 And also, I think I saw 30-some

7 clauses being applied to the e-commerce provider.

8 Is the idea that I think you're trying to get

9 them to enforce certain rules on the suppliers on

10 their platforms? Curious as to what role you see

11 the provider taking with respect to enforcement

12 or compliance of rules on their suppliers. I

13 think that's an interesting point that I'd like

14 to hear you elaborate on.

15 My final concern -- and I guess it's

16 more of a concern than a question -- is to what

17 extent would agencies, suppliers, e-procurement

18 providers, what incentive do they have to go to

19 this portal, considering that they would be

20 signing up for new rules and requirements,

21 whereas they could just deal separately, as they

22 are right now, without all of these new rules and

1   requirements. If you could address the incentive

2   for agencies and suppliers to use this portal.

3   Thank you.

4   MR. KOSES: And I'd suggest, first,

5   our last two comments are a great example of the

6   complexity and challenge of the issue that we are

7   talking about.

8   In terms of new rules, I think what

9   we're really talking about is new procedures in

10   micropurchase, not new rules imposed on industry.

11   What you'll actually see is, one, the

12   establishment of the idea of competition at the

13   market purchase threshold where we are asking the

14   buyer to look at more than one product.

15   We are also recognizing that without

16   workflow, with -- given the agency's new tools to

17   start managing that, there are likely to be

18   questions, and so the buyer needs some means to

19   document the basis for the decision.

20   So beyond those two, Rob, I'd be

21   interested in what you see as a new rule. I'd

22   suggest we have been very conscious not to create

1 new rules at the market purchase threshold.

2 In terms of the clauses, we took an

3 extensive dive through what is required by

4 statute, and those largely come down to statutes

5 that carry criminal penalties, statutes that get

6 into funding law, or others that are expressly

7 required.

8 Wherever there was discretion as to

9 whether or not to apply, we have had a lot of

10 conversations looking at the policy issue, and

11 does it make sense to apply something maybe the

12 FAR Council chose to apply to commercial end

13 contracts but that was not required to be done so

14 by the statute.

15 In general, we came down with the

16 decision, if it was consistent with the

17 commercial practice, we probably want to carry it

18 forward. If it was not consistent with the

19 commercial practice, we probably did not carry it

20 forward.

21 I think the last piece of your

22 question was about, what is the value in this for

1   agencies? And I think we have kind of covered

2   that fairly heavily. What we see as the number

3   one value is data, getting the line of sight, the

4   understanding on the spend, the ability to

5   redirect spend into preferred agency direction.

6   There is a secondary value in

7   addressing some of the fear that is out there on

8   the part of the buyers and the P-cardholders and

9   others who are so sensitive to the intense

10   oversight in this environment; that giving them

11   an approved channel with a backing, with

12   information, with support, we think offers a

13   significant value in the marketplace.

14   MR. LEE: I'd just like to add, too,

15   that the value -- I think that it is a powerful

16   thing about having economies of scale across

17   government and having a program.

18   So we know that there are other

19   efforts going on right there, and so we can have

20   further bifurcation across the government or we

21   can have a program that essentially manages and

22   does achieve economies of scale in that

1   management.

2   MS. STANTON: And I just want to --

3   and I know Matthew has a comment to add as well.

4   Going back to the value, I mentioned that we --

5   that we recently had a workshop with the

6   agencies, and Jeff's description of the value is

7   absolutely the reasons that they were interested

8   in this, as well as going back to the whole of

9   government approach.

10   But the fear -- the fear of using the

11 purchase card is certainly out there as well as

12 the desire on the agencies for those who haven't

13 moved to the $10,000 limit, to be able to, one,

14 have greater confidence in what their buyers are

15 doing and insight into that, but then the other

16 piece of it is then to be able to also take those

17 low dollar buys off of the workforce.

18   Jeff addressed many of the same things

19 that came up in the -- covered all of the items

20 that came up in that agency discussion when he

21 walked through his value proposition earlier

22 during his remarks.

1   MR. BLUM: You got everybody on the

2   panel to react. That's why he's a good lawyer.

3   So I would just, I mean, I think

4   everything that my colleague said makes sense.

5   And just, again, going back for a moment, it took

6   a number of years for Congress to decide to raise

7   the micropurchase threshold. And while I don't

8   want to open this Pandora's Box today, you know,

9   the reaction from the community to the

10 administration's proposal to raise the threshold

11 to $25,000 for this program, I think what it

12 signaled to us is that there is a pretty

13 significant difference in the world of

14 micropurchase from even simplified procedures.

15   And the world that we have created of

16 1994 is a little different for the purchase

17 cardholders today on the online -- you know,

18 whether they are using the online marketplace or

19 just going out on the internet on -- on their own

20 through any other tools that the agency provides.

21   And as a policy matter, I think we do

22 need to do a little thinking about what is the

1   sweet spot of, you know, what is a smart use of

2   technology to make smart buying decisions,

3   because if we -- if purchase cardholders make

4   dumb decisions, nobody wins. And, you know, the

5   authority will be scrutinized and perhaps we will

6   move backwards.

7   But I do appreciate Rob's point that

8   the challenge also is to see this as an

9   opportunity for where we can alleviate burden on

10   our contracting officers. Somebody made the

11   point the other day, which I think I've had in

12   the back of my head for a number of years, if you

13   go back to the 1990s and acquisition reform, one

14   of the significant changes that was made, if you

15   recall, we used to have 1105s -- I think that was

16   the job series; they were like procurement clerks

17   -- that did a lot of the -- kind of the lower

18   dollar clerical-type procurement activities that

19   needed to be conducted.

20   And I think it's a good kind of point

21   to keep in the back of our minds because if you

22   look at the average portfolio of a contracting

1   officer today versus in the early '90s or late

2   '80s, I think you will see that they have a lot

3   more on their plates.

4   Now, it's not all just because of the

5   loss of the 1105s, but I think that's part of it,

6   and that's oftentimes what gets cited back to us;

7   that, you know, if a contracting officer had 10

8   very complicated procurements, you know, in the

9   old days, now they have that plus they have a

10   whole plate of other activities that they have to

11   tend to. And what does that do? That reduces

12   their time to think about the complex

13   procurement.

14   So we do have to think carefully

15   about, you know, what we're imposing on folks,

16   but I think there is a benefit -- and I think

17   Jeff stated it well -- of making sure that there

18   is some sort of appropriate guardrails in what we

19   expect of our cardholders to ensure that once

20   this activity is transitioned to them that people

21   are confident, and all of us, you know, as

22   stewards of the taxpayer dollars are doing smart

1   things with the card.

2   MR. AVERILL: Great. Thank you all.

3   Before we close on this portion, I do want to ask

4   Laura to give a little bit of a sneak preview,

5   reminder, highlight of what the upcoming timeline

6   is.

7   In particular, Laura, if you can maybe

8   reiterate some of the points of opportunity for

9   industry to be engaged. You know, we have the

10   report coming due to Congress in March, but

11   Congress will have an opportunity to further

12   clarify and we can provide further inputs to

13   them.

14   So if you want to highlight sort of,

15   to the points that have been made today, the

16   further opportunities for input and dialogue and

17   discussion to make sure that we are shaping this

18   appropriately, that would be great.

19   MS. STANTON: Thanks, Chris. All

20   right. I think if nothing else, you should be

21   walking out of here and realize that we want to

22   hear from you, and we take that feedback very

1   seriously.

2   With that in mind, a couple of key

3   dates. December 21st is when we're asking for

4   the feedback on the RFI. And the reason for that

5   -- for the short timeline on that is really to

6   give us time to incorporate it into the report

7   that is due in March of 2019.

8   So we'll be over the holidays and into

9   early January very much working through all of

10   the feedback that you share with us,

11   incorporating that into the March report. I

12   realize March may sound like it's a long ways

13   away, but in the world of having to get things

14   signed off, it's not that far away.

15   So we have to have everything wrapped

16   up in the January timeframe to -- in order to go

17   through the appropriate review process between

18   GSA and then pass it over to Matthew to herd it

19   through OMB on our behalf, to make sure that we

20   have that mid-March delivery.

21   And the Hill is waiting for that. We

22   had an opportunity to speak with them recently

1   about it.

2   Meanwhile, at the same time that we're

3   working on the report, that feedback that you are

4   sharing with us is also going to be going into

5   the draft solicitations -- solicitation that we

6   mentioned to start the proof of concept.

7   So after the draft -- after the report

8   is released in March, soon thereafter you will

9   see a draft solicitation to support the proof of

10   concept, to get us to the multiple e-marketplaces

11   that we talked about today or to -- or some

12   refinement thereof.

13   And so we want to be able to have that

14   proof of concept in place by the end of the

15   calendar year 2019, so we can begin to get the

16   agencies who are interested in engaging with us

17   up and running as soon as possible and begin to

18   answer some of the questions that have been cited

19   here today.

20   So thank you very much, again, for

21   joining us on this journey, and we are partway

22   through and we still have a ways to go. So I

1   hope that you will continue to join us.

2   MR. AVERILL: Thank you, Laura. And

3   if you wouldn't mind joining me in a round of

4   applause for our panelists today.

5   (Applause.)

6   MR. AVERILL: Before we close, I

7   believe we have one final guest who should be

8   here now, FAS Commissioner Alan Thomas. But

9   before we hand it over to him, we'd like to thank

10   everybody for being here -- one more, one more --

11   and thank Secretary Zinke of the Department of

12   Interior for allowing us to use this beautiful

13   space. And thank you all, in particular, for

14   your participation, your questions, and your

15   further input and dialogue. So thank you.

16   Alan?

17   (Applause.)

18   MR. THOMAS: All right. Is this thing

19   hot? It's hot. Okay.

20   So we're at the point in the program

21   where sleep is a legitimate form of criticism,

22   right? I took the under in my front office,

1   right? It's kind of over/under in terms of how

2   many people would be left at the end of the day

3   from, you know, how many were here at the

4   beginning of the day. And I think, actually, I

5   am probably not in the money. It actually seems

6   like a decent number of folks stuck around.

7   But we appreciate your time, right?

8   It is -- you know, it is essentially a whole day

9   that many of you have devoted to listening and

10 asking questions and being part of this

11 discussion, and we appreciate that. I mean, this

12 -- I heard some of the questions here at the end.

13 Where is Roger? That wasn't a question, though,

14 Roger. I don't know where he is. Someone has

15 got to get the mic out of Roger's hands.

16   (Laughter.)

17   MR. THOMAS: Just kidding. It is

18 good, right? I mean, that's the reason we have

19 these -- we have these forums, right, to hear

20 from you and give everybody a chance to be heard

21 and to give, you know, all the folks we have at

22 GSA working on these initiatives a chance to

1   listen to you also.

2   It is going to continue. There will

3   be more opportunities. I think the big takeaways

4   -- on the commercial platform initiative, I think

5   the big takeaway is, if you've got something to

6   say, make sure you respond to the RFI and do it -

7   - you know, do it before the holidays.

8   We tried to be thoughtful and have

9   that due before the holidays rather than, you

10   know, I've been on the industry side, right?

11   Sometimes the government drops something on the

12   21st of December and says, "We'll see you --

13   we'll see you on the 10th of January." We -- the

14   team was mindful of not doing that. So if you've

15   got something to say there that you didn't say

16   today, make sure you respond.

17   On schedules consolidation and

18   multiple award schedules reform, I think the big

19   takeaway there is it is business as usual for

20   now. You saw the timeline in terms of what we're

21   doing. We're going about it in a phased manner.

22   We know it's a big change, and so we are being

1   careful and thoughtful about it. But the train

2   has left the station there, and we're moving. It

3   is just going to take us a little bit of time to

4   get all the way finished.

5   The other two initiatives that we

6   didn't talk about today but that you all -- or

7   that you kind of heard about at the beginning, I

8   guess when Crystal had her remarks, and we have

9   had some feedback with industry on, are around

10   the contract-writing system, which is really an

11   internal that we at GSA use, right, to award and

12   then administer contracts. And that's a group

13   being led by Becky Koses.

14   There was an Industry Day on the 1st

15   of November. Some of you may have participated

16   in that. That group is off and running, putting

17   requirements together. They have sort of scoped

18   their project, and you'll probably see some --

19   you'll see some activity -- procurement activity

20   on that front in FY19.

21   And then the last initiative, which

22   you heard a little bit about today, and is just

1   getting started, is our catalog management

2   initiative, and that's -- I saw her in the

3   audience. There she is. Dena McLaughlin from

4   Region 3 is the executive within the Federal

5   Acquisition Service who we have asked to herd all

6   of the cats and put the group together. She has

7   done some initial kind of scoping work.

8   We have an internal team meeting, kind

9   of workshop, on that in early -- early January,

10   so expect to see some action on that in '19, but

11   probably in the latter half of '19.

12   All of those four initiatives that we

13   talked about -- schedules consolidation,

14   commercial e-commerce portals, catalog, and

15   contract-writing -- they are all in a way being

16   run in a similar fashion in that, you know, they

17   are -- they are kind of bottoms-up initiatives,

18   right?

19   So we have taken good leaders within

20   our organization, and given them the opportunity

21   to pull together a cross-section of people from

22   the workforce to form a team and actually go out

1   and think about how to solve that problem.

2   And we've given them a little bit of

3   consulting help on the side, and some guidance in

4   terms of where we want them to go, but we're

5   really letting those teams kind of drive and help

6   figure out the -- how to get us to our end goal,

7   which is, you know, one way to run a set of

8   initiatives like that.

9   And another way is, you know, to kind

10   of hire some consultants from the outside and

11   sort of come up with the right ideas at the top

12   of the organization, and then try and drive them

13   down.

14   From my perspective, it may take a

15   little bit longer to form the groups internally.

16   But you tend to get better buy-in, right? You

17   can actually get more lasting change, right? And

18   so, you know, from my perspective, we want to

19   create change that outlives any one individual or

20   set of individuals and really has lasting benefit

21   for the whole community.

22   So the last thing I'd say is we have

1   -- for a couple of these initiatives, we have

2   pretty active online communities, or we have our

3   Interact website, which is the right place to go

4   to sort of stay up to date on everything that is

5   going on. So I would encourage you for schedule

6   reform and for commercial e-commerce portals to

7   get yourself on Interact, if you're not already,

8   and have that as your -- as the primary way you

9   stay up to date.

10   And with that, let me just, again,

11   extend thanks to you for coming out and hanging

12   with us for the whole day, and we hope to

13   continue to hear your voice. Have a good

14   afternoon.

15   (Applause.)

16   (Whereupon, the above-entitled matter

17   went off the record at 2:28 p.m.)

18

19

20

21

22

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This is to certify that the foregoing transcript

In the matter of: Federal Marketplace Industry Day

Before: US GSA

Date: 12-12-18

Place: Washington, DC

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_____
Court Reporter