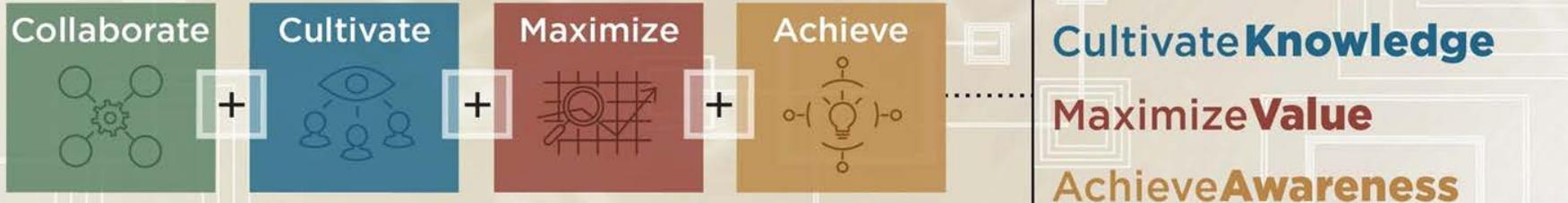


Professional Services & Human Capital Symposium

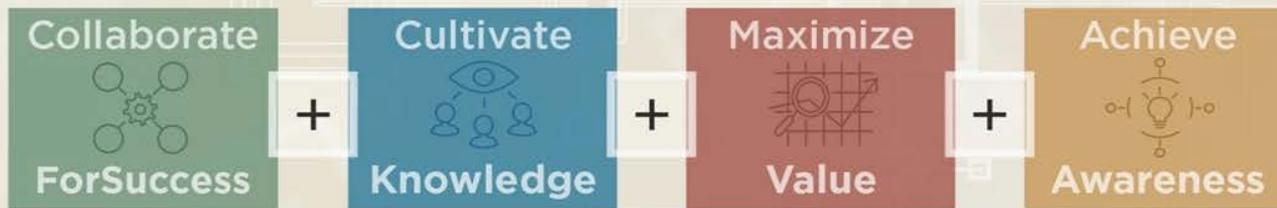
June 6-8, 2017 | Tacoma, WA



Keeping Your GSA MAS Contract Compliant

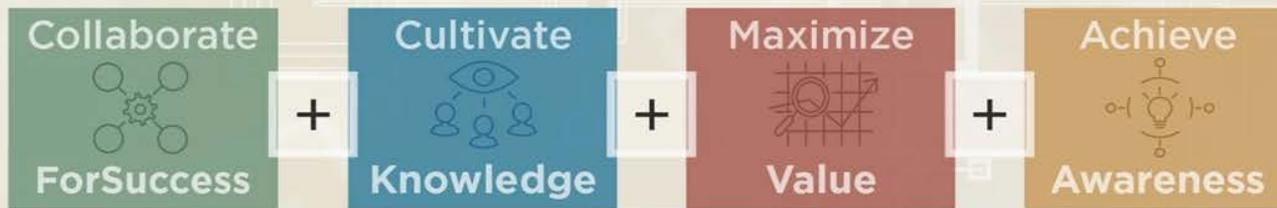
Michael Williams & Bruce Anderson
Industrial Operations Analysts
Supplier Accountability Division

Date: June 6-8, 2017



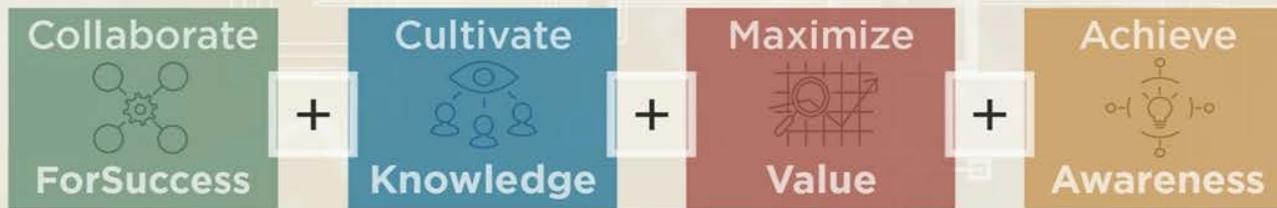
- GSA Personnel
- Contract Compliance
 - Scope of Contract Compliance
 - Trade Agreements Act (TAA)
 - Sales Reporting and Industrial Funding Fee Remittance
 - Basis of Award
 - Pricing
 - Prompt Payment Discounts
 - Minimum Sales Requirement
 - Qualified Labor
 - Administrative Concerns
 - Other Compliance Concerns
- Contract Assessments





GSA Personnel

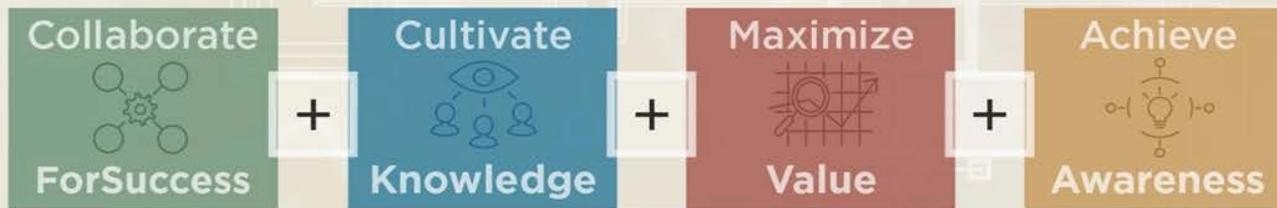
- Procurement Contracting Officer (PCO)
 - Awards your contract
 - Approves bilateral modifications
 - PCO contact information can be found on GSA eLibrary: <http://gsaelibrary.gsa.gov>
 - Ultimate authority over your GSA MAS contract
- Administrative Contracting Officer (ACO)
 - Delegated functions by the PCO
 - ACO contact information can be found at https://vsc.gsa.gov/tools/aco_ioa.cfm



GSA Personnel (Cont.)

- Industrial Operations Analyst (IOA)
 - Conducts contractor compliance assessments
 - Monitors sales reporting, sales adjustments, and Industrial Funding Fee remittance
 - Provides general guidance and business development support
 - IOA contact information can be found at the [Vendor Support Center](#)

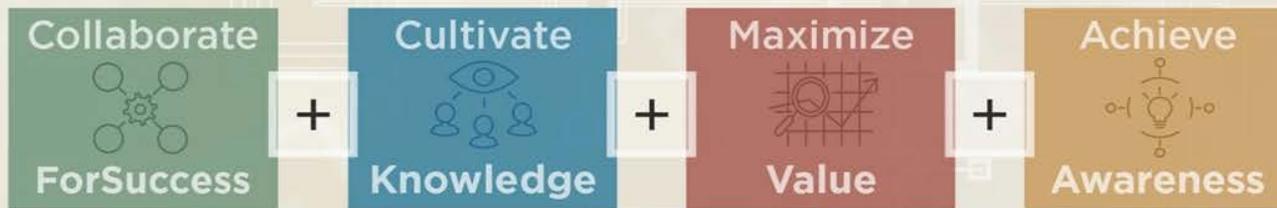




GSA Personnel (Cont.)

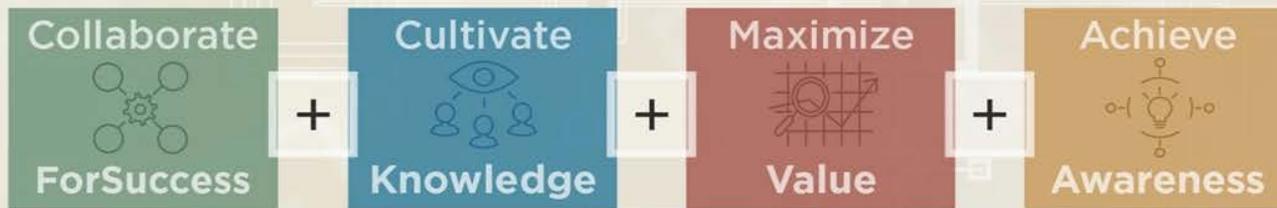
- Industrial Operations Analyst (IOA) Realignment
 - In February 2017, all IOAs were realigned to FAS Acquisition Centers in support of GSA's Category Management Initiative
 - IOAs are now aligned to support specific GSA Acquisition Centers with assigned contract workloads spread across the country





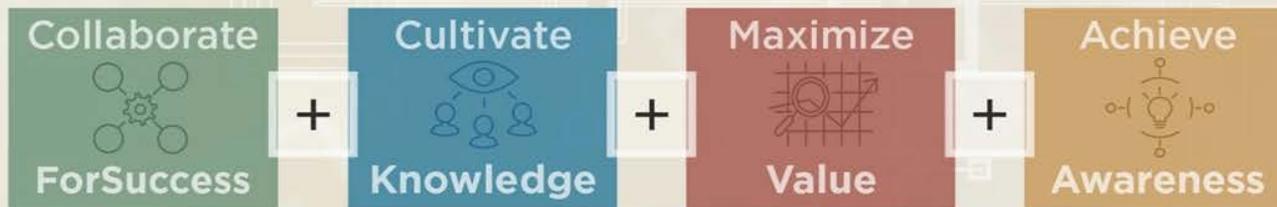
Virtual Assessments

- Mutually agreed upon by IOA and contractor
- Conducted over the Internet, web conferencing, email, and/or telephone
- Topics and documents required are the same as in-person meetings
- Benefits include potential cost savings to Government and contractor



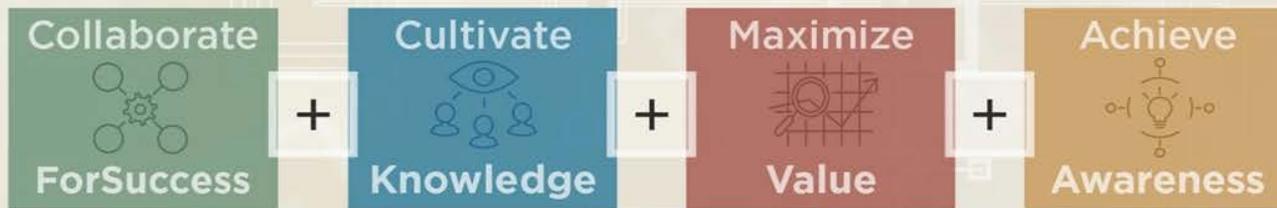
Compliance Overview

- GSA and Ordering Agencies:
 - Abide by the Federal Acquisition Regulation (FAR) and agency regulations
 - Ordering agencies must abide by MAS contract terms & conditions
 - GSA PCO has ultimate authority over the MAS contract
- Contractors:
 - Must be in compliance with MAS contract terms & conditions and purchase/task order terms & conditions
 - Remember, the GSA Schedule terms & conditions take precedence over the order terms & conditions



Scope and Contract Compliance

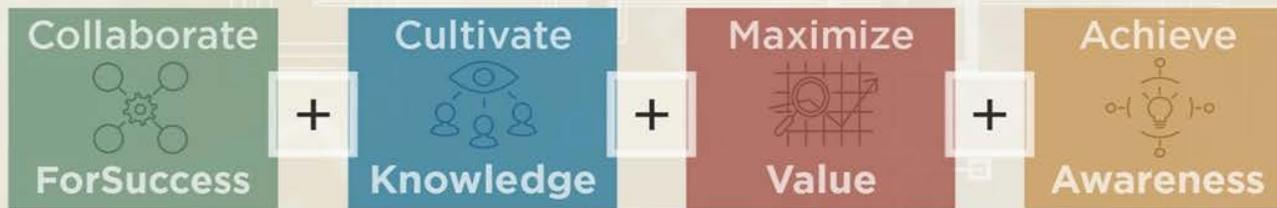
- Contract items must be within the scope of the Schedule and approved Special Item Numbers (SINs)
- Only products or services awarded on your GSA Schedule pricelist can be sold per your contract
- “Open Market” (non-contract) items must be identified
- Expand the scope of your offerings through:
 - Modifications
 - Additional GSA Schedule contracts
 - Contractor Teaming Arrangements (CTAs)



Trade Agreements Act (TAA)

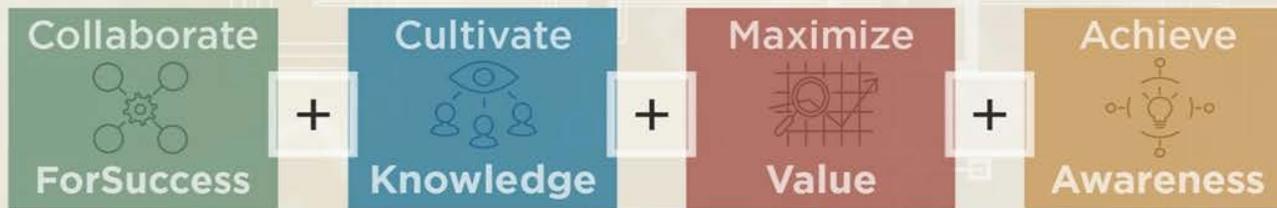
- Applies to “all” GSA MAS Contracts
- TAA compliant countries may be found under FAR 25.003
- Service Contractors are TAA compliant if they are headquartered in compliant countries
- Notify your CO if noncompliance is determined





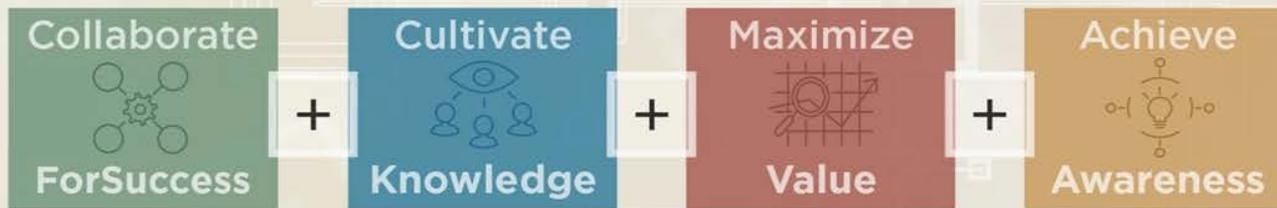
Sales Reporting and Industrial Funding Fee (IFF) Remittance

- Sales reports must be submitted and IFF remitted within 30 days after the end of the quarter, by:
 - January 30th, April 30th, July 30th, and October 30th
- \$0 must be reported if you have no sales for the quarter
- 72A Reporting System
- Do not report open market items and travel costs
- The IFF of 0.75% is included in your awarded pricing



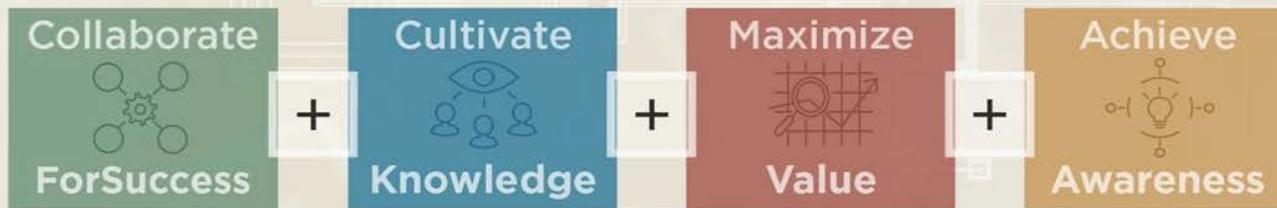
Sales Reporting and Industrial Funding Fee (IFF) Remittance

- IFF is inclusive to your Pricelist
- Your Customers are assessed the IFF by using the GSA MAS Contract Program
- The GSA MAS Program is funded by IFF



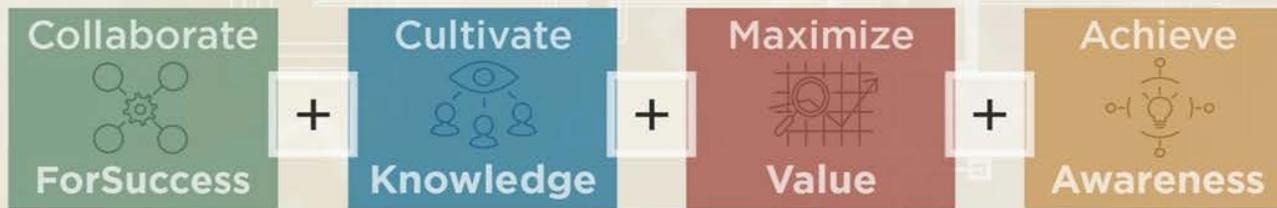
Sales Reporting & Transactional Data Reporting

- Mod A509 - Issued JAN 2017 for PSS Contractors
- TDR Sales reports must be submitted “monthly” at the [TDR Reporting Portal](#)
- IFF may be remitted monthly or within 30 days after the end of the quarter
 - Do not report open market items and travel costs
- Sales adjustments submitted by the contractor



Sales Tracking System

- Identifies, tracks, and reports GSA sales accurately and completely
- Reports all transactions within the proper period
- Retrieves data easily
- Separates Schedule sales from other Federal sales and commercial sales



Indicators of a Schedule Sale

- The GSA contract number is stated on the task order
- If no contract vehicle is stated on the task order “and”:
 - Same terms and conditions as your GSA contract
 - Through GSA Advantage!® or eBuy
 - Paid with the government purchase card for contract products or services awarded on your contract
 - The pricing at or below contract price

Collaborate

ForSuccess

+

Cultivate

Knowledge

+

Maximize

Value

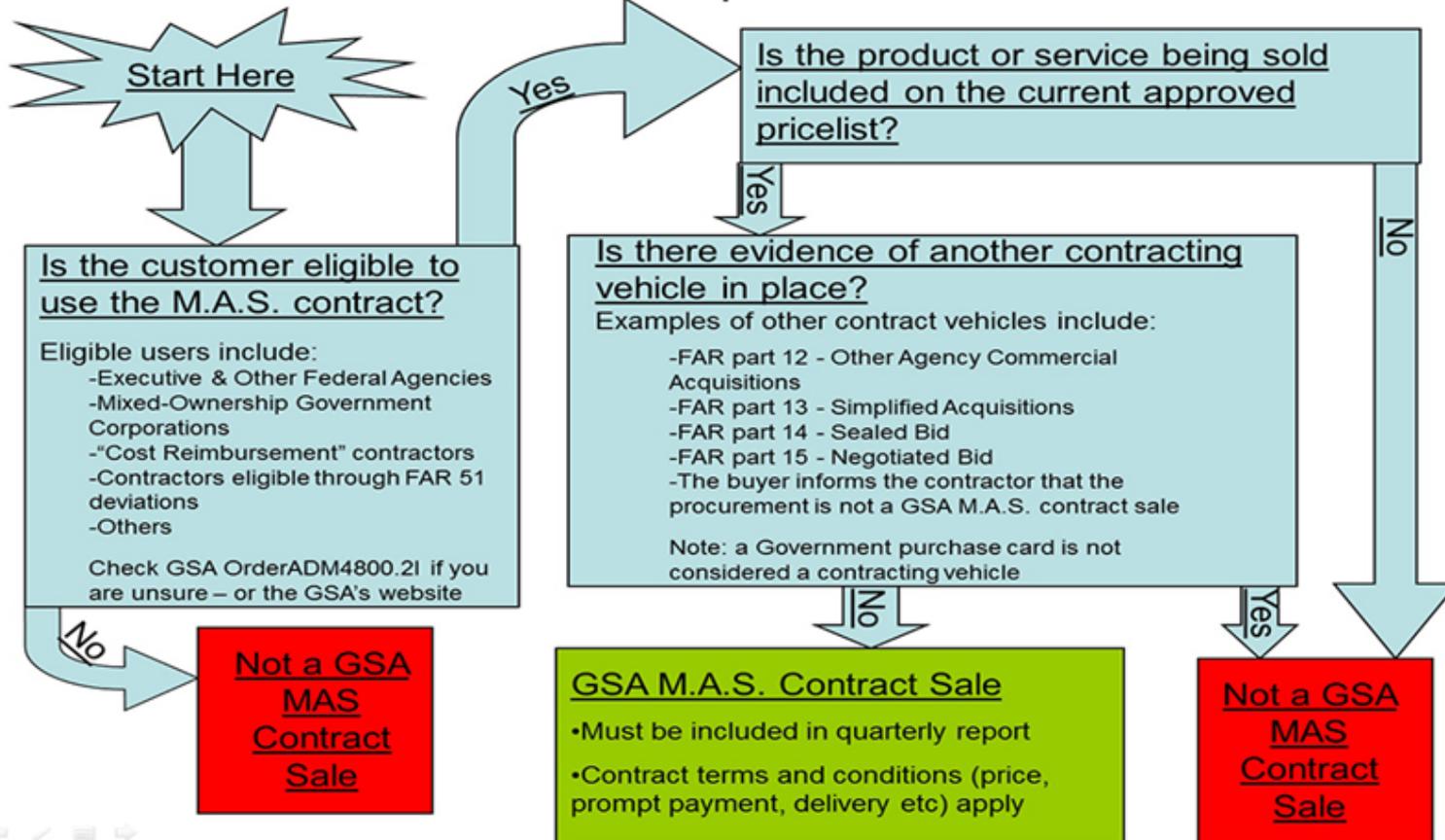
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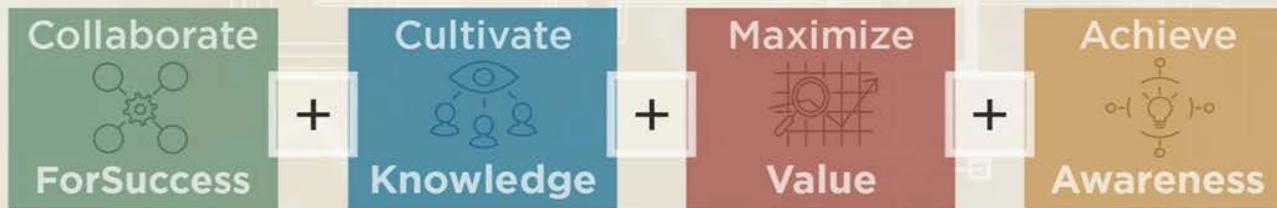
Achieve

Awareness

Reportable Sale Flowchart

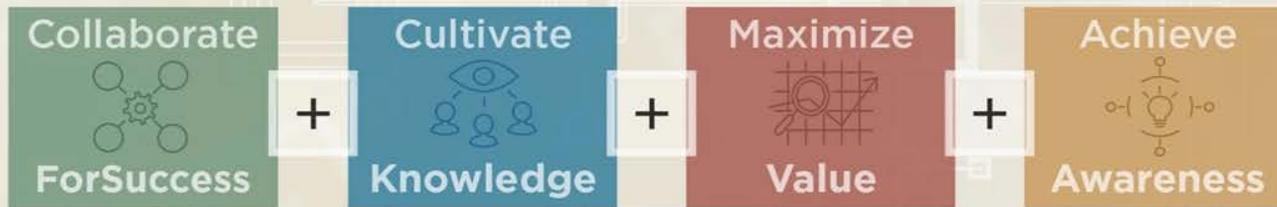
Is it a sale under the GSA Multiple Award Schedule Contract?





Basis of Award

- Discount relationship which predicates your GSA pricing
 - Found on the Standard Form 1449, Final Proposal Revision Letter, or subsequent modifications (Standard Form 30)
- Must be maintained to comply with the Price Reductions Clause (GSAM 552.238-75)
 - Adverse changes are referred to as “price reductions”
 - Price reductions should be reported to the PCO within 15 calendar days
- Note: The BoA and the Price Reduction Clause is greatly reduced for TDR contractors

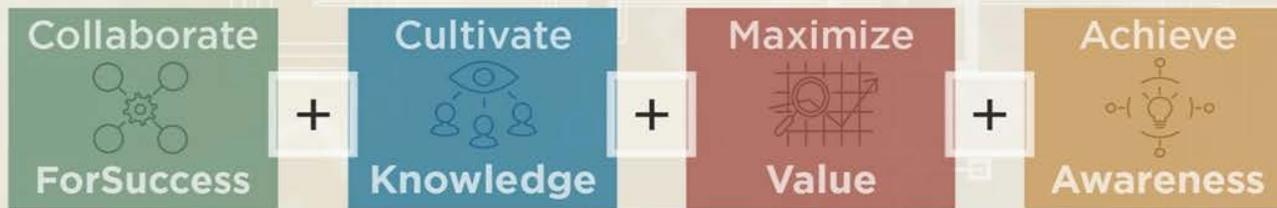


Pricing



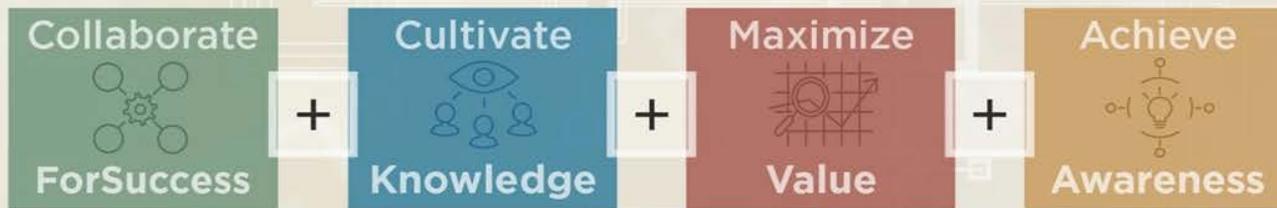
- Must charge at or below your GSA Schedule price
 - Spot discounts are allowed and will not result in a price reduction
- Price increases (Economic Price Adjustments) must be approved by your PCO
 - Automatic escalations
 - Incorporated into the original contract (SF 1449) or subsequent modifications (SF 30)
 - One-time increases
 - Incorporated via a modification (SF 30)
 - Refer to clauses 552.216-70 and I-FSS-969





Prompt Payment Discounts

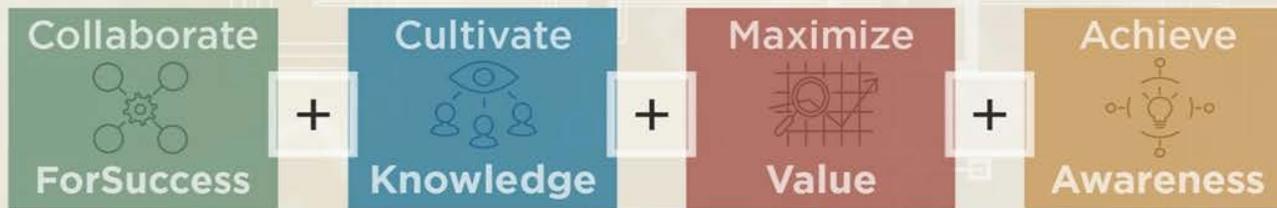
- Awarded prompt payment discount terms must be displayed on all MAS invoices
- Electronic invoicing such as WAWF, OB-10 & IPP
- Do not apply to government purchase card payments
- Terms can be included in all MAS quotations



Minimum Sales Requirement

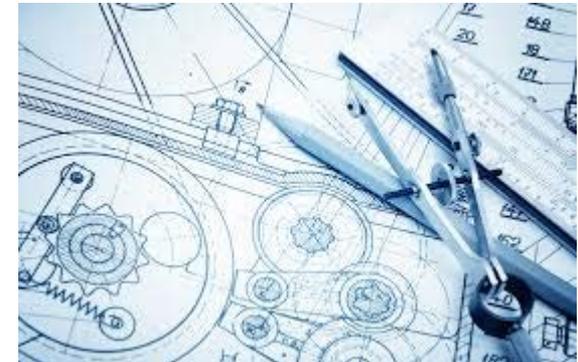
- Contract Sales Criteria Clause, I-FSS-639
- Requirement:
 - \$25,000 in contract sales over the first 24 months
 - \$25,000 for each 12 month period thereafter
- GSA may cancel the contract if it does not meet the minimum sales requirement

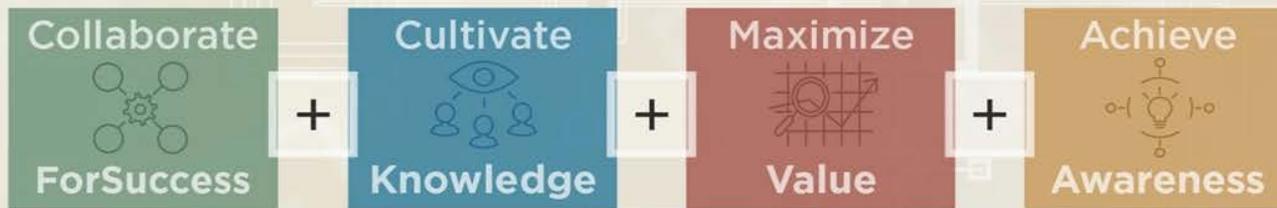




Labor Qualifications

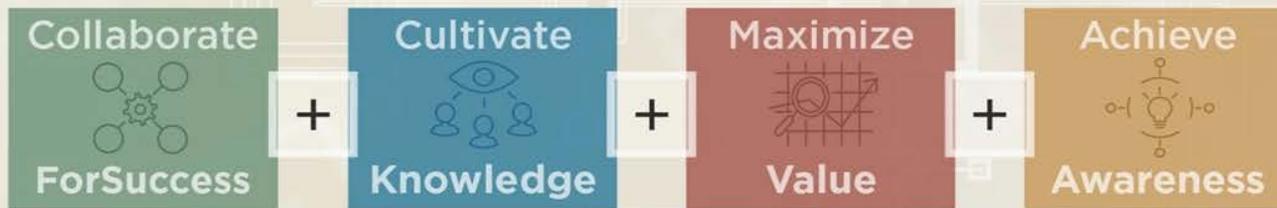
- Labor qualification review is part of your assessment conducted by the IOA
- Professional Services contracts awarded with labor categories
 - Advertising & Integrated Marketing Solutions (AIMS)
 - Environmental Services
 - Financial & Business Solutions
 - Mission Oriented Business Integrated Services (MOBIS)





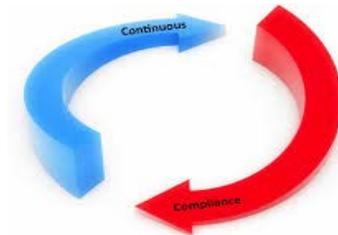
Point of Contact Information Updates

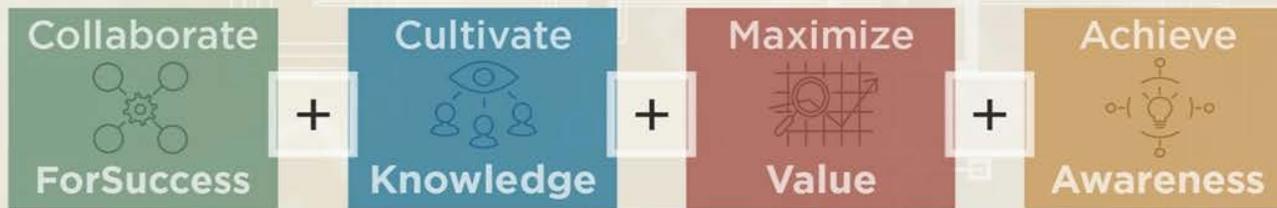
- GSA Contract
 - Headquarters Address
 - Point of Contact name, phone number, email address, & office address
 - Must be updated via contract modifications using eMod
- GSA eLibrary/GSA Advantage Company Information
 - Verify the contact information listed is accurate
 - Telephone number, email, and web address can be updated using SIP
 - Company name and address changes must process through SAM.gov
 - Note: eBuy contact info can be updated under your “profile” on eBuy
- Multiple Other Websites/Sources
 - Handy guide for additional places to verify information



Administrative Concerns

- Pricelist Maintenance
- Digital Certificates
- Authorized Negotiators
 - Including Backup Negotiator(s)
- Mass Modifications
- Novation and Change of Name Agreements
- Bankruptcy
- SAM.gov

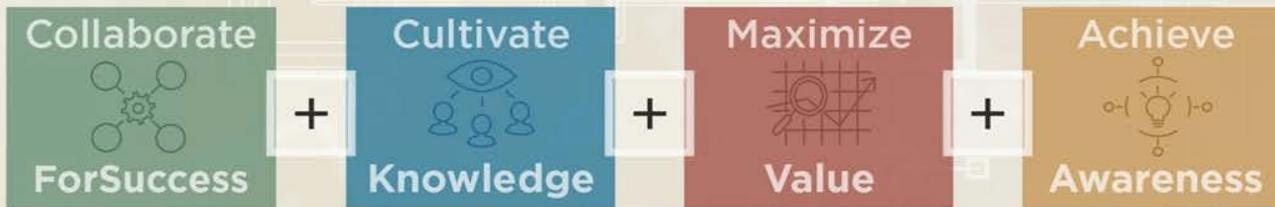




Other Compliance Concerns



- Environmental attributes
- Subcontracting plans
- Delivery
- eCommerce
- GSA eLibrary/Advantage Pricelist



Modification Types

Contractor Initiated

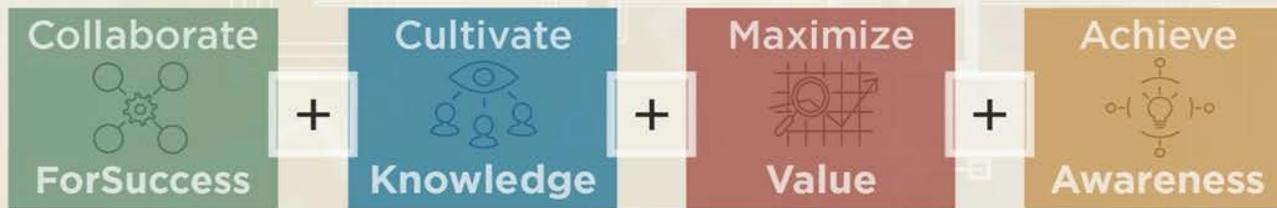
GSA
Initiated

Pricelist

Company
Information

Legal

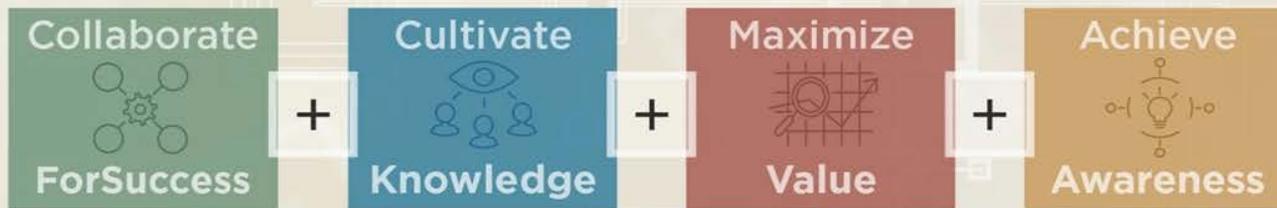
Mass Mods



eMod Process

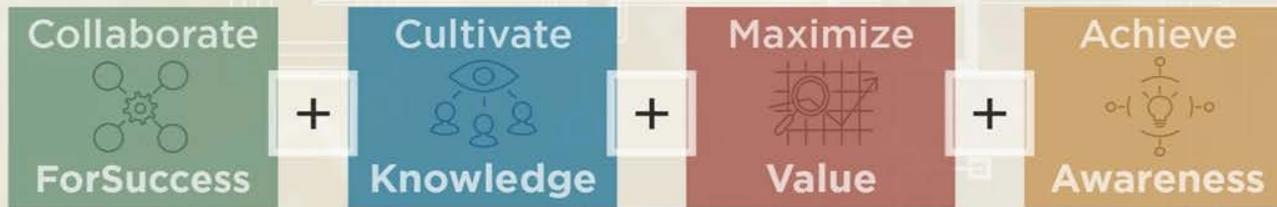
- Contractor Initiated Modification
 - Price List Change(s)
 - Company Information Change
 - Legal Changes
- Completed at GSA's eMod Website
- Requires a Digital Certificate
- Schedule 70 Specific Modification Instructions
 - GSA's IT Schedule 70 Modification Guidance Package
 - Price List Modification Template





Mass Modifications

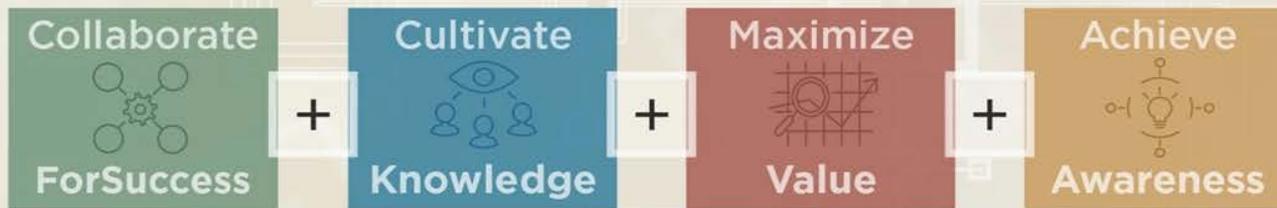
- Generally a GSA initiated modification to all Schedule 70 Contractors
- Emailed to Contract Administrator
- Completed at GSA's Mass Modification Website



Contractor Assessments

- Objectives
 - Assess the level of compliance with GSA Schedule Contract Terms & Conditions
 - Address questions or concerns
 - Evaluate processes and procedures
 - Performed for most GSA Schedules

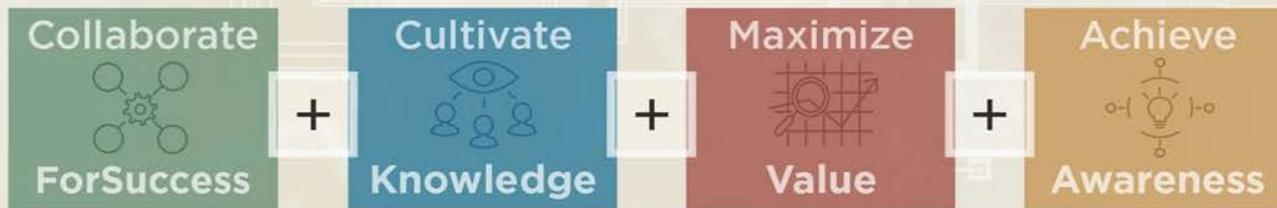




Assessment Frequency

Annual Assessments vs End-of-Term Assessments

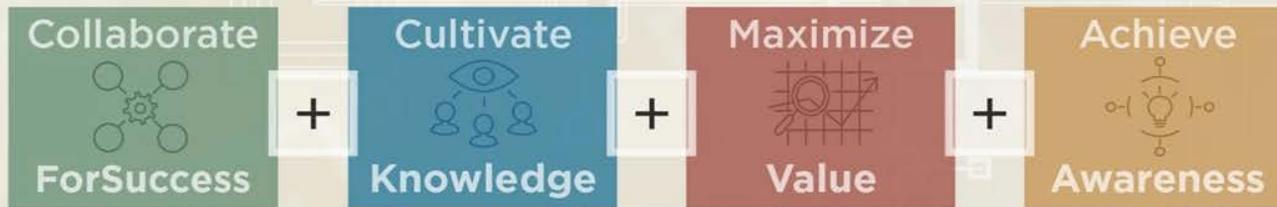
- Annually for contractors meeting established MAS reported sales thresholds
 - Focus on Sales Tracking, Pricing, TAA, Prompt Payment Discounts and Labor Qualifications
 - End of term for contractors in the 4th contract year meeting established MAS reported sales thresholds
 - Covers all compliance topics in this presentation



Assessment Participants

- Your Company
 - GSA Contract Administrator
 - Other relevant personnel responsible for contractual functions (e.g. sales, marketing, accounting, order tracking, IFF remittance)
- GSA
 - Industrial Operations Analyst (IOA)

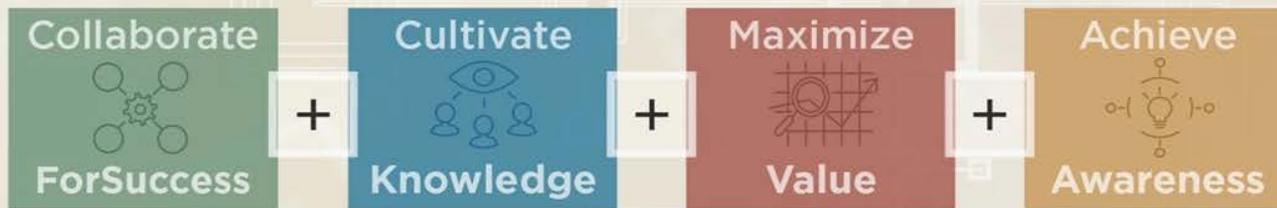




Assessment Preparation

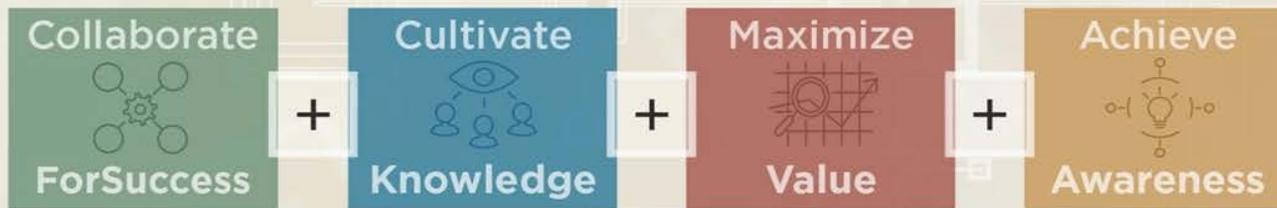
- Initial phone call or email from IOA, followed by pre-visit confirmation email detailing requirements
- Familiarize yourself with the requirements addressed in pre-visit email
- Contact IOA with any questions





Assessment Intent Notice

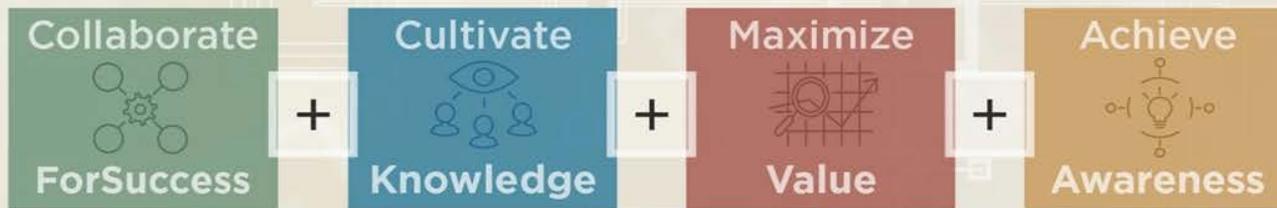
- Provided by your IOA prior to the Assessment
- Purpose is to eliminate any confusion between IOA Assessments and IG Audits
- Should be reviewed, signed and returned to your IOA



Recommended Documentation

- GSA contract, including:
 - Standard Form 1449 (SF 1449)
 - Incorporated documents (e.g. Final Proposal Revision (FPR) letter, Commercial Sales Practices)
- Approved modifications (Standard Form 30)
- Current approved pricelist and all previously approved versions

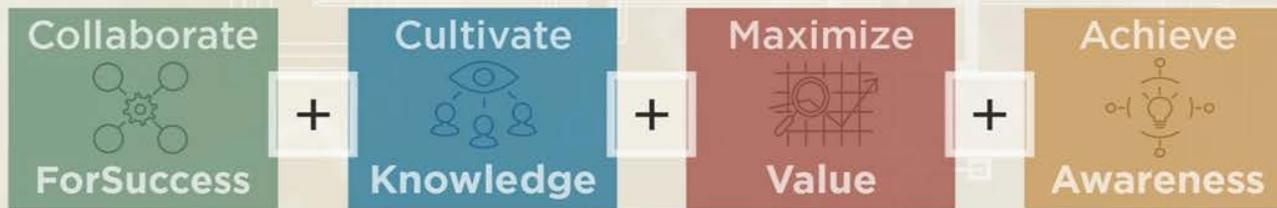




Recommended Documentation (Cont.)

- Sales data supporting your reported sales for the quarters being reviewed
 - IOAs have access to the reported sales figures but not the supporting records
- Examples of supporting records for reported sales:
 - Accounting reports
 - Spreadsheets
 - Ledgers
 - Invoices
 - Quotes and/or cost proposals

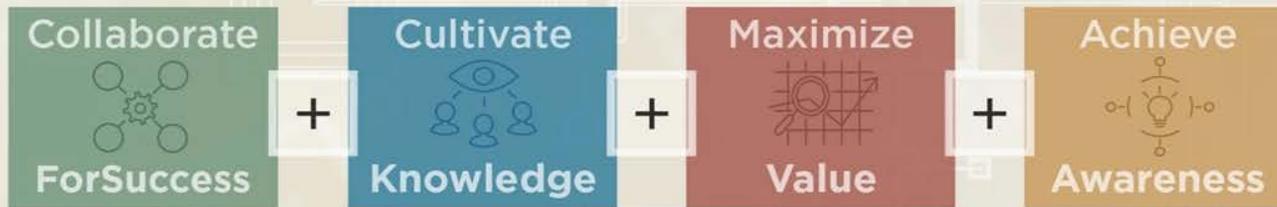




Recommended Documentation (Cont.)

- Purchase/Task Orders
 - Customers do not provide GSA copies of orders they place against GSA Schedule contracts
- Related Documentation:
 - Statement of Work (SOW)
 - Quotations
 - Invoices





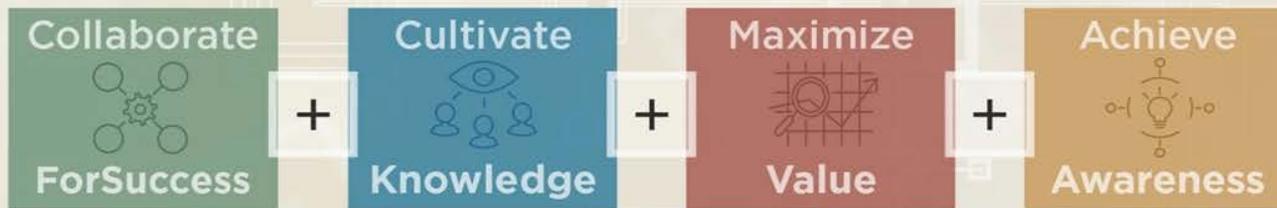
Recommended Documentation (Cont.)



- Trade Agreements Act (TAA)
 - Contractors supplying tangible products should be able to provide country of origin information and/or letters of supply



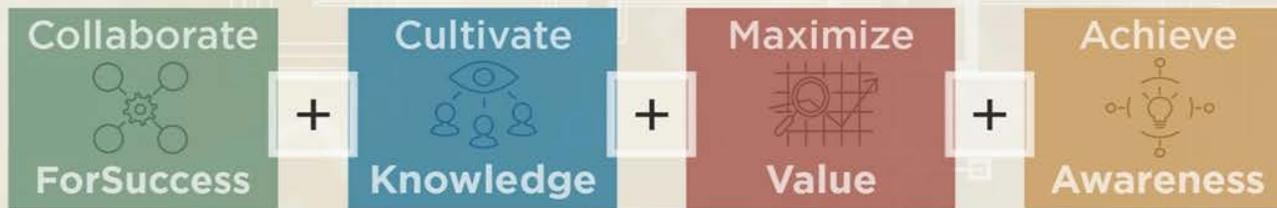
- Environmental Attributes
 - Documentation supporting the use of environmental icons on GSA Advantage!® (excluding Energy Star and EPEAT)



Examples of Problems Identified During an Assessment

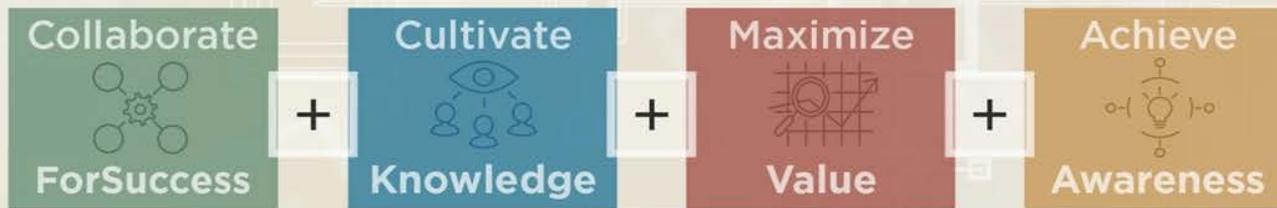
- Under-reported/over-reported sales
- Out-of scope orders
- TAA non-compliant products / services
- Price overcharges
- Non-Compliant labor qualifications
- Outdated or missing GSA Advantage! ®
- Pricelist missing from GSA eLibrary ®
- Inaccurate contact information
- Missing records/documentation
- Prompt Payment Discount overcharges
- Volume/Quantity discount overcharges





Educational Resources & References

- GSA's Vendor Support Center
- The Steps to Success: Contractor Reference Guide
- GSA Interact
- Multiple Award Schedules (MAS) Desk Reference
- Who Can Order Through GSA Schedules?
- ACO/IOA Locator
- Procurement Technical Assistance Centers (PTACs)
- GSA's Social Networking Resources,
- and Many Others...



Questions?

Professional Services & Human Capital Category Supplier Accountability Division

Industrial Operations Analysts:

Michael Williams

(404) 215-8646 or michael.a.williams@gsa.gov

Bruce Anderson

(253) 722-7146 or bruce.anderson@gsa.gov