



Veterans Technology Services
Governmentwide Acquisition Contract

VETS GWAC



Ordering Guide 2010

Small Business Governmentwide Acquisition Contracts Center

The General Services Administration (GSA), Federal Acquisition Service (FAS), Integrated Technology Services (ITS), Small Business Governmentwide Acquisition Contracts Center (the "Center") offers a portfolio of pre-competed, Information Technology (IT) solutions contracts awarded to small business firms encouraging their success and movement into unrestricted acquisition environments. The contracts are VETS, 8(a) STARS, Alliant SB and COMMITTS NexGen (NG) GWACs.

We make it easy for you, our federal customers, through:

- Access to high-quality industry partners
- Pre-competed, multiple-award contracts
- Short procurement lead time
- \$5 billion program ceiling for VETS (no individual contract ceiling)
- Socioeconomic credit through FPDS-NG reporting
- Section 843 NDAA 2008 compliance
- Customer focused staff with expertise in small business technology contracts
- Scope compatibility reviews of prospective orders & modifications
- RFI support
- Consistent labor categories for all vendors

How to reach us:

- By phone (877) 327-8732 (toll free)
- By fax (816) 823-1608
- By e-mail at vetsgwac@gsa.gov
- On the web at www.gsa.gov/vetsgwac
- By mail U.S. General Services Administration
Small Business GWAC Center (QTACC)
1500 East Bannister Road, Room 1076
Kansas City, MO 64131

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Questions regarding these guidelines should be directed to the VETS GWAC procuring contracting officer. These guidelines may be revised to update the process of awarding and managing orders. Updates to this publication, when they occur, will be available on the web www.gsa.gov/vetsgwac.

The Small Business GWAC Center

Who We Are

The General Services Administration (GSA), Federal Acquisition Service (FAS), Integrated Technology Services (ITS), Small Business Governmentwide Acquisition Contracts Center (the "Center") offers a diversified portfolio of pre-competes, multiple-award governmentwide acquisition contracts (GWAC) awarded to small business firms encouraging their success and movement into unrestricted acquisition environments. These industry partners specialize in providing innovative, information technology (IT) services and IT services-based solutions to federal agencies worldwide.

In a June 6, 2008 memo, the Office of Management and Budget (OMB) emphasized the numerous benefits interagency acquisitions have, including: economies of scale, contract efficiencies, and leveraging resources. Small business GWACs offered by the Center are in concert with OMB's stated policy on interagency contracting. Ordering under an OMB approved GWAC is presumed to be in the Government's best interest.

The Veterans Technology Services (VETS) GWAC has a unique market niche as the contract vehicle awarded to service-disabled veteran-owned small business (SDVOSB) IT firms. There are two functional areas covering a broad IT scope with over 40 awardees. Awarding a task order to an SDVOSB provides socioeconomic credit toward established SDVOSB goals. For more information regarding SBA programs for veterans, please go to <http://www.sba.gov/vets> and/or the Center for Veterans Enterprise Web Portal, www.vetbiz.gov.

In addition to the VETS GWAC, the Center awards and administers the following IT contracts for governmentwide use as an Executive Agent of the OMB:

8(a) STARS GWAC

The 8(a) STARS (Streamlined Technology Acquisition Resources for Services) contract vehicle was awarded to 8(a) small businesses. 8(a) STARS has a unique market niche as the contract vehicle is specifically awarded to 8(a) business firms encouraging their development and movement into unrestricted acquisition environments. Awarding a task order to an 8(a) business provides socioeconomic credit toward established 8(a) goals. The 8(a) program refers to the Small Business Administration's 8(a) Business Development Program, named for a section of the Small Business Act. This program was created to help small disadvantaged businesses develop and compete in the federal procurement market. The 8(a) STARS GWAC allows tasks in the Fixed Price Family, Time and Materials and Labor Hour. For further information on the SBA's 8(a) Program, go to <http://www.sba.gov>. For further information on the 8(a) STARS contract vehicle, visit www.gsa.gov/8astars.

Alliant SB GWAC

The Alliant SB GWAC is a competitive multiple award, indefinite-delivery, indefinite-quantity awarded to small business firms encouraging their success and movement into unrestricted acquisition environments. Awarding a task order to a small business provides socioeconomic credit toward established socioeconomic goals. The contract provides worldwide information technology solutions to federal agencies while strengthening opportunities in federal contracting for participating industry partners. The Alliant SB GWAC allows Cost-Reimbursement tasks in addition to those in the Fixed Price Family, Time and Materials and Labor Hour. For further information regarding the Alliant SB GWAC, please visit www.gsa.gov/alliantsb.

COMMITTS NG GWAC

COMMITTS NexGen, (Commerce Information Technology Solutions-NexGen, or COMMITTS NG) is a competitive multiple award, indefinite-delivery, indefinite-quantity awarded to small business firms encouraging their success and movement into unrestricted acquisition environments. Awarding a task order to a small business provides socioeconomic credit toward established socioeconomic goals. The contract provides worldwide information technology solutions to federal agencies while strengthening opportunities in federal contracting for participating industry partners. The Commits NG GWAC allows Cost-Reimbursement tasks in addition to those in the Fixed Price Family, Time and Materials and Labor Hour. For further information regarding the Commits NG GWAC, please visit www.gsa.gov/commits. The ordering period for the COMMITTS NG ends in January 2011.

Introduction

This ordering guide is intended to help ordering offices and industry partners use the VETS GWAC. Contracting Officers are encouraged to review the contract and the ordering guide in their entirety, www.gsa.gov/vetsgwac.

The VETS GWAC (VETS) encompasses a broad range of IT services and IT services-based solutions in two Functional Areas (FAs), both including IT security.

- FA1 Systems Operations and Maintenance
- FA2 Information Systems Engineering

VETS enables federal agencies to fulfill their IT services and IT services-based solutions requirements, and, at the same time, meet or exceed socioeconomic goals through the selection of small businesses that are SDVOSBs. Per Public Law 108-183, all federal agencies have a statutory 3% annual SDVOSB goal, but, many agencies have higher SDVOSB annual goals (www.sba.gov/goals). Federal agencies also earn most (all but 8(a)) other applicable procurement preference credit that each awardee possesses when awarding an order to them.

The VETS GWAC website, www.gsa.gov/vetsgwac, includes applicable contract ceiling pricing, a copy of the contract, contract modifications, and other relevant contract information. An industry partner listing including points of contact, telephone numbers, e-mail addresses, company websites, and business size status is included on the website.

GSA associates may locate the two contract families in IT Solutions Shop (ITSS) <http://itss.gsa.gov>.

Scope

The scope of the VETS GWAC includes IT services and IT services-based solutions in two functional areas derived from the work scope in Section C of the contract. For the current definition of IT, see Federal Acquisition Regulation (FAR) 2.101 (<http://acquisition.gov/far/index.html>). In planning for and determining that IT services are the principle purpose in a task order, the analysis should span the entire expected life of the task order, inclusive of task order options.

The geographical scope of coverage is worldwide and organizations authorized in GSA Order ADM 4800.2E (see Appendix III) may use the VETS GWAC. Orders are not authorized in combat areas or in areas the State department has advised American citizens to avoid or depart. See Section B.10, Foreign Area Travel/Work in the Contract.

Every task order shall be competed/subject to fair opportunity for consideration pursuant to FAR 16.505, subject to exceptions designated therein or additional statutory authority.

Functional Areas and NAICS

There are two functional areas on the VETS GWAC. The following service North American Industry Classification System (<http://www.census.gov/eos/www/naics/>) codes:

541512	Computer Systems Design Services
541511	Custom Computer Programming Services
541513	Computer Facilities Management Services
541519	Other Computer Related Services
518210	Data Processing, Hosting, and Related Services
611420	Computer Training

All the above mentioned codes are applicable to both Functional Areas of the VETS GWAC. For the purposes of the VETS GWAC contract the primary NAICS Code is designated as 541512.

Functional Area 1: Systems Operations and Maintenance

Functional Area 1 (FA1) is for operations, maintenance and security of existing information technology. See the VETS GWAC Section C for details.

When in doubt about scope, contact the VETS GWAC Procuring Contracting Officer for a scope compatibility review.

Functional Area 2: Information Systems Engineering

Functional Area 2 (FA2) is for engineering and security of information technology systems. See the VETS GWAC Section C for details.

When in doubt about scope, or simply out of an abundance of caution, contact the VETS GWAC Procuring Contracting Officer for a scope compatibility review.

Multi-FA Competition

Tasks may be competed across both FAs when the expected work is prospectively balanced across both FAs. However, if expected work clearly fits in a FA, multi-FA competition is not indicated.

A scenario where an ordering contracting officer "OCO" would compete an opportunity across both FAs is when expected work is balanced between system sustainment and system engineering.

When in doubt about scope, or simply out of an abundance of caution, contact the VETS GWAC Procuring Contracting Officer for a scope compatibility review.

Ordering from VETS

Delegation of Procurement Authority

Federal buyers who wish to use the VETS GWAC must obtain VETS contract overview training and be granted a written delegation of procurement authority (DPA) **prior** to awarding or administering task orders, whereupon they will become Ordering Contracting Officers (OCOs). Written delegations are required by GSA's Quality Assurance Plan in accordance with the Office of Management and Budget guidelines. Delegations can only be granted to warranted Contracting Officers, but all individuals (e.g. program personnel, contract managers, specialists) involved with a task order are encouraged to participate in the contract overview.

No work should be performed; no debt or obligation accrued and no payment should be made except as authorized by a bona-fide written order signed by an OCO having a written DPA.

There are various ways to receive a VETS delegation of procurement authority: 1) through a thorough review of this ordering guide, 2) self-paced on-line course at the GSA Center for Acquisition Excellence, www.gsa.gov/cae 3) conference call with one of the VETS Procuring Contracting Officers (PCOs), or 4) on site training for large groups of potentials OCOs.

1. Ordering Guide Review

Review the VETS GWAC Ordering Guide, then follow these steps:

1. Thoroughly review and understand the VETS GWAC Ordering Guide
2. Complete the DPA Request Form at www.gsa.gov/vetsgwac.

2. On-Line Training

An on-line training class specific to the VETS GWAC is available at the GSA Center for Acquisition Excellence. To take advantage of this readily available form of delegation, please follow these steps:

1. Access the Center for Acquisition Excellence (CAE), at www.gsa.gov/cae
2. Request a login and password (if you do not already have one)
3. Login to the Center for Acquisition Excellence
4. Click on "Learning Center"
5. Click on "Course Information and Enrollment"
6. Select "VETS Delegation of Procurement Authority Seminar"
7. Complete the seminar and the seminar assessment
8. Complete the DPA Request Form at www.gsa.gov/vetsgwac.

The Small Business GWAC Center will then validate the information received and issue a Memorandum of Agreement, which includes the delegation of procurement authority. Training will be provided to all personnel involved in the acquisition and a written delegation of authority to the ordering contracting official will be issued.

3. Teleconference or Videoconference with the VETS Procuring Contracting Officers (PCOs)

To start the process of obtaining delegation through the VETS PCOs, each contracting officer wanting delegation must submit the following information to the Small Business GWAC Center's

delegations@gsa.gov inbox, or fax it to (816) 823-1608 (please place "VETS delegation" in the subject line).

- Agency name, bureau/command name (if any), individual(s) full name, street address, e-mail address, phone number and fax
- Names of other individuals who may be participating in the contract overview training but not seeking delegation. *We encourage all members of the procurement team to participate in the contract orientation*
- After receipt of this information, a VETS PCO will contact the requestor(s) to set up the contract orientation.

This contract orientation may take only 15 to 20 minutes provided the caller has internet access. Afterward, a DPA memorandum will be sent. It is sometimes possible for these delegations to be granted the same day as the contract overview training, although typical cycle time is about two business days. After the teleconference or videoconference the contracting officers may complete the DPA Request Form at www.gsa.gov/vetsgwac.

4. On-Site Training for Groups of Potential OCOs and IT Program Officials

Please contact the Center for details at (877) 327-8732 (toll free) or delegations@gsa.gov.

Delegation Portability

If an OCO changes their federal agency, please let the Center know and provide the new warrant, so that an updated DPA may be issued. If an OCO leaves an organization, is reassigned, or a task order is reassigned, please help the Center establish and identify a successor OCO.

Types of Task Orders

The total estimated value of a procurement including options should be considered in developing an acquisition strategy. Tasks shall not be split to avoid threshold limitations. The basic task and any modifications must stay within scope of the order (and the contract).

Authorized order terms available under this GWAC are:

- Fixed-Price Family (FAR 16.2 and 16.4)
- Time & Materials (FAR 16.6)
- Labor-Hour (FAR 16.6)
- Incentives tied to the above order terms (FAR 16.4)
- Hybrid blends of the above types

Order Process

The Order process may be represented in six steps which represent a logical procurement sequence.

- | |
|---|
| <p>Step 1 Plan the Acquisition
Step 2 Define Requirement (SOW, PWA, SOO) and Develop Solicitation (RFQ/RFP)
Step 3 Issue Solicitation Offering Fair Opportunity
Step 4 Evaluate Proposals – Price and Other than Price
Step 5 Document Award, Debriefings and Protests
Step 6 Administer and Closeout Order</p> |
|---|

Step 1: Plan the Acquisition

FAR 16.505(a)(7) states, orders issued under a task order or delivery order contract awarded by another agency (i.e., a GWAC or multi-agency contract) are not exempt from the development of acquisition plans in accordance with FAR 7 - Acquisition Planning, and Acquisition of IT (FAR Part 39). When developing the acquisition plan, the competition requirements in FAR Part 6 and the policies in Subpart 15.3 do not apply to the ordering process

The total estimated life cycle value of a procurement including options should be considered in developing an acquisition strategy. Tasks shall not be split to avoid threshold limitations. The basic task and any modifications must stay within scope of the Order and the contract.

Scope Compatibility Reviews for Prospective Orders and Modifications

The Small Business GWAC Center offers OCOs and program personnel the value-added opportunity to send in work statements, and proposed modifications to existing orders, for advance scope compatibility review. . This service is held on Tuesdays and Thursdays, and is available at no cost. This quality assurance measure is provided to determine scope compatibility on the VETS contract vehicle.

To get started on these courtesy reviews, a customer should review www.gsa.gov/vetsgwac "VETS Scope Reviews" and do the following:

1. For an expedited scope review, complete the [Scope Compatibility Review Request Form](#) available at www.gsa.gov/vetsgwac, "VETS Scope Reviews"
2. Email the completed form along with a copy of the work statement to SOWreview@gsa.gov
3. Place "VETS GWAC Scope Review" in the subject line

What can be expected upon concluding the scope review is a short turn-around time, determination on whether the Small Business GWAC Center deems the requirement compatible with the VETS GWAC. Scope compatibility review does not change the OCO's responsibilities with regard to acquisition planning, work with legal and technical advisors if appropriate or required, conduct the procurement, perform due diligence, etc.

Higher Risk Work Scope Areas

Higher risk work scope areas can be IT services and IT services-based solutions, if established properly. When under representation of IT professional services and over representation of non-IT services and/or products can occur, it is problematic. For the current definition of IT see Federal Acquisition Regulation (FAR) 2.101 (<http://acquisition.gov/far/index.html>).

OCO's should perform due diligence by consultation with the Center for scope compatibility review and working with the legal and technical advisors for the following types of work:

- Business Process Re-engineering
- Cabling and Wiring
- Call Centers
- Contingency Planning

- Data Entry
- Disaster Preparedness/Recovery
- Documentation
- Enterprise Resource Planning
- Equipment Inventory and Maintenance
- Hardware/Software Maintenance
- Help Desk

Not Allowed on VETS GWAC

- Renting/leasing (*it is permissible for a contractor to enter into rental or lease agreements to fulfill task order requirements and to provide them “as a service”, but the government will not be a party to them. If space is leased by the contractor, except for government COTRs, the government will not become a tenant.*)
- Blanket Purchase Agreements
- Cost Reimbursement Contracts/Task Orders
- Orders for which IT Services outcomes are not the principle purpose
- Orders for which supplies, software licenses or furnishing hardware are the principle purpose

Security Clearance Considerations for Classified Orders

Before issuing an RFI/RFQ/RFP for a classified order, a determination should be made as to whether or not access to anything classified will be required during the RFI/RFQ/RFP (a/k/a “solicitation”) process.

If access is required during the solicitation process:

All prospective contractors who may receive the RFI/RFQ/RFP must possess the appropriate facility clearance, safeguarding capability and personnel security clearance in order to access the solicitation package. This may be ascertained by requiring proof of credentialing.

If access is not required during the solicitation process:

Prospective contractors do not have to possess facility clearances to receive or review the RFI/RFQ/RFP.

RFIs/RFQs/RFPs and orders should specify if facility security clearance granted by a cognizant security agency (CSA) is required, and the highest required facility security clearance level. A DD254 is commonly used in solicitations to present these requirements.

RFIs/RFQs/RFPs and orders should specify if SENSITIVE COMPARTMENTED INFORMATION (having various compartments), TOP SECRET, SECRET, or CONFIDENTIAL industrial personnel security clearances (a/k/a “PCL”) granted by a CSA are required. Unless the requiring activity has a bona-fide reason for precluding interim PCLs, they should be considered equivalent to non-interim PCLs. A DD254 is commonly used in solicitations to present these requirements.

RFIs/RFQs/RFPs and orders should specify if CSA cleared safeguarding is required, and if required, the highest required level. The safeguarding level should not exceed the facility security clearance level. A DD254 is commonly used in solicitations to present these requirements.

If the agency requirement is for active facility security clearance and/or current PCLs as an award prerequisite, as opposed to something that the requiring activity would allow a reasonable period of time after award to earn based upon the OCO's agency, or customer agency sponsorship at the CSA, it should be identified in the RFI/RFQ/RFP. Such requirements for clearances as a precondition for award are not unforeseen and are not uncommon. When required as a condition of award, the following sample language is suggested for the RFI/RFQ/RFP (and in the case of an RFI, it is advisory in nature only, and not intended to be a screen that is typically implemented at that juncture).

The Government considers the requirement for _____(cite the applicable clearance(s)) _____ a definitive responsibility matter, i.e., Offerors must submit proof of these credentials before order award. This proof shall be made available to the Government after the deadline for receipt of quotes/proposals within five (5) working days of the Government's request for it. Failure to submit that information within five (5) working days will be deemed a material nonconformity and result in your non-selection/offer rejection. Competitors are advised to have clearance documentation at the ready so it is available when the Government requests it.

There are four different CSAs, all of which have equal authority: The Department of Defense, the Department of Energy, the Central Intelligence Agency, and the Nuclear Regulatory Commission. Reciprocity/equivalency of clearances between the CSAs is an evolving area and is not guaranteed.

Task Order Type and Pricing

The contract affords great flexibility to order Information Technology services, and also Information Technology services-based solutions, and to choose the applicable contract type(s). If not using the Fixed-Price order type, FAR 16.601(d) requires ordering contracting officers to document the rationale which applies to task orders under VETS. The determination and findings required by FAR 16.601 (d) requires a higher level of review. Please check agency guidance for the required level of review and approval. Some task orders may be a hybrid and have work containing a combination of contract types, i.e., Fixed-Price, Time & Materials and Labor-Hour. The OCO is responsible for documenting the order terms and evaluation methodology in their acquisition planning, and translating that into the prospective RFP/RFQ for the Industry Partners. Either tradeoff or low price – technically acceptable evaluations are valid best value methods, and are authorized at the order level.

The VETS GWAC provides a basic menu of standardized labor categories and associated ceiling prices applicable to time and materials and labor hour task orders. VETS GWAC ceiling pricing can be found in the VETS Contract Library at www.gsa.gov/vetsgwac. Labor category descriptions can be found in the VETS Contract Library in Attachment 2 to the VETS Contract. Additional labor categories may be considered.

OCOs may find the competitive T&M and L-H ceiling prices for VETS at www.gsa.gov/vetsgwac; they may be useful in developing independent Government estimates for fixed-price work.

Price Considerations in RFQ/RFP Design for T&M/L-H Task Orders

The OCO must determine which of the following conditions are expected to apply, and structure the RFQ/RFP accordingly.

With Adequate Price Competition:

Pursuant to FAR 52.216-29, if price is expected to be based on adequate price competition, the Contractor must provide “separate and/or blended” Loaded Hourly Labor Rates for Prime contractor labor, each Subcontractor, and/or each Division, Subsidiary, or Affiliate. The Contractor must specify whether each Loaded Hourly Labor Rate applies to the Prime contractor, each Subcontractor, and/or each Division, Subsidiary or Affiliate.

For the Department of Defense, pursuant to FAR 52.216-29 with DFARs 252.216-7002, Alternate A, if price is expected to be based on adequate price competition, the Contractor must only provide “separate” Loaded Hourly Labor Rates for Prime Contractor labor, each Subcontractor, and/or each Division, Subsidiary, or Affiliate. The Contractor must specify whether each Loaded Hourly Labor Rate applies to the Prime contractor, each Subcontractor, and/or each Division, Subsidiary or Affiliate.

Without Adequate Price Competition:

Pursuant to FAR 52.216-30, if price is not expected to be based on adequate price competition, the Contractor must identify and provide “separate” Loaded Hourly Labor Rates for Prime contractor labor, each Subcontractor, and/or each Division, Subsidiary, or Affiliate.”

Commercial Items:

(1) Pursuant to FAR 52.216-31, if price is expected to be based on commercial items, separate Loaded Hourly Labor Rates are not required for Prime contractor labor, each Subcontractor, and/or Affiliate labor. The Contractor must specify fixed hourly rates in its offer that include wages, overhead, general and administrative expenses, and profit. The Contractor must specify whether the fixed hourly rate for each labor category applies to labor performed by the Prime Contractors, each Subcontractor, and/or each Division, Subsidiary, or Affiliate.

The Department of Defense (DoD) has issued a final rule in the Federal Register, 73 FR 227, amending the Defense Federal Acquisition Regulation Supplement (DFARS) to address review and documentation requirements pertaining to the use of time-and-materials contracts for the acquisition of non-commercial services. The rule provides for the same level of review for both commercial and non-commercial DoD time-and-materials contracts. Please check agency guidance for the level of review.

Incentives

The OCO must evaluate and determine the appropriateness of all Incentive terms, and develop surveillance plan to implement and monitor an Award-Fee, Incentive-Fee, or Award-Term result in accordance with FAR 15.4, Pricing, and FAR 16.4, Incentive Contracts. This is an area of increasing regulatory oversight pursuant to Section 867 of NDAA 2009, P.L. 110-417. OCOs considering incentives are reminded of their obligations under FAR 1.602-2, and consider the FAR interim rule on award fee contracting at 74 FR 52856 that implements Section 814 NDAA 2007 and Section 867 NDAA 2009. The Office of Federal Procurement Policy guidance has issued a memorandum dated December 4, 2007, entitled “Appropriate Use of Incentive Contracts”.

Organizational Conflicts of Interests

Incumbency on its own does not guarantee or create an Organizational Conflict of Interest. See H.12 Organizational Conflict of Interest in the contract and FAR 9.5, Organizational and Consultant Conflicts of Interest for guidance. Also to mitigate potential conflicts of interest, see H.13 Conflict of Interest Mitigation Plan which states:

- (a) Notify the PCO and OCO of a potential conflict, and;
- (b) Recommend to the Government an alternate tasking approach which would avoid the potential conflict, or
- (c) Present for approval a conflict of interest mitigation plan that will:
 - 1. Describe in detail the TO requirement that creates the potential conflict of interest; and
 - 2. Outline in detail the actions to be taken by the Industry Partner in the performance of the task to mitigate the conflict, division of subcontractor effort, and limited access to information, or other acceptable means.
- (d) The Industry Partner shall not commence work on a TO related to a potential conflict of interest until specifically notified by the PCO and OCO to proceed.
- (e) If the PCO and OCO determine that it is in the best interest of the Government to issue a TO, withstanding a conflict of interest, a request for waiver shall be submitted in accordance with FAR 9.503.

RFI Support

Upon request, the Center will support a survey of industry partner capabilities in order to facilitate customer acquisition planning. Please contact the VETS GWAC PCO for assistance at vetsgwac@gsa.gov.

Order Level Size Rerepresentation (OSR)

Quality of service delivery and *socioeconomic public policy* (e.g. small business goals/socioeconomic credit) are key reasons why government customers use the VETS GWAC. *Quality of service delivery* is assured by the evaluation process required of industry partners to win a position on the GWAC, and also by the flexible customer controlled task order evaluation and award process during which customers control evaluations techniques designed to select a contractor to fulfill their mission objectives.

In support of *socioeconomic public policy*, all prime contractors on these GWACs were duly recorded as service disabled veteran owned small business concerns in FPDS-NG at GWAC award, making them *small businesses on the GWAC* – a term of art that is beneficial for customers to know. However, as time passes, circumstances sometimes change for an individual contractor whereby it is no longer considered a small business concern in general, and more limited circumstances can make an individual contractor no longer considered a small business concern on a federal contract, such as the VETS GWAC.

This matters, because in order to award a task order to a service disabled veteran owned small business on the GWAC, the selected industry partner must not have had a change in circumstances to its small business status resulting in it becoming an *other than a small business on the GWAC*.

Questions and Answers for OSR

What are the basic small business size rerepresentation (SR) regulations that govern these matters?

FAR Clause [52.219-28](#) (www.acquisition.gov)
FAR Final Rule 74 FR 11821 as corrected by 74 FR 14492
(www.gpoaccess.gov)
SBA Final Rule 71 FR 66434 (www.gpoaccess.gov)

There are additional SBA regulations applicable to specialty socioeconomic programs, such as the service-disabled veteran-owned (SDVO) small business (SB) program (13 CFR 125.8 – 13 CFR 125.28). The SDVO small business program has two prongs: a) small business status and b) program considerations. The focus here is how to award task orders to industry partners that remain *small businesses on the GWAC*, as then both SB and SDVO credit will follow.

How do I know if a VETS GWAC industry partner remains a *small business on the GWAC*?

The Small Business GWAC Center maintains a list, presently in spreadsheet format, on the VETS GWAC website, www.gsa.gov/vetsgwac under the “List of VETS Contract Holders” tab, page left. Industry partner small business status is indicated on the list.

What circumstances lead to a VETS GWAC industry partner becoming *other than a small business on the GWAC per the SR regulations*?

There are two conditions that trigger that eventuality, on the schedule established in the SR regulations cited above:

- 1) Organic growth (not a trigger during the base period)
- 2) Merger or acquisition

As a government customer, what may I do with this information to assure task order award to an industry partner that remains a *small business on the GWAC*?

Because there might be a slight lag between a company becoming other than small, and it fulfilling its obligation to report to GSA pursuant to FAR 52.219-28, which provides for such reporting to be slightly in arrears, the Center recommends that ordering contracting officers (OCOs) not simply rely upon the information about industry partner size status maintained at www.gsa.gov/vetsgwac, and instead implement an Order Size Rerepresentation (OSR). Pursuant to SBA’s final rule, GAO and the Federal Courts have upheld a procuring agency’s authority to request size certifications with respect to particular orders. *See LB&B Associates, Inc. v. U.S.*, 68 Fed. Cl. 765 (Fed. Cl. 2005); *CMS Information Services, Inc.*, B–290541, Aug 7, 2002, 2002 CPD ¶ 132. Accordingly, an OCO has the discretion to require a rerepresentation of the VETS GWAC prime contractors’ size status as a condition of order award. A template for implementing OSR (OSR Template) is provided later in this section.

I noted on a GWAC list of industry partners that certain firms were not identified as small businesses on the GWAC. Is it permissible to allow them into competitions for task orders?

Yes, pursuant to the SR regulations cited above. However, a task order award to such an industry partner is not expected to result in socioeconomic credit. OSR should not be utilized if all GWAC prime contractors will be considered to task order award. (At this time, all VETS GWAC industry partners are still small.)

As a VETS GWAC prime contractor, what can I do to make sure my size status is accurately represented to the Federal Government?

- Comply with the notification requirements of FAR 52.219-28
- Keep ORCA up-to-date

As a VETS GWAC prime contractor, what can I do if a task order solicitation isn't clear about the intention vis-à-vis OSR?

- Immediately seek clarification from the ordering contracting officer about their intent for OSR
- OSR is clearly indicated if a task order opportunity applies the OSR template guidance

See Appendix VII for OSR Template

Step 2: Define Requirement (SOW, PWA, SOO) and Develop Solicitation (RFP/RFQ)

Agencies are encouraged to use Performance-Based Service Acquisition (PBSA) to the maximum extent practicable. As a reminder, OCOs may request scope reviews at any time during the acquisition process and are encouraged to do so prior to soliciting proposals. See the related section in this ordering guide.

A best practice is to invest sufficient time and effort up front to write a clear high quality performance work statement that will enable offerors to clearly understand the requirement and needs of the agency. This should enable offerors to more accurately price their proposals and submit higher quality technical proposals. Furthermore, it provides a baseline for the development of other parts of the solicitation, particularly the evaluation criteria technical proposal instructions which are discussed in the paragraph below "Solicitation (RFP/RFQ)". A clearly defined requirement also facilitates a more accurate independent price estimate and prospectively more accurate budgeting for option periods. Potential post award benefits include minimizing the need for change orders better assessment criteria for assessing contractor performance and reduced claims and disputes.

Performance-Based Service Acquisition

Performance-Based Service Acquisition (PBSA), a/k/a Performance-Based Contracting, means an acquisition structured around the results to be achieved as opposed to the manner by which the work is to be performed. The Office of Federal Procurement Policy (OFPP) recommends that a performance work statement (PWS)/statement of objectives be utilized, to the maximum extent practicable, when acquiring services in accordance with FAR 37.102(a) [DFARS 237.170-2]. Pursuant to FAR 37.601, performance-based contracts for services shall include:

- a performance work statement (PWS)
- measurable performance standards
- method of assessing contractor performance against performance standards
- performance incentives where appropriate

Performance Work Statement (PWS)

A PWS identifies the technical, functional and performance characteristics of the Government's requirements. The PWS describes the work in terms of the purpose of the work to be performed rather than how the work is to be accomplished or the number of hours to be provided.

Statement of Objectives (SOO)

A SOO is a variant of the PWS. It is often a very brief document, which summarizes key agency goals and outcomes, to which contractors respond with solutions. It is different from a PWS approach in that offerors are asked to develop and propose a PWS, technical approach, performance standards/metrics and acceptable quality levels (commonly called a Performance Requirement Summary), incentives/disincentives, a quality assurance surveillance plan (typically based upon commercial practices) and pricing. According to FAR 37.602(c)(1-6), at a minimum, a SOO should contain the following information:

- Purpose
- Scope or mission
- Period and place of performance
- Background
- Performance objectives (*i.e.*, required results)
- Any operating constraints

Upon award, the SOO, the agreed upon PRS, incentives/disincentives (if any) and pricing should be incorporated into the resulting task order.

Develop Solicitation (RFQ/RFP)

A solicitation may be in the form of a Request For Proposal (RFP) or a Request For Quote (RFQ). It must include a SOW/PWS/SOO, evaluation factor(s), contract type, period and place of performance, due date, applicable proposal instructions, and other information (e.g., agency specific clauses) identifiable to the work effort.

The RFP will include evaluation factors tailored to the specific requirement. Cost or price must be an evaluation factor for all task orders. Other factors should be limited to those few that are meaningful discriminators among competing offers on which a selection may be based. As previously mentioned it is a best practice to ensure that requirements are as specific and clearly defined as possible, commensurate with the applied task order type(s). A well-defined PWS facilitates a better understanding of the requirement by a greater number of prospective offerors. This will promote enhanced competition as well as increased use of FFP contracts, the preferred contract type. An additional best practice is to provide clear instructions for proposal preparation as well as keeping the required submissions to the minimum necessary. This combined with streamlined evaluation factors should result in reduced administrative costs and time for both the contractor and government in the proposal preparation and evaluation process. In addition, this facilitates increased competition and reduced procurement lead times, enabling contractors to provide more innovative solutions at better prices.

Additional FAR and/or Any Specific Provisions and Clauses

Provisions and clauses that supplement the FAR, which are prescribed and included in authorized agency acquisition regulations, may be added at the task order level so long as they are not inconsistent with the Basic Contract's terms and do not exceed its scope. The basic contract terms and conditions may be viewed at www.gsa.gov/vetsgwac in the

Contract Library. If the OCO intends to follow FAR Part 12, Acquisition of Commercial Items,, OCOs should structure the task order RFQ/RFP accordingly. The OCO is responsible for clearly identifying the applicable provision and clause configuration in task order RFQs/RFPs. .

Service Contract Act (SCA)

Regardless of the contract type used in a task order, OCOs should apply SCA wages and include SCA related clauses to the SCA-covered portion of task order RFQ/RFP (when work is to be performed by service employees, and at the level, as defined in the SCA), and resulting task order.

Davis Bacon Act (DB) & Incidental Construction

Regardless of contract type used in a task order, OCO's should apply DB wages and include DB related clauses to the incidental construction portion of any task order RFQ/RFP, and resulting task order, when the value of work subject to DB considerations exceeds the \$2,000 DB threshold (FAR 22.403-1). Ordering Contracting Officers are reminded that IT Services must remain the principle purpose of all task orders.

Subcontracting Considerations

In accordance with the 13 CFR 125.6, a small business concern contracting for services will perform at least 50 percent of the personnel cost of the contract with its own employees. There is a special provision for SDVOSB contractors with regard to subcontracting stating that in the case of a contract for services (except construction), the Service-Disabled Veteran-Owned Small Business Concern (SDVOSBC) must perform at least 50% of the personnel cost of the contract with the concern's employees and/or on the employees of other SDVOSB concerns. OCOs may check the owner status of anticipated subcontractors. This is also in the contract in FAR Clause 52.219-14, Limitation on Subcontracting. All contract holders are responsible for managing the balance of workload being performed under their contract(s). Based upon 74 FR 52583, FAR 52.215-22 and FAR 52.215-23 are applicable to DOD task orders

Contract sections G.17 and G.24 establish subcontracting tracking and reporting requirements for VETS GWAC prime contractors. As stated on page 11 of this guide under the caption "Describing Requirements", though not required to do so, OCOs may establish the amount of participation required of SDVOSBs on a given task order as a go-no go evaluation factor for order award or as a comparative evaluation factor in a tradeoff evaluation when they deem it is in the Government's interests.

It is a requirement of the VETS Industry Partners to submit semi-annual subcontracting reports to the Small Business GWAC Center. Prime contractors are responsible for performing greater than 50% of the work at the contract level per 52.219-14. It is a best practice to require industry partners to disclose the amount of work they intend to perform with their own resources in quotations and proposals which don't establish an SDVOSB participation evaluation factor by asking for it in requests for quotation and requests for proposal, respectively. A good rule of thumb at the order level is for the small business prime contractor to be expected to perform around 50% of the work itself. If that's not the case, contact the Center for guidance.

It is reasonable and routine that on larger tasks SDVOSB prime contractors may significantly rely upon capacity building through subcontracting with other SDVOSB firms, or other than SDVOSB firms, to provide scalability in the early stages of performance. It is reasonable to consider the total prospective life cycle of an order, including options,

when evaluating how much work the prime and SDVOSB subcontractors, if any, plan to perform for a given task order. This life cycle perspective permits SDVOSB primes to use their judgment in teaming to fulfill customer requirements, and to manage the expected SDVOSB participation over the full span of an order.

Consent to subcontract pursuant to FAR 44.2 is applicable. OCOs may require subcontractor responsibility determinations of prospective subcontractors per FAR 9.103 and 9.104-1. Subcontractor approval is not required at the contract level.

OCO consent to subcontract may be implemented in accordance with FAR 44.2 Consent to Subcontracts, and FAR 52.244-2, Subcontracts.

Pass Throughs

Primes are expected to perform a meaningful amount of work on every task order awarded against VETS. For DOD OCOs, 73 FR 27464 and 72 FR 20758 provide legacy approaches for DOD regarding excessive pass through charges, and that DFAR 815.215-7003 and -7004 are overtaken by the FAR clauses 52.215-22 and 52.215-23.

Order Duration

Orders may be awarded during the VETS GWAC basic contract's life, which is also referred to as the Contract Ordering Period (COP). The COP is for a base period of five years with one, five-year option.

Base Ordering Period:	Feb. 2, 2007-Feb. 1, 2012
Option Ordering Period:	Feb. 2, 2012-Feb. 1, 2017

Task order duration, provided the order is issued during the GWAC's ordering period, is not dependent upon the Center exercising the option of the underlying GWAC/basic contract. Orders may be issued for a term consistent with the customer agency's policy on task order duration with one limitation - proposed orders that may run beyond the final day of the underlying GWAC ordering period (February 2, 2007-February 1, 2012, with one, five-year option) are subject to additional duration conditions established in the GWAC. Generally this limits task orders to three years beyond the final day of the contract option ordering period, which would mean all orders would have to be substantially completed by February 1, 2020. OCOs shall confer with the Center about the particulars in these cases.

Insurance

Before work on any task, the Industry Partner shall provide statement of insurance upon request. See H.10, Insurance and H.11 Deductibles under Required Insurance Coverage & Cost in the Contract. Insurance clauses incorporated by reference are as follows:

FAR (48 CFR Chapter 1) Clauses Incorporated by Reference

CLAUSE NO.	TITLE	DATE
52.228-3	WORKERS' COMPENSATION INSURANCE (DEFENSE BASE ACT).	APR 1984
52.228-5	INSURANCE - WORK ON A GOVERNMENT INSTALLATION	JAN 1997

52.228-7	INSURANCE – LIABILITY TO THIRD PERSONS	MAR 1996
552.228-5	GOVERNMENT AS ADDITIONAL INSURED	MAY 2009

Step 3: Issue Solicitation - Offer Fair Opportunity

The VETS GWAC contracts were awarded using a competitive service-disabled veteran-owned small business set-aside process resulting in multiple awards,. While not required, small business status on the GWAC will often be a key consideration in task order competitions. The Government may implement the Order Size Rerepresentation discussed in Step 1, above, in task order RFQs and RFPs as an eligibility consideration in determining the industry partners eligible to compete for each task order.

Since the VETS GWAC is a multiple-award, indefinite-delivery, indefinite-quantity contract, Fair Opportunity to be Considered (refer to FAR 16.505(b), and for DoD customers, refer to DFARS 216.505-70) shall be given to all eligible primes for each opportunity exceeding the micropurchase threshold, unless an exception established in FAR 16.505, or additional statutory authority, applies. That is consistent with Section 843 of the National Defense Authorization Act (NDAA) of 2008 (replacing Sec. 803 NDAA 2002) which maintains that, for task or delivery orders in excess of **\$5,000,000**, the contracting agency's obligation to provide a fair opportunity to be considered is not met unless all eligible contractors are provided the following (at a minimum):

- 1) A notice of the Order that includes a clear statement of the agency's requirements
- 2) A reasonable period of time to provide a proposal in response to the notice
- 3) Disclosure of the significant factors and subfactors, including cost or price, which the agency expects to consider in evaluating such proposals, and their relative importance
- 4) In the case of an award that is to be made on a best-value basis, a written statement documenting the basis for the award and the relative importance of quality and price or cost factors
- 5) An opportunity for a post-award debriefing if timely requested

The method to obtain fair opportunity is at the discretion of the OCO, and it must be documented.

It is a best practice to ensure that work statements are as specific and clearly defined as possible, commensurate with the applied Order type(s). It is also a best practice to keep RFQ/RFP submission requirement to the necessary minimum, which can promote competition. The OCO is responsible for completing and documenting price reasonableness (where price analysis is warranted).

The Government may disseminate RFIs/RFQs/RFPs via e-mail, facsimile, GSA's e-Buy at www.gsa.gov/ebuy, commercial mail carrier or other electronic means as prescribed by the OCO's agency. Solicitation synopsis in FedBizOpps is not required or recommended under indefinite delivery contracts. The use of any one of the preceding mediums to broadcast an RFQ/RFP notice to all contract holders satisfies the Fair Opportunity to be considered notification requirement.

Note to GSA OCOs: The VETS GWAC contracts are available in ITSS in the VETS GWAC VETS1 and VETS2 contract families.

The following pertains to ALL task order competitions:

- State that the RFP/RFQ is against the VETS GWAC, and the applicable FA
- Set a RFI/RFQ/RFP response time to meet agency needs & promote competition
- Evaluation criteria will be established in the RFQ/RFP (price or cost will always be a criterion), pursuant to FAR 16.505 with the aim of achieving best value. FAR part 15 evaluations are not required, but if the announced evaluation structure replicates it, it increases the expectation it will be seen as such. If a FAR Part 15 task order solicitation process is not intended, it is a best practice to disclaim that in your RFQ/RFP. FAR 16.505(b)(1)(ii) provides great latitude in designing a streamlined evaluation methodology (e.g., multi-phased approach), and we encourage utilizing that latitude in ways which are reasonable for your requirements. A multi-phased best practice is provided below.
- Past experience may be evaluated at the prime or the subcontractor level depending on Ordering agency needs.
- Past performance was a criterion for Basic Contract award. OCOs are encouraged to use past performance as an evaluation criterion for task orders estimated to exceed \$100,000. DoD activities have a FAR deviation 99-00002, issued 1-29-1999, requiring past performance to be evaluated for IT work exceeding \$1,000,000.
- NDAA 2008 requires a reasonable response time be selected when providing fair opportunity to be considered (and, at equity, that's a best practice regardless of NDAA 2008.)
- Either tradeoff or low price - technically acceptable evaluations are valid best value methods, and are authorized at the RFQ/RFP level.
- The OCO may use oral presentations.
- The OCO must evaluate task order quotes and offers consistent with the evaluation methodology established for the procurement.
- The OCO may evaluate quotations and proposals without discussions, and if that is the intent, should make that a clear expectation in the Order RFQ/RFP. If the OCO intends to award using a methodology that includes discussions, that should be clearly identified in the Order RFQ/RFP.
- A period of performance and/or a desired completion date
- Milestones and/or performance schedule (if not a SOO)
- Request subcontractor information (amount of work proposed to be performed by the SDVOSB prime, SDVOSB subcontractors). For certain tasks, OCO's may want to require prime contractors to provide subcontractor responsibility determinations (FAR 9.103 and 9.104-1) and consent to subcontract in task orders (FAR 44.2). OCOs may require a minimum SDVOSB level of participation for an individual task order as a go-no go evaluation criterion, or comparatively assess the level of SDVOSB participation in a tradeoff evaluation.
- Add any agency specific or additional FAR clauses needed at the task order level
- Davis Bacon applicability
- Service Contract Act applicability
- CONUS considerations
- Clearances
- Order terms (contract type)
- Clause configuration
 - Implementation of FAR 12 procedures, if desired
- Order level size rerepresentation, if applicable, (see Section entitled Order Level Size Representation)
- Insurance requirements
- Rights in Data

- Fair Opportunity Exceptions

Some acquisitions, though infrequent, may require an OCO to utilize a Fair Opportunity exception enumerated at FAR 16.505(b)(2)(i-iv) (for DoD that is 216.505-70), or other statutory authority. When one or more exceptions to Fair Opportunity based on FAR 16.505(b)(2) (or the DoD equivalent) is warranted, the OCO must cite and substantiate the exception(s). If a statutory exemption is utilized, it should be explained in the order record. The FAR 16.505(b)(2) exceptions are:

1. The agency need for the supplies or services is so urgent that providing a fair opportunity would result in unacceptable delays

Use of this exception is appropriate under circumstances similar to the authority of FAR 6.302-2 [DFAR 206.302-2, PGI 206.302-2].

2. Only one awardee is capable of providing the supplies or services required at the level of quality required because the supplies or services ordered are unique or highly specialized

(i) Use of this exception should be rare. Its use is appropriate when—

- (A) No other contractor is capable of providing a service or services-based solution of a comparable nature; and
- (B) No other type of services or services-based solution will satisfy agency requirements.

(ii) When using this exception, the *justification* should explain—

- (A) What is unique or highly specialized about the service or services-based solution; and
- (B) Why only the specified contractor can meet the requirement.

Use of this exception is appropriate under circumstances similar to the policy of DFARS PGI 216.505-70(1).

3. The order must be issued on a sole-source basis in the interest of economy and efficiency as a logical follow-on to an order already issued under the contract, provided that all awardees were given a fair opportunity for the original order

i) A follow-on order is a new procurement placed with a particular contractor to continue or augment a specific program or service. When using this exception, the *justification* should discuss why the specific requirement continues and why it is to the benefit of the Government for the particular contractor to continue this work (see FAR 16.505(b)(4)). Examples include—

- (A) Award to any other source would likely result in substantial duplication of cost to the Government that is not expected to be recovered through competition;
- (B) Award of the order to a different source would cause unacceptable delays in fulfilling the Government's requirements (lack of advance planning is not valid rationale); or
- (C) A contractor is already at work on a site, and it would not be practical to allow another contractor to work on the same site.

(ii) When using this exception—

- (A) Specify how recent the previous competitive order was and the number of times this exception has been used;
- (B) Discuss why the specific requirement continues; and
- (C) Discuss why it would be of benefit to the Government for the specified contractor to continue this work.
- (D) Verify that the work would not be more suited to a modification to the contract instead of a follow-on task order. If the change is too large in magnitude this exception may be appropriate.

Use of this exception is appropriate under circumstances similar to the policy of DFARS PGI 216.505-70(2).

4. It is necessary to place an order to satisfy a minimum guarantee

This exception is reserved to the Center.

Advance written PCO notification is requested prior to an OCO using any of these fair opportunity exceptions.

Streamlined/Multi-Phased Task Order Competitions

A multi-phased approach is a streamlined evaluation process that may be used to save time and resources for the contractor and the Government. There are several benefits to a streamlined multiphased approach, such as reducing the time and resources expended in the competition, lowering proposal preparation costs, and improving the exchange of information between the Government and the offerors. Regardless of the approach chosen, all contractors must be afforded a Fair Opportunity to be considered. Representatives from the Small Business GWAC Center are available for consultation on the various multi-phased approaches. Additional written guidance will be posted on the website under Best Practices.

Various multi-phased approaches are feasible. The best practice recommended by the Small Business GWAC Center is outlined below, and consists of two phases:

Phase One

1. Develop a preliminary RFQ or RFP that includes salient characteristics of the specific requirement (e.g. work synopsis, security clearance needs, specialized information, certifications required, deliverables, response requirements, etc.) and discloses the general basis on which selections will be made.

- Instruct contractors to inform the OCO of their affirmative interest in the competition by the date shown in the preliminary RFQ or RFP, or they will not be included in phase two (stating that a non-response in the affirmative will constitute an opt-out.)
- Establish a response deadline that makes sense for phase one, understanding that the bid/proposal effort for phase one is typically minimal for the prime contractors, unless more detailed information is required than what is suggested in this Phase One best practice (a few

days will typically suffice – VETS industry partners have an affirmative duty to actively monitor VETS fair opportunity channels.)

- Transmit the preliminary RFQ/RFP to the entire list of awardees to determine their interest in the competition, permitting them to opt-in or opt-out of phase two. GSA's e-Buy is recommended, which will allow the OCO to include only VETS industry partners, and provides proof that that it was posted. Industry partners are responsible for monitoring e-Buy and keeping their information in it current. GSA OCOs may also use GSA IT Solutions Shop and should select the appropriate contract family associated with VETS.

2. Maintain a record of the preliminary RFQ/RFP transmittal and responses in the Order file to document use of fair opportunity procedures. Save transmission failure notices for the record. Make sure to reasonably triage and address any transmission failures to ensure fair opportunity to be considered is provided. Consult the VETS PCO for advice on transmission failures. Using E-Buy provides a high degree of assurance that fair opportunity to be considered has been provided even when a VETS industry partner doesn't reply to an opportunity due to the business rules built into it for VETS, and because contractors maintain their own registrations in that system, which is why it is recommended.

3. The OCO must include all VETS contractors that have indicated interest in further consideration/opted-in for phase two, but not those who did not respond in the affirmative under phase one.

Phase Two

Please ensure that all VETS prime contractors who opted-in during Phase One receive a copy of the full RFQ/RFP in Phase Two. Historically, this process reduces the number of proposals by targeting those industry partners who have researched their current capabilities and availability, and provides useful acquisition planning/logistical/milestone information.

Step 4: Evaluate Proposals – Price and other considerations

OCO should evaluate proposals based on the terms and methodology stated in the RFP/RFQ to maintain fairness in the order process and mitigate protest risk, and document accordingly.

The OCO is responsible for completing and documenting price reasonableness consistent with FAR 15.4. When adequate price competition exists (see FAR 15.403-1(c)(1)), generally no additional information is necessary to determine price reasonableness.

The Contract Access Fee (CAF) is 0.75% to be applied to the total price for contractor performance as billed to the Government. On all task orders, regardless of order type, Contractors must estimate CAF in their proposals and OCOs may fund CAF as a separate Contract Line Item Number (CLIN). OCOs may require Contractors to include CAF in their offered Loaded Hourly Labor Rate on Time and Materials and Labor-Hour type task orders. The Contractor remits the CAF to GSA in accordance with the contract.

Fixed Price

The OCO must determine fair and reasonable pricing for all Fixed-Price orders in accordance with FAR 15.4, Contract Pricing, and FAR 16.2, Fixed-Price Contracts. See **B.4 SUPPLIES/SERVICES AND PRICES/COSTS** in the contract.

Time and Materials and Labor-Hour

Pre-established Labor Categories

See **B.4.1 –B.4.3** in the contract regarding Fully Loaded Ceiling Rates and Section J, Attachments 2 (Government Site) and 3 (Contractor Site) of the Basic Contract provide competitive Loaded Hourly Labor Rates for 98 labor categories within CONUS for T&M and L-H type task orders only that cap the reimbursement rates. Labor category descriptions can be found in the VETS Contract Library in Attachment 2 to the VETS Contract. The rates are ceilings for: 1) the prime, 2) any divisions, subsidiaries or affiliates of the prime under a common control, and 3) subcontractors at any tier. This ceiling rate labor pricing is posted on VETS GWAC website (www.gsa.gov/vetsgwac) for the contract base period. That is, the contract restricts contractors from billing for a premium/differential for overtime (work in excess of 40 hours in a week), nor for work during irregular hours, weekends or holidays for the 98 established labor categories.

The competitive Basic Contract rates are very useful pricing references for OCOs to incorporate into their price analyses for T&M and/or Labor-Hour order types. This pricing is posted on the VETS GWAC website (www.gsa.gov/vetsgwac) for the base period. The OCO is responsible for considering the place of performance, level of effort, and the mix of labor proposed to perform a specific task being ordered, and for determining that the total price for the task order is appropriate given the requirements and task order type. Competition for task orders is expected to result in even more competitive task order pricing which the OCO should review for fairness and reasonableness in accordance with FAR 15.4, Contract Pricing, and FAR 16.601 Time and Materials Contracts.

The VETS GWAC contract section B.10, FOREIGN AREA TRAVEL/WORK provides for adjustments to the ceiling prices based on foreign area place of performance location.

Upon request of the OCO, the Contractor shall provide other than cost or pricing data, to include, a cost element breakdown of each Loaded Hourly Labor Rate, including Profit and CAF, in accordance with the Contractor's cost accounting system, as well as any other supporting information the OCO deems necessary.

Additional Labor Categories (Clause H.33, Special Personnel Skills)

The OCO is further authorized to establish different labor/skill categories and commensurate loaded hourly rates suited to meet the ordering agency's specific requirements, and determine fair and reasonable pricing in accordance with FAR 15.4, Pricing, and FAR 16.601 Time and Materials Contracts necessary and integral to the IT Service or IT Service Based Solution. Upon request of the OCO, the Contractor shall provide other than cost or pricing data, to include, a cost element breakdown of each Loaded Hourly Labor Rate, including Profit and CAF, in accordance with the Contractor's cost accounting system, as well as any other supporting information the OCO deems necessary.

There are various payments clauses applicable to non-commercial or commercial T&M or LH services procurements. The OCO should ensure that the applicable payments clause(s) is (are) clearly configured and assigned in each task order RFQ/RFP and resulting Order. The FAR prescription for use, and customer agency guidance on each potential payments clause choice and configuration, provides sufficient detail to enable the OCO to complete this responsibility.

Payment and Proposal Requirements on T&M and L-H Orders

For payments on T&M/L-H Orders, Contractors are subject to FAR 52.232-7 Payments Under Time-and-Materials and Labor-Hour Contracts.

For proposal evaluation requirements on T&M/L-H Orders, the OCO must determine which of the following conditions apply, and evaluate accordingly.

With Adequate Price Competition:

Pursuant to FAR 52.216-29, if price is expected to be based on adequate price competition, the Contractor must provide "separate and/or blended" Loaded Hourly Labor Rates for Prime contractor labor, each Subcontractor, and/or each Division, Subsidiary, or Affiliate. The Contractor must specify whether each Loaded Hourly Labor Rate applies to the Prime contractor, each Subcontractor, and/or each Division, Subsidiary or Affiliate.

For the Department of Defense, pursuant to FAR 52.216-29 with DFARs 252.216-7002, Alternate A, if price is expected to be based on adequate price competition, the Contractor must only provide "separate" Loaded Hourly Labor Rates for Prime Contractor labor, each Subcontractor, and/or each Division, Subsidiary, or Affiliate. The Contractor must specify whether each Loaded Hourly Labor Rate applies to the Prime contractor, each Subcontractor, and/or each Division, Subsidiary or Affiliate.

Without Adequate Price Competition:

Pursuant to FAR 52.216-30, if price is not expected to be based on adequate price competition, the Contractor must identify and provide "separate" Loaded Hourly Labor Rates for Prime contractor labor, each Subcontractor, and/or each Division, Subsidiary, or Affiliate."

Commercial Items:

(1) Pursuant to FAR 52.216-31, if price is expected to be based on commercial items, separate Loaded Hourly Labor Rates are not required for Prime contractor labor, each Subcontractor, and/or Affiliate labor. The Contractor must specify fixed hourly rates in its offer that include wages, overhead, general and administrative expenses, and profit. The Contractor must specify whether the fixed hourly rate for each labor category applies to labor performed by the Prime Contractors, each Subcontractor, and/or each Division, Subsidiary, or Affiliate.

DoD has issued a final rule in the Federal Register, 73 FR 227, amending the Defense Federal Acquisition Regulation Supplement (DFARS) to address review and documentation requirements pertaining to the use of time-and-materials contracts for the acquisition of non-commercial services. The rule provides for the same level of review for both commercial and non-commercial DoD time-and-materials contracts. Please check agency guidance for the level of review

Incentives

The OCO must evaluate and determine the appropriateness of all Incentive terms, and develop surveillance plan to implement and monitor an Award-Fee, Incentive-Fee, or Award-Term result in accordance with FAR 15.4, Pricing, and FAR 16.4, Incentive Contracts. This is an area of increasing regulatory oversight pursuant to Section 867 of NDAA 2009, P.L. 110-417. OCOs considering incentives are reminded of their obligations under FAR 1.602-2, and .consider the FAR interim rule on award fee

contracting at 74 FR 52856 that implements Section 814 NDAA 2007 and Section 867 NDAA 2009. The Office of Federal Procurement Policy guidance has issued a memorandum dated December 4, 2007, entitled "Appropriate Use of Incentive Contracts".

Contractor Responsibility – Task Order Level

Overall responsibility has been determined for each GWAC contractor. However, in accordance with FAR 9.405-1 and the Office of Federal Procurement Policy Memorandum, "Contractor Responsibility Determinations and Indefinite-Delivery Contracts," dated April 16, 2002, it is highly recommend that OCOs complete and document an Excluded Parties List review on contractors they intend to award task orders to prior to making each task order award.

This policy is also consistent with DFARS 209.405-1.

Cancellation of Requirement

Cancellation of a task order RFQ or RFP may be necessary when:

- (1) Services are no longer required, or are significantly changed;
- (2) All offers received are at unreasonable prices, or only one offer is received and the contracting officer cannot determine the reasonableness of the price;
- (3) For other reasons, cancellation is clearly in the public's interest.

It is courteous to industry to announce when RFP/RFQ is canceled. Cancellation of a requirement may be posted in GSA's e-buy, <https://www.ebuy.gsa.gov>

Step 5: Task Order Award Documentation, Debriefings and Protests

Award Documentation

FAR 16.505(b)(5) -- Ordering, states that the OCO shall document in the Order file the rationale for placement and price of each Order, including the basis for award and the rationale for any tradeoffs among cost or price and non-cost considerations in making the award decision. This documentation need not quantify the tradeoffs that led to the decision. The contract file shall also identify the basis for using an exception to the fair opportunity process. If the agency uses the logical follow-on exception, the rationale shall describe why the relationship between the initial Order and the follow-on is logical (e.g. in terms of scope, period performance or value).

The document supporting the award should be sufficiently detailed to clearly explain why the contractor was selected for award.

Task orders may be issued on any Federal Agency authorized form. Task orders may be distributed by mail, fax or e-mail. Oral Orders are not authorized. In accordance with the delegation of procurement authority, one copy of the task order and any subsequent modifications, along with a copy of the SOW/PWS/SOO, shall be uploaded in the GWAC Management Module in ITSS <https://web.itss.gsa.gov> or <http://itss.gsa.gov>. In lieu of uploading to the GWAC Management Module, the documents may be faxed or e-mailed to the Center at (816) 823-1608 vetsgwac@gsa.gov, respectively.

Task Order Funding

- 1) Funding for each task order shall be at the task order level.
- 2.) Incremental funding strategies may be used when consistent with customer agency policy.

Announcement of Task Order Award

Announcement of task order award to all competing offerors is strongly encouraged when fair opportunity to be considered is provided, especially for awards greater than \$5,000,000. It is highly recommended that task order awards greater than **\$5,000,000** be announced by a means that shows verifiable receipt by the competing offerors, e.g., using www.fedbizopps.gov, or a mail carrier (United States Postal Service or common commercial carrier) with verified delivery. Simply transmitting an award notice to all competing prime contractors doesn't establish their receipt of the notice, so faxing and mailing without verifiable receipt is not recommended. If using the multi-phased approach outlined in this ordering guide, the competing offerors are only those that opted into phase two.

Reliance on entry into the Federal Procurement Data System for award announcement is not recommended. See the Debriefings section for further information.

Debriefing

In accordance with FAR 16.505 (b) (4), debriefings consistent with FAR 15.506, or authorized customer agency supplement, are required when timely requested for Orders greater than **\$5,000,000**. The new debriefing requirement is an impetus for the recommendation that Order awards be announced in a verifiable way (see Ordering Guide topic "Announcement of Order Award"), as announcement will trigger the opportunity period for requesting timely debriefings. As the FAR indicates, while untimely debriefing requests may be granted, they are not required and may be summarily rejected as untimely. Debriefings for Orders less than **\$5,000,000** are also encouraged, but are not required.

Alternative Dispute Resolution

Alternative Dispute Resolution (ADR) procedures increase the opportunity for relatively inexpensive and expeditious resolution of issues in controversy. These procedures may be used at any time that the OCO has authority to resolve the issue in controversy. If the Contractor submits a claim, ADR procedures may be applied to all or part of the claim. When ADR procedures are used after the issuance of a contracting officer's final decision, the time limitations or procedural requirements for filing an appeal of the Contracting Officer's final decision are not altered.

Order Level Protest

In accordance with FAR 16.505 (a)(9)(i) , no protest under **\$10,000,000** is authorized in connection with the issuance or proposed issuance of an Order under a Task-Order Contract or Delivery-Order Contract, except for a protest on the grounds that the Order increases the scope, period of performance, or maximum value of the Contract. The Government Accounting Office (GAO) has exclusive jurisdiction over any protests greater than **\$10,000,000**.

Ombudsman Process

In accordance with FAR 16.505(b)(6) [and 10 U.S.C. § 2304c(3)], complaints related to matters affecting Order award may be directed to the designated Ombudsman. See the Ombudsman Process in the Industry Partner section.

Claiming Socioeconomic Credit in the Federal Procurement Data System – FPDS-NG Reporting

Ordering agencies and third party assisted contracting services are required to report all orders greater than the micropurchase threshold in FPDS-NG, www.fpds.gov in accordance with FAR 4.603. Proper reporting ensures socioeconomic credit will be received. For assistance on coding, please contact the FPDS-NG Helpdesk or the Small Business GWAC Center.

Step 6: Administer and Closeout Order

Quality Assurance – Contractor Surveillance

The OCO is responsible for insuring contractor performance meets the minimum requirements established in the Order, documenting the Order file and communicating with the contractor to ensure the government is receiving the contracted services. If contractor performance monitoring is delegated to a Contracting Officer Representative (COR) or Contracting Officer Technical Representative (COTR) the specific authority/limitations should be documented and a copy provided to the contractor.

Reporting Past Performance

At completion of task order performance, the customer agency is required by FAR 42.1502, Policy to complete a past performance record for the contractor. We recognize customer agencies may already have established past performance systems they routinely utilize (i.e., CPARS or PPIRS), which are acceptable. We would appreciate OCOs sharing findings on the performance of VETS contractors under VETS Orders with the Center. The Center may inquire about contractor performance from time to time by survey or telephone call. OCOs are encouraged to consider 74 FR 31557 regarding contract performance.

Reporting and Order Closeout

The DPA provides details about the expectations for OCOs to report in the GWAC Management Module (GMM.) The VETS team is available to consult with OCOs about those requirements. It is the OCO's responsibility to close out Orders per FAR 4.804 and 4.805 [DFAR 204.804 and 204.805]. Please provide a copy of close out modifications to the Center in accordance with the delegation of procurement authority by uploading in the GWAC Management Module in ITSS at <https://itss.gsa.gov>. In lieu of uploading to the GWAC Management Module, the documents may be faxed or e-mailed to the Center at (816) 823-1608 or vetsgwac@gsa.gov respectively.

Other Contractual Matters

Contract Level Size Rerepresentation

Prior to exercising the GWAC level option period, contractors will be required to rerepresent business size status per FAR 52.219-28, Post Award Small Business Program Rerepresentation.

At the GWAC level VETS GWAC industry partners will have to rerepresent size status during the fifth contract year for the option. If VETS GWAC Prime Contract Holders are not small upon re-representation, their contract will be recoded in FPDS-NG as an "other than small business." An OCO has case law based discretion to require a strict/hard rerepresentation for an individual task order, but it is not required (See OSR Section).

VETS GWAC contract holders will also be required to rerepresent size upon any change in ownership in accordance with FAR 52.219-28, Post Award Small Business Program Rerepresentation.

Federal Register Reference: 71 FR 66434 (SBA Final Rule-11/15/2006)
72 FR 36852 (FAR Interim Rule 7/5/2007)
74 FR 11821 as corrected by 74 FR 14492 (3/19/2009)

All of the prime contractors on the VETS GWAC are service-disabled veteran-owned small businesses pursuant to the Small Business Administration and FAR regulations governing size rerepresentation on long-term contracts. VETS GWAC primes encountering a NAICS code and size standard in a task order solicitation should look to determine if the ordering contracting officer was clear about their intention for including the NAICS code and size standard for Order Level Size Rerepresentation (See below).. It is commonplace for a NAICS code and size standard to be listed, and that doesn't explicitly indicate that an order level size rerepresentation is a solicitation requirement. If an OCO intends to require an order level size rerepresentation (OSR) as a condition of order award, they should explicitly make that assertion in the task order solicitation. Please see the OSR section of this ordering guide. If this issue is unclear, then it needs to be clarified with the OCO.

Guidance for OCOs on the Application of American Recovery and Reinvestment Act (ARRA) of 2009 (the Recovery Act) Pub. L. 111-5

OCO's are reminded to reference OMB Memorandum dated February 18, 2009, Subject: Initial Implementing Guidance for the American Recovery and Reinvestment Act of 2009"; OMB Memorandum dated April 3, 2009, "Updated Implementing Guidance for the American Recovery and Reinvestment Act of 2009" and FAR Interim Rules published in FAC 2005-032 when using ARRA funding for task order requirements (74 FR 14636, 74 FR 14639) GWAC Orders & modifications utilizing Recovery Act funds should be fixed price to the extent practicable. Orders should be competed using fair opportunity.

ARRA solicitations require announcement in FedBizOpps:

- Use the instructions at the Governmentwide Point of Entry (GPE) (<https://www.fedbizopps.gov>) to identify proposed contract actions funded in whole or in part by the Recovery Act. Ensure that the narrative description of the products and services is clear and unambiguous to the general public.

- Title: Begins with the word “**Recovery**” in front of project title; i.e. “**Recovery**: IT Legacy Conversion Project”
- For-pre-solicitation notices the following is also required:
Description Field: Include the following statement before the actual description

“This notice is provided for information purposes only. This opportunity is available only to contractors under the VETS GWAC.”
- GWAC orders and modifications utilizing ARRA funds should be fixed price to the extent practicable.

Contract Access Fee

GSA includes a Contract Access Fee in the labor rates associated with the VETS GWAC. The fee for all orders and modifications is 0.75% (.0075) and is remitted by the contractor to GSA. The ordering activity does not have to pay GSA directly and GSA does not require the access fee be a separate line item on orders.

Rights Reserved by the Procuring Contracting Officer

Only Small Business GWAC Center PCOs are authorized to modify the basic contract terms and conditions of the VETS GWAC. Only Small Business GWAC Center PCOs are authorized to delegate procurement authority. OCOs may not transfer DPA to a non-delegated Contracting Officer. Only a warranted OCO having written authority/DPA from the VETS GWAC PCO may make any required change to a previously issued Order and the change must be in writing.

Industry Partner Responsibilities and Guidance

The Contractor shall provide all management, administrative, marketing, quotation, proposal, clerical and supervisory functions and actions required for effective and efficient contract administration without direct cost to the Government. Please refer to your contract for complete contract requirements.

Subcontracting and Subcontract Reporting

All VETS GWAC prime contractors are required to submit subcontracting data semi-annually. The reporting period runs from February through July with reports due August 31st and from August to January with reports due February 28 (or 29). These reports are reviewed by the Small Business GWAC Center staff for compliance with FAR 52.219-14, Limitations on Subcontracting and 52.219-27, Notice of Total Service Disabled Veteran-Owned Small Business Set Aside. . These reports are a mandatory requirement of the contract. An industry partner's failure to comply with this obligation will result in corrective action, i.e., performance improvement plan, option not exercised, and possible termination of contract.

It is the Industry Partners responsibility to verify the current format and requirements of the Subcontracting Report at www.gsa.gov/vetsgwac. Reporting takes place in <http://itss.gsa.gov> in the subcontracting section.

Reporting period:	February 1 to July 31	Report Due:	August 31
	August 1 to January 31		February 28 (or 29)

Prime contract holders may count work subcontracted out to other SDVOSB contractors as their own work; however, this work shall be identified on the subcontracting report in the GWAC MM. Please refer to G.17 and G.24 of the contract, and also FAR 52.244-2. It is advisable to read the subcontracting information shared with OCOs elsewhere in this guide. Subcontractor approval is not required at the basic contract level. OCO consent to subcontract may be implemented in accordance with FAR 44.2 Consent to Subcontracts, and FAR 52.244-2, Subcontracts.

In accordance with the 13 CFR 125.6, the SDVOSB prime (or employees from other SDVOSB companies) must perform 50% (or more) of the applicable personnel costs for the combined total of all task orders issued to date at six month intervals (13 CFR 124.510(c)). It is reasonable and routine that on larger tasks SDVOSB prime contractors may significantly rely upon capacity building through subcontracting with other SDVOSB firms, or other than SDVOSB firms, to provide scalability in the early stages of performance. This life cycle perspective permits SDVOSB primes to use their judgment in teaming to fulfill customer requirements, and to manage the expected SDVOSB participation over the full span of an order. Subcontracting the labor portion of a task to an SDVOSB who subsequently subcontracts to a non-SDVOSB and reports such work as being completed by an SDVOSB business is inappropriate.

Delegations of Procurement Authority (DPA)

It is a responsibility of the prime contract holder to ensure that any OCO issuing orders against the VETS has a DPA for the VETS GWAC prior to acting on any orders. No work will be performed, no debt or obligation accrued and no payment will be made except as authorized by a bona-fide written order signed by an OCO possessing a duly authorized DPA. If an Industry

Partner is unsure if an OCO has DPA authority, please ask them to provide their written documentation and/or contact the Center for verification.

Meetings

Program Meetings

Industry Partners are requested to attend Program Meetings (PM) in accordance with Section G of the contract. Program Meetings are held on a biannual basis by webinar/netconference, teleconference or in person. The participants at these meetings shall include the Industry Partner Contract Manager, Small Business GWAC Center staff, and other representatives of the Government. Meetings will be scheduled in advance and announcements regarding the meetings will be sent via e-mail. If a meeting is postponed or canceled due to another event, all contract holders will be notified.

Task Order Level Meetings

From time to time meetings will take place between ordering agency representatives and a contractor management representative. Such meetings are useful to address progress on the task(s), problems that have arisen over the past month, and other matters that are pertinent. This will be addressed in individual task orders.

Status Reporting

Industry Partners are required to report status quarterly in accordance with Section G of the contract. The fiscal year is October 1 through September 30. Quarterly status reports shall be e-mailed to vetsgwac@gsa.gov.

This report shall detail all financial, staffing and vacancies, training, marketing, and problems contract-wide by calendar quarter. The format of the report is not specified and left to the discretion of the industry partner.

Reporting period:	January 1–March 31	Report Due:	April 30
	April 1–June 30		July 31
	July 1–September 30		Oct. 31
	October 1–December 31		January 31

Sales Reporting (G.16.2.2 (a) Sales Reporting)

Industry Partners are required to report sales and remit the Contract Access Fee (CAF) of 0.75% (.0075) on the total invoiced amounts (purchase data) quarterly in accordance with Section G of the contract. The fiscal year is October 1 through September 30. "Sales" means the dollar amount of the task order, and "Purchase data" means invoice data. Quarterly sales and purchase data are reported using the GWAC Management Module in IT Solutions Shop:

ITSS: <https://web1.itss.gsa.gov> or <http://itss.gsa.gov>

- Register for the GWAC Management Module (see <http://itss.gsa.gov> or call the ITSS Help Desk for assistance)
- Create new order package (ITSS awarded task orders are auto-populated)
- Add modification data
- Add purchase data
 - Existing contracts/task orders only report "Invoice Total" (aka "sales")
- Add CAF payment data (although payment is not made at this site)

- Add subcontracting data for each reporting period
- Complete “reassignment” action item(s)
- Make corrections/adjustments to previously entered information

Note: Since ITSS awarded task orders are auto-populated only purchase (invoice) data is needed upon data entry.

All unit prices for line items quoted should be fully burdened (inclusive of the entire - regular hourly rate, fringe benefits, product price, any other indirect charges, profit, and the 0.75 percent CAF). When formulating each unit price, the CAF should be applied last.

CAF Payment Remittance and Reporting (G.16.2.2 (b) Contract Access Fee Remittance)

CAF payment for task orders is required quarterly.

Reporting period:	January 1–March 31	Report Due:	April 30
	April 1–June 30		July 31
	July 1–September 30		Oct. 31
	October 1–December 31		January 31

There are three ways to make the Contract Access Fee (CAF) payment as required by **G.16.2.2 (b) Contract Access Fee Remittance:**

1. By paper check, mail to:

General Services Administration
 Governmentwide Acquisition Center- GWAC
 PO Box 970027
 St. Louis, MO 63197

Verify the **contract number** and the **quarter being reported/paid** for are clearly marked on the check.

2. By credit card:

Contact the Small Business GWAC Center

3. By Automated Clearing House (ACH) method. The instructions for setting up an ACH payment are available at <http://itss.gsa.gov>, or will be sent separately on request. Be sure to keep the confirmation tracking number to use in the Sales Reporting function of ITSS.

4. By Wire method. The instructions for setting up a Wire payment are available at <http://itss.gsa.gov>, or will be sent separately on request. Be sure to keep the confirmation tracking number to use in the Sales Reporting function of ITSS.

CAF reporting is required for each CAF Payment is required at <http://itss.gsa.gov> .

Notification of Changes

The Industry Partner shall notify the Small Business GWAC Center when relevant changes occur to their companies. The following are examples:

- Change of contract manager

- Change of contact Information, i.e. (revision to www.CCR.gov is also required.)
 - Address, Fax Number, Phone Number, Email, Website
- Change of ownership (see FAR 42.12 and 52.215-19 Notification of Ownership Changes) Section I.2 of the contract to be combined with the new 30 day size Rerepresentation requirement upon change in ownership in FAR 52.219-28)
- Change of company name (see FAR 42.12)

Contract Modifications, when appropriate, will be issued when all documentation has been received and verified. Review the VETS GWAC website www.gsa.gov/vetsgwac for accuracy of changes.

System Monitoring and Updating

Tasks may be competed using any channel that provides fair opportunity (including e-mail). Such channels/systems as ITSS, e-Buy, agency systems, and a contractor provided e-mail account may be used. Contractors shall maintain their registrations and accounts in the various systems identified by GSA as “fair opportunity channels”, and should diligently monitor them for opportunities. The clear consequence for not monitoring the account regularly could be missed opportunities.

IT Solutions Shop (ITSS): <http://itss.gsa.gov>

Tasks may be competed in IT Solutions Shop. To register, authorization letters to identify the POC that should be listed on the distribution list for IT Solutions need to be faxed to ITSS at (858) 509-8842. The authorization letter must be on company letterhead and signed by a company official identifying their POC on the contract. Contact the ITSS helpdesk or the VETS GWAC PCO if you need assistance.

Industry partners will receive notices regarding opportunities in IT Solutions in their registered e-mail address. Respond in the manner prescribed in the request.

GWAC Management Module of IT Solutions Shop (ITSS): <http://itss.gsa.gov>

The IT Solutions Shop will require data entry for Sales Reporting also in the GWAC Management Information System (MIS), which is a separate module. It will be used to report task orders, input modifications, and allocate CAF payments. (Information in “Sales Reporting”)

e-Buy: <https://www.ebuy.gsa.gov>

Tasks may be competed in e-Buy. Registration in e-Buy is required. After registration, monitoring of e-Buy opportunities is required. Industry partners will receive notices regarding opportunities in e-Buy at their registered e-mail address. Respond in the manner prescribed in the request. To respond to opportunities in e-Buy, go to www.ebuy.gsa.gov. Contact the e-Buy helpdesk or the VETS GWAC PCO if you need assistance.

For solicitations or announcements that are issued to both Functional Areas, contracting officers will select both functional areas, which will appear as two announcements with the same identification number.

Central Contractor Registration (CCR): <http://www.ccr.gov>

All Industry Partners are required to register in the Central Contractor Registration (CCR), and its constituent parts, located on the Business Partner Network website at (www.bpn.gov). Industry Partners will need to maintain complete **up-to-date** registrations and diligently monitor their accounts in CCR. Registrations require **annual** renewal.

Federal Procurement Data System, FPDS-NG, <https://www.fpds.gov/>

The Federal Procurement Data System website collects data regarding Government procurements to provide a broad picture of the overall Federal acquisition process. It can be searched in many ways including contract number, company name, and task order number.

Federal Funding Accountability and Transparency Act Portal, www.ffata.org

This search tool may be used to find data in FPDS-NG. Various search methods can be used such as by contract number, company name, and task order number.

Past Performance Information Retrieval System (PPIRS), www.ppirs.gov

PPIRS is a web-enabled, enterprise application that provides timely and pertinent contractor past performance information to the Department of Defense and Federal acquisition community for use in making source selection decisions. Contractors may view only their own data. A contractor must be registered in the Central Contractor Registration (CCR) system and must have created a Marketing Partner Identification Number (MPIN) in the CCR profile to access their PPIRS information.

Federal Awardee Performance and Integrity Information System (FAPIS), <http://www.ppirs.gov/fapiis.html>

FAPIS is a distinct application that is accessed through the Past Performance Information System (PPIRS) and is available to federal acquisition professionals for their use in award and responsibility determinations. Contractors have no access to FAPIS, but can enter comments on individual tasks or contracts using PPIRS.

Responding to Opportunities

VETS Prime Contractors should respond to opportunities such as opt-in/opt-outs, capabilities request, solicitations, etc. in the manner by the OCO by the time required. No extraneous information will be reviewed unless it was required in the initial request. Industry Partners are strongly encouraged to respond (positive or negative) to all requests sent to them.

VETS GWAC Webpage

In accordance with H. 5, Industry Partner Webpage, all contractors are required to have a VETS GWAC Webpage, which includes the following.

- (1) A conforming version of the contract;
- (2) A list of all team members proposed and their capability/area of expertise;
- (3) A description of the functional area services awarded under the GWAC
- (4) A description of the Industry Partner's quality assurance program;
- (5) GSA's Ordering Guide for the GWAC;
- (6) Corporate points of contact
- (7) A prominent link to the GSA Small Business GWAC Center GWAC website

The specific taxonomy and look/feel/aesthetics of the web content remains at the discretion of the Contractor. The web site content shall be deployed and operational within 30 calendar days of Contract award.

Exit Strategy/Off Ramp

In accordance with G. 23, Exit Strategy/Off Ramp at the Option Period and Rerepresentation, a Contract holder must have amassed at least \$500,000 in *eligible* orders on their contract to be

eligible for the option period. If the contract holder does not achieve at least \$500,000 in orders during the base period, the Government simply will not exercise the option.

Higher Risk Work Scope Areas

Higher risk work scope areas can IT services and IT services-based solutions, if established properly. When under representation of IT professional services and over representation of non-IT services and/or products can occur, it is problematic. For the current definition of IT see Federal Acquisition Regulation (FAR) 2.101 (<http://acquisition.gov/far/index.html>). Due diligence and consultation with the Center and the OCO's legal and technical advisors are strongly advised when requirements include the following types of work:

- Business Process Re-engineering
- Cabling and Wiring
- Call Centers
- Contingency Planning
- Data Entry
- Disaster Preparedness/Recovery
- Documentation
- Enterprise Resource Planning
- Equipment Inventory and Maintenance
- Hardware/Software Maintenance
- Help Desk

All task orders shall be for IT services and IT services-based solutions.

Construct quotes and proposals consistent with the contract,. All options shall be priced. FOB Destination shipping is expected unless otherwise specifically permitted by the RFQ/RFP. Section 508 compliance assurances shall be included in quotes/proposals upon request.

Not Allowed on VETS GWAC

- Renting/leasing (*it is permissible for a contractor to enter into rental or lease agreements to fulfill task order requirements and to provide them "as a service", but the government will not be a party to them. If space is leased by the contractor, except for government COTRs, the government will not become a tenant*).
- Blanket Purchase Agreements
- Cost Reimbursement Contracts/Task Orders
- Orders for which IT Services outcomes are not the principle purpose
- Orders for which supplies, software licenses or furnishing hardware are the principle purpose

Orders or RFQs/RFPs that are not primarily IT Service Orders shall be referred to the PCO of the VETS GWAC for review.

Past Performance

Please monitor your organization's task performance status in the Past Performance Information Retrieval Systems (www.ppirs.gov) . Effective July 1, 2009, contractor performance information is required to be housed in PPIRS in accordance with 42.1502. Contractors have the right to contribute to the interim and past performance record by monitoring PPIRS records pertaining to them, and entering information into PPIRS (such as, but not limited to, information to tell their version of events or to amplify the record)

Ombudsman Process

In accordance with FAR 16.5 disputes related to matters affecting order award may be directed to the GSA Ombudsman. The Office of the Ombudsman:

General Services Administration
Special Assistant for Contracting Integrity, Office of Acquisition Policy (MV)
1800 F Street, NW – ROOM 4031
Washington, DC 20405-0002
Telephone: (202) 501-4770, FAX: (202) 501-1986

Roles and Responsibilities

GSA is designated by OMB to issue the GWACs under our purview, and with that designation rests oversight. In addition to reviewing task order scope and addressing any scope incompatibility, GSA reports the following to the OMB from time to time: statistics on fair opportunity ordering, the number of tasks that include performance-based statements of work, task order types, competitive participation for orders, exceptions to the fair opportunity process, order award values, and socio-economic breakdown. Typical responsibilities for PCOs, requiring activities and OCOs are shown below.

VETS GWAC PCOs

- Reside in the Center
- Have exclusive, non-delegable rights to modify basic contract terms and conditions
- Provide advice and guidance to ordering/requiring activities, OCOs and contractors regarding scope and acquisition regulations
- Help ordering/requiring activities understand how VETS can be used to meet IT requirements
- Conduct Meetings with VETS prime contractors
- Review Subcontract Reporting and Quarterly Status Reporting

REQUIRING ACTIVITY

- Defines order requirements
- Prepares SOW/SOO for order RFQs/RFPs
- Funds requirements
- Ensures IT capital planning when appropriate
- Assists OCO with quote/proposal evaluation
- Assists OCO with performance monitoring and appraisal

OCO (with DPAs for VETS)

- Serve as the default COR/COTR for orders (may re-delegate this in writing)
- Place order(s) per terms of delegation of procurement authority
- May not modify the basic VETS contracts
- Maintain focus on individual orders
- Provide fair opportunity to prime contractors
- Manage order administration
- Enter task order supporting data in **IT Solutions Shop (ITSS)** <http://itss.gsa.gov>
- Oversee and execute in-scope order modifications
- Resolve order disputes
- Ensure FPDS-NG Reporting is completed
- Ensure all task orders are forwarded to the Center in a timely manner
- Ensure past performance is completed in accordance with agency procedures
- Ensure all task orders are predominantly IT services and IT services-based solutions
- Perform order close out

Only a warranted contracting officer having order authority (OCO) may make any required change to a previously issued order and the change must be in writing. For further information, contact Center personnel at vetsgwac@gsa.gov or call toll free at (877) 327-8732.

Appendix I-Resources

Small Business Governmentwide Acquisition Contracts Center

U.S. General Services Administration
Small Business GWAC Center
1500 East Bannister Road, Room 1076
Kansas City, MO 64131
Toll free: 1-877-327-8732
Fax: 816-823-1608
www.gsa.gov/vetsgwac
E-mail: vetsgwac@gsa.gov

Contracting

Matt Verhulst
Director, Contracting
816-926-1366
matthew.verhulst@gsa.gov

Janna Babcock
VETS Procuring Contracting Officer
816-823-5320
janna.babcock@gsa.gov

Todd Tekesky
Contracting Officer
816-823-2468
Todd.tekesky@gsa.gov

Business Development

Jean Oyler
Director, Business Development
816-823-3358
jean.oyler@gsa.gov

Jihyun Huyck
Business Development Specialist
816-823-1992
jihyun.huyck@gsa.gov

For a comprehensive list of contacts at the entire Small Business GWAC Center, go to www.gsa.gov/sbgwac.

Appendix II-Veteran-Owned Business Resources

United States Department of Veterans Affairs

www.va.gov, www.vetbiz.gov

Small Business Administration, Office of Veterans Business Development:

<http://www.sba.gov/aboutsba/sbaprograms/ovbd/index.html>

<http://www.sba.gov/vets/>

Small Business Administration, Veterans Business Outreach Program HYPERLINK

http://www.sba.gov/aboutsba/sbaprograms/ovbd/OVBD_VBOP.html

Small Business Administration, Address:

U.S. Small Business Administration

409 3rd Street S.W.

Washington, DC 20416

Voice: (202) 205-6773

FAX: (202) 205-7292

Appendix III-Applicable Documents, Websites and E-mail Addresses

Small Business Governmentwide Acquisition Contracts Center, VETS GWAC:
www.gsa.gov/vetsgwac , E-mail: vetsgwac@gsa.gov

Information Technology Solutions Shop (ITSS): <http://itss.gsa.gov>

Federal Acquisition Regulations
<http://acquisition.gov/comp/far/index.html>

Frequently Asked Questions about the Service-Disabled Veteran-Owned Small Business Contracting Program
<http://www.sba.gov/GC/FAQs-mar2005.pdf>

GSAM-General Services Administration Acquisition Manual
<http://acquisition.gov/comp/gsam/gsam.html>

Small Business Administration-VETS
<http://www.sba.gov/vets/>

Local Resources at SBA
http://www.sba.gov/local_resources/index.html

Executive Order 13360, Small Business Administration
<http://www.sba.gov/GC/disabled-vets-executive-order.pdf>

Section 508 Accessibility Standards
www.access-board.gov, <http://www.section508.gov/>

e-Buy	www.ebuy.gsa.gov
e-Library	www.gsaelibrary.gsa.gov
Vet Biz	http://www.vetbiz.gov

Appendix IV-Glossary

ARRA	American Recovery and Reinvestment Act of 2009 (the Recovery Act) Pub. L. 111-5
Center	The Small Business GWAC Center
CO	Contracting Officer
COR	Contracting Officer's Representative
CPARS	Contractor Performance Assessment Reporting System (CPARS): Used to document contractor performance http://www.cpars.csd.disa.mil/
CSC	Client Support Center. FTS Client Support Centers are located throughout the United States, which are separated into Geographic Regions; see Appendix II.
e-Buy	An electronic Request for Quote (RFQ) / Request for Proposal (RFP) system designed to allow Federal buyers to request information, find sources, and prepare RFQs/RFPs online
e-Library	On-line research tool for buyer and seller to find information for GSA GWACs
FA	Functional Area , See Appendix V
Fair Opportunity	Fair Opportunity to compete will normally be provided to all Contract holders in the applicable Functional Area pool on all RFQ/RFP/Orders exceeding \$3,000.00, unless one or more of the four statutory Fair Opportunity exceptions found in Federal Acquisition Regulation (FAR) 16.505 applies. The Fair Opportunity process complies with Section 803 of the National Defense Authorization Act..
FAPIIS	<i>Federal Awardee Performance and Integrity Information System</i> http://www.ppirs.gov/fapiis.html , FAPIIS was required by Section 872 of the

Duncan Hunter National Defense Authorization Act for Fiscal Year 2009.

FAPIIS is designed to improve the Government's ability to evaluate the business ethics and expected performance quality of prospective contractors and protect the Government from awarding contracts to contractors that are not responsible sources.

FAR	Federal Acquisition Regulations
FBO	FedBizOpps, Federal Business Opportunities, www.fbo.gov
FFATA	Federal Funding and Accountability Transparency Act, www.ffata.org
FPDS	Federal Procurement Data System, www.fpds.gov
GSA	General Services Administration, www.gsa.gov
GSA Order ADM 4800.2E	This Order provides definitions and listings of agencies and other activities authorized to use GSA sources of supply and services. It also provides definitive guidelines concerning eligibility requirements. See the VETS GWAC Contract Library at www.gsa.gov/vetsgwac
GWAC	<p>Governmentwide Acquisition Contract in accordance with FAR 2.101 is a task-order or delivery-order contract for information technology established by one agency for Governmentwide use that is operated—</p> <p>(1) By an executive agent designated by the Office of Management and Budget pursuant to 40 U.S.C. 11302(e); or</p> <p>(2) Under a delegation of procurement authority issued by the General Services Administration (GSA) prior to August 7, 1996, under authority granted GSA by former section 40 U.S.C. 759, repealed by Pub. L. 104-106. The Economy Act does not apply to orders under a Governmentwide acquisition contract.</p>
IDIQ	Indefinite-Delivery Indefinite-Quantity (see also FAR Part 16)

IT	Information Technology, see FAR 2.101 for definition
ITSS	IT Solutions Shop-web location for sales reporting and GSA ordering, https://web1.itss.gsa.gov , www.itss.gsa.gov
NAICS	North American Industrial Classification System The following NAICS codes are applicable to the VETS GWAC: <ul style="list-style-type: none"> 541512 Computer Systems Design Services 541511 Custom Computer Programming Services 541513 Computer Facilities Management Services 541519 Other Computer Related Services 518210 Data Processing, Hosting, and Related Services 611420 Computer Training <p>All the above mentioned codes are applicable to both Functional Areas of the VETS GWAC. For the purposes of the VETS GWAC contract the primary NAICS Code is designated as 541512.</p>
NDAA 2008	The National Defense Authorization Act of 2008
OCO	Ordering Contracting Officer
PCO	Procuring Contracting Officer
PPIRS	Past Performance Information Retrieval System, http://www.ppirs.gov/
RFI/RFQ/RFP	Request for Information, Request for Quote, Request for Proposal
SBGWACC	Small Business Governmentwide Acquisition Contracts Center
Service- Connected	With the respect to disability or death, that such disability was incurred or aggravated, in line of duty in the active military, naval, or air service

Service-Disabled Veteran	A veteran, as defined in 38 U.S.C 101(2), with a disability that is service-connected, as defined in 38 U.S.C. 101(16) 38 U.S.C. 1010(2). The term “veteran” means a person who served in the active military, naval, or air service, and who was discharged or released there from under conditions other than dishonorable, as defined in 38 U.S.C. 101(16). The term “service-connected” means, with respect to disability or death, that such disability was incurred or aggravated, in line of duty in the active military, naval, or air service
Service-Disabled Veteran-Owned Small Business (SDVOSB)	Must be at least 51 percent owned by one or more service-disabled veterans or in the case of publicly owned by one or more service-disabled veterans and must be managed by a service-disabled veteran
Veteran	A person who served in the active military, naval, or air service, and who was discharged or released there from under conditions other than dishonorable
VETS	A SDVOSB set-aside GWAC also known as the VETS GWAC that was awarded by the Small Business GWAC Center, see www.gsa.gov/vetsgwac .
VETS GWAC	A SDVOSB set-aside GWAC also known as VETS awarded by the Small Business GWAC Center, see www.gsa.gov/vetsgwac .

Appendix V-Work Scope Elements

(Also See Section C of the Contract www.gsa.gov/vetsgwac in the VETS Contract Library)

Functional Area 1-SYSTEMS OPERATIONS AND MAINTENANCE

Functional Area 1 (FA1) is for operations, maintenance and security of existing information technology. See the VETS GWAC Section C for further details.

1. Anti-Virus Management Service
 - i) Intrusion Detection and Prevention Service
 - ii) Virus Detection, Elimination, and Prevention
2. Biometrics
 - i) Smart Card Technologies
3. Chief Knowledge Officer (CKO) Support
 - i) Informatics
 - ii) Knowledge Management
4. Computer Security Awareness, and Training
 - i) Computer Security Incident Response
 - ii) Computer Security Planning
 - iii) Security Policy Compliance
5. Configuration Management and Licensing
6. Database Design and Administration and Data Storage Management
 - i) Database Design
7. Disaster Recovery, Continuity of Operations, and Contingency Planning
 - i) Critical Infrastructure Protection
 - ii) Hot-site and Cold-site Support Services
 - iii) Incident Response Service
 - iv) System Recovery Support Services
8. E-Business Planning and Support
9. Electronic Commerce (EC) and Electronic Data Interchange Support
10. Emerging Technologies
 - i) IT Research and Development
 - ii) Nanotechnology
11. Hardware and Software Maintenance and /or Licensing
 - i) Software/Hardware Maintenance and /or Licensing

12. Independent Verification and Validation
13. Independent Verification and Validation (Security)
 - i) Certification of Sensitive Systems
 - ii) Mainframe Automated Information Security Support
 - iii) Security for Small Systems, Telecommunications, and Client Service
14. Information Architecture Analysis and Web Object Indexing
15. Information Management Life Cycle Planning/Support
 - i) Information Management Support
16. Integration Support
17. Internet System Architecture and Webmaster Support
 - i) Website Development and Support
18. Mainframe/Data Processing System Support
19. Managed E-Authentication Service
20. Managed Firewall Service
21. Media/Training Center/Video Teleconferencing Support
22. Network Support (including Interdepartmental Data Network (IDN), Local Area Networks (LAN), Wide Area Networks (WAN), Internet access, etc.)
 - i) Connectivity and IT infrastructure Support (including Data Networks, Interdepartmental Data Network (IDN), Local Area Networks (LAN), Wide Area Networks (WAN), Storage Area Networks (SAN))
23. Office Automation Support/Help Desk Support
24. Performance Measures and Metrics Planning
25. Privacy Data Protection
26. Public Key Infrastructure (PKI)
 - i) Crypto Systems
 - ii) Digital Signature Technology
27. Seat Management
 - i) Systems Operations
28. Section 508 Compliance Assistance
29. Secure Managed Email Service (SMEMS)

30. Security Certification and Accreditation

31. Supply Chain Management (Logistics)

32. Systems Management Support

- i) Information Systems Support

33. Systems Vulnerability Analysis/Assessment and Risk Assessment

- i) Quantitative Risk Analysis of Large Sensitive Systems
- ii) Vulnerability Scanning Service

34. Technical Support

- i) Computer Center Technical Support

35. Telemedicine

36. Test and Evaluation Support

37. Training, Training Development, and Training Center Support (including Computer Based Training)

- i) Distance Learning
- ii) Training Requirements Analysis and Planning

38. Virtual Data Center

- i) Data Warehousing

39. Vulnerability Scanning Service

Functional Area 2-INFORMATION SYSTEMS ENGINEERING

Functional Area 2 (FA2) is for engineering and security of information technology systems. See the VETS GWAC Section C for further details.

1. Anti-Virus Management Service

- i) Intrusion Detection and Prevention Service
- ii) Virus Detection, Elimination, and Prevention

2. Automated Workflow System Development and Integration

3. Biometrics

- i) Smart Card Technologies

4. Business Process Reengineering (BPR)

- i) Benchmarking/Operational Capability Demonstrations
- ii) Change Management

5. Chief Information Officer (CIO) Support

- i) Enterprise Resource Systems Management
- ii) Enterprise Resource Systems Planning
- iii) Information Assurance Activities

- iv) Information Operations
 - v) Inter/Intra-Agency Enterprise Resource Planning
6. Computer Security Awareness, and Training
- i) Computer Security Incident Response
 - ii) Computer Security Planning
 - iii) Security Policy Compliance
7. Customer Relationship Management
8. Disaster Recovery, Continuity of Operations, and Contingency Planning
- i) Critical Infrastructure Protection
 - ii) Hot-site and Cold-site Support Services
 - iii) Incident Response Service
 - iv) System Recovery Support Services
9. Global Information Systems
10. Hardware and Software Maintenance and /or Licensing
- i) Software/Hardware Maintenance and /or Licensing
11. Independent Verification and Validation (Security)
- i) Certification of Sensitive Systems
 - ii) Mainframe Automated Information Security Support
 - iii) Security for Small Systems, Telecommunications, and Client Service
12. Information Technology Architecture (ITA) Support
13. Information Technology (IT) Strategic Planning, Program Assessment, and Studies
- i) Feasibility Studies
 - ii) Information Technology (IT) Strategic Planning and Mission Need Analysis
 - iii) Information Technology Organizational Development
 - iv) Information Technology Program Analysis, Assessments and Studies
 - v) Information Technology Research and Development
14. Infrastructure Quality Assurance
15. Instructional Design, and Modeling & Simulation
16. Managed E-Authentication Service
17. Managed Firewall Service
18. Privacy Data Protection
19. Public Key Infrastructure (PKI)
- i) Crypto Systems
 - ii) Digital Signature Technology

20. SCE/CMM/CMMI Analyses and Implementation Support

21. Secure Managed Email Service (SMEEMS)

22. Security Certification and Accreditation

23. Software Life Cycle Management (SLCM)

- i) Cost Benefit Analysis, Cost Effectiveness Analysis
- ii) Risk Analysis and Assessment
- iii) Stakeholder Analysis
- iv) Total Cost of Ownership Studies

24. Software Engineering (SWE)

- i) Software Quality Assurance

25. System and Software Design, Development, Engineering, and Integration

- i) Software Development
- ii) System Design Alternative Studies
- iii) Software Distribution, Licensing, Maintenance

26. Systems Vulnerability Analysis/Assessment and Risk Assessment

- i) Quantitative Risk Analysis of Large Sensitive Systems
- ii) Vulnerability Scanning Service

This list is not all encompassing for all IT Services or IT Services Based Solutions that may be on the VETS GWAC throughout its life. When in doubt about scope, or simply out of an abundance of caution, contact the VETS GWAC Procuring Contracting Officer for guidance. See the following Scope Compatibility Review section.

Appendix VI-Scope Review Form

(Please review the VETS Scope Compatibility Review Section at www.gsa.gov/vetsqwac for form and VETS GWAC Ordering Guide for revisions periodically.)

In order to expedite your request for a scope review, please attach 1) this completed form, using additional pages as necessary, along with 2) the work statement and 3) a detailed government estimate (if any) to an email addressed to SOWreview@gsa.gov.

Project Name _____

Project Number _____

Agency _____

Contracting Officer

Name _____

Phone Number _____

E-mail _____

Program Contact

Name _____

Phone Number _____

E-mail _____

**Estimated Task Order Amount
Inclusive of Options**

_____ (Attach detailed Government estimate, if any)

Best fit NAICS code for Project _____

Estimated Solicitation Date _____

Desired Award Date _____

Estimated Period of Performance _____

Acquisition History _____

Desired IT Services GWAC: 8(a) STARS VETS COMMITS NG ALLIANT SB

Functional Area Selection _____

Proposed Order Type: (check all that apply) FP Time & Materials Labor-Hour *Cost

*Cost contract terms are applicable to **Commits NG** and **Alliant SB** only

Provide the Estimated Task % that is:

IT Services _____% **Services but non-IT** _____% **Product** _____% **Travel** _____%

*Please utilize the definition provided in FAR 2.101 for "Information Technology" when determining the IT Services percentage. Note: These percentages are merely guides to help review the nature of the requirement and, of themselves, are not deterministic of the principle purpose.

Appendix VII- Order Size Rerepresentation (OSR) Template

An OCO may incorporate the following OSR language into task order solicitations in order to require an OSR as a condition of task order award.

Notice of Order Size Rerepresentation (OSR) at the Task Order Level

Offers are solicited only from the **VETS GWAC** prime contractors that have not rerepresented as other than small in accordance with FAR 52.219-28 Post-Award Small Business Program Rerepresentation. Those **VETS GWAC** prime contractors having experienced an event that triggers the notification requirements contained in FAR 52.219-28(b)(1) or (b)(2), and are other than small as a result of said triggering event, are considered to be other than a small business concern for the purposes of this procurement regardless of whether the contractor has fulfilled the rerepresentation notification pursuant to FAR 52.219-28.

Offers received from **VETS GWAC** contractors that have rerepresented their size status as other than small under the **VETS GWAC**, or have had a triggering event and are not currently considered small business concerns under the **VETS GWAC**, are not desired and shall be rejected as non-conforming with this OSR.

The following representation must be completed and submitted with the offer.

I hereby represent that my company (check one) ____ has ____ has not rerepresented itself as an other than a small business concern under the **VETS GWAC**, and (check one) ____ has ____ has not experienced a triggering event pursuant to FAR 52.219-28 resulting in the company being other than a small business concern regardless of if notification of that circumstance has or has not been provided pursuant to the timetable established in FAR 52.219-28.