



Veterans Technology Services
Governmentwide Acquisition Contract

VETS GWAC



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Small Business Governmentwide Acquisition Contracts Division

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

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
- 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
GWAC Contract Operations Branch C (QTACC)
Attn: VETS GWAC
1500 East Bannister Road, Room 1076
Kansas City, MO 64131

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Questions regarding this guidance should be directed to the VETS GWAC procuring contracting officer. This guidance 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 Division

Who We Are

The General Services Administration (GSA), Federal Acquisition Service (FAS), Integrated Technology Services (ITS), Small Business Governmentwide Acquisition Contracts Division (the "Division") offers a diversified portfolio of pre-competed, 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 Division 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 20 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 Division awards and administers the following IT contracts for governmentwide use as an Executive Agent of the OMB:

8(a) STARS II GWAC

The 8(a) STARS (Streamlined Technology Acquisition Resources for Services) II contract vehicle was awarded to 8(a) small businesses. 8(a) STARS II 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 II 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 II contract vehicle, visit www.gsa.gov/8astars2.

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.

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 4800.2G (see Appendix IV) 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. See Appendix VII regarding posting requirements for exceptions to fair opportunity.

Functional Areas and NAICS

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

541512 ¹	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 VETS GWAC FAs.

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.

¹ This is the VETS GWAC primary NAICS Code.

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. Training is offered in several venues:

1. Ordering Guide Review
2. Webinar, teleconference or videoconference
3. Onsite Training for groups

1. Ordering Guide Review

Thoroughly review and understand the VETS GWAC Ordering Guide.

2. Webinar, Teleconference or Videoconference

Attend webinar, teleconference, or videoconference for the VETS GWAC.

Provide agency name, bureau/command name (if any), individual(s) full name seeking DPA, street address, e-mail address, phone number and fax. Provide 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 team member will contact the requestor(s) to set up the contract orientation by webinar, teleconference or videoconference.

Training sessions last approximately 30 minutes to one hour and some venues offer Continuous Learning Points. It is possible for these delegations to be granted the same day as the contract overview training, although typical cycle time is about two business days.

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

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

After completing training through one of the methods listed above warranted contracting officers must fill out an online form to request a Delegation of Procurement Authority (DPA), which allows direct access to our GWACs. The request form can be found online in the "How to use GWACS" section at www.gsa.gov/vetsgwac. The DPA clearly establishes the roles and responsibilities between the GSA contracting officer and the OCO, and complies with the Office of Management and Budget's (OMB) executive agent designation to GSA.

Delegation Portability

If an OCO changes their federal agency, please let the Division know, 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 Division establish and identify a successor OCO.

Task Order Types

The total estimated value of a procurement including options should be considered in developing a task order acquisition strategy. Tasks shall not be split to avoid threshold limitations. The basic task and any modifications must stay within task order's scope which has to be within the VETS GWAC's scope.

Authorized task order types available under the VETS 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.

Step 1 Plan the Acquisition
Step 2 Define Requirement and Develop Task Order Request (TOR)
Step 3 Issue Solicitation Offering Fair Opportunity to be Considered
Step 4 Evaluate Proposals – Price and Other than Price
Step 5 Document Award, Debriefings and Protests
Step 6 Administer and Closeout Order

Step 1: Plan the Acquisition

FAR 16.505 (a) (8) 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 39). When developing the acquisition plan, the competition requirements in FAR 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.

OCO's shall document a Determination of Best Procurement Approach² (See FAR 17.502-1 General). A "Best Procurement Approach" is

² Note: The OMB memo uses the term "Best Interest Determination: which is synonymous with "Best Procurement Approach."

- a) Required for both Directed and Assisted Acquisitions;
- b) Can be documented as part of an agency's planning document (e.g. acquisition plan) and;
- c) Does not require a formal Determination and Finding (D&F) or Justification & Approval (J&A) (See pages 4 & 5 of OMB Memorandum on "Improving the Management and Use of Interagency Acquisitions" dated June 6, 2008)

Scope Compatibility Reviews for Prospective Orders and Modifications

The Small Business GWAC Division 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 statement of work or performance 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 Division 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. If you can respond affirmatively to the following four questions, your requirement is probably within scope:

1. Does the primary purpose of this task appear to be an integrated IT services-based solution?
2. Does ancillary support appear to be integral and necessary for the IT effort?
3. If leases appear to be included in the work statement, is it apparent that the Contractor and not the Government will be a party to the lease?
4. Are there no explicit BPA terms apparent in the work statement?

If any item is a "NO" response then it becomes Out of Scope. This does not preclude the OCO from changing the SOW/SOO so it can be determined within scope. Any questions should be directed to the GWAC scope review team.

Higher Risk Work Scope Areas

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

Special attention should also be paid to ensure that the following high risk areas have an IT services outcome:

- Ancillary Construction
- 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
- OCONUS Work
- Physical Security
- Professional Services (e.g., consulting, project management)
- Software Licensing/Software License Management

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. *Please consult with the VETS GWAC PCO for contractual strategies to create order flexibility.*
- 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 in combat areas or in areas the State department has advised American citizens to avoid or depart (See Contract Clause B.10) Security Clearance Considerations for Classified Orders

Before issuing a TOR (task order request, aka request for quotation or request for proposal) for a classified order, a determination should be made as to whether or not access to anything classified will be required during the TOR (a/k/a “solicitation”) process.

If access is required during the solicitation process:

All prospective contractors who may receive the TOR 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 TOR.

TORs 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.

TORs 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.

TORs 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 TOR. 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 TOR.

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 IT services, IT services-based solutions and to choose the applicable task order 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 at the task order level.

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 TOR design for T&M/L-H Task Orders

The OCO must determine which of the following conditions are expected to apply and structure the TOR 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, 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 Division 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.

Size Rerepresentation

Size rerepresentation by all VETS prime contractors was required per FAR 52.219-28 for the VETS option period. GSA exercised the VETS option period to over twenty prime contractors which remained small businesses. GSA also exercised the option period,

with conditions, to nine prime contractors that had organically grown to be other than small businesses through their own success. The contract conditions referred to above prohibit any of the other than small VETS prime contractors identified on the industry partner listing found at www.gsa.gov/vetsgwac from responding to and/or being awarded new task orders. Hence, only the listed prime contractors identified as small businesses are eligible for new task order awards after February 1, 2012.

If a VETS prime contractor is taken over through merger or acquisition it is required to provide GSA notice of the merger or acquisition per FAR 52.219-28. If the resulting business is a small business concern it may remain a VETS GWAC prime contractor. However, if the resulting business is other than a small business concern then GSA will remove it from the contract.

Step 2: Define Requirements and Develop Task Order Request (TOR)

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 "Develop Task Order Request (TOR)". 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). Pursuant to FAR 37.601, performance-based contracts for services shall include:

- a performance work statement (PWS)
- measurable 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 Task Order Request (TOR)

A TOR may be in the form of a request for proposals (RFP) or a request for quotations (RFQ). Typically a TOR will include a SOW/PWS/SOO, evaluation factor(s), contract type, period and place of performance, due date, applicable instructions and other information (e.g., agency specific clauses).

The TOR typically includes evaluation factors tailored to the specific requirement. Cost or price must be an evaluation factor for all task orders. Other factors are typically limited to those few that are meaningful discriminators. It is a best practice to provide clear instructions and to keep required submissions to the necessary minimum.

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 conditions, 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 12, Acquisition of Commercial Items, s/he should structure the TOR and resulting task order accordingly. The OCO is responsible for clearly identifying the applicable provision and clause configuration in TORs.

Service Contract Act (SCA)

OCOs should apply SCA wages and include SCA related clauses in the TOR and resulting task order for the SCA-covered work.

Davis Bacon Act (DB) & Incidental Construction

OCO's should apply DB wages and include DB related clauses to the incidental construction portion in the TOR 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. That's the general rule for small businesses. There is a related 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. That affords VETS GWAC primes the opportunity to team with other SDVOSB concerns to achieve the necessary SDVOSB mix. All VETS contract holders are responsible for managing the balance of workload being performed under their contract with the SDVOSB mix requirements in mind. The requirements from 13 CFR identified above are contained in the VETS GWAC in clauses 52.219-14 and FAR 52.219-27. At the contract level it is a GSA requirement of the VETS Industry Partners to submit semi-annual subcontracting data/reports to the Small Business GWAC Division. It is important for OCOs to understand the difference between the applications of these requirements at the contract/VETS GWAC level contrasted with the task order level. These requirements apply at the contract/VETS GWAC level. However, their principles may be explored during acquisition planning for individual TORs and resulting task orders.

Contract sections G.17 and G.24 establish subcontracting tracking and reporting requirements for VETS GWAC prime contractors. OCOs may establish in TORs 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. In some cases this is accomplished by specifically applying FAR 52.219-14 and FAR 52.219-27 to the task order level.

Specifying that VETS industry partners shall disclose the work they intend to perform with their own resources, with the resources of other SDVOSBs and with non-SDVOSBs is a best practice in TORs which don't establish a SDVOSB participation evaluation factor.

It is not uncommon on larger tasks that SDVOSB prime contractors may build capacity through subcontracting with other SDVOSB firms and/or other than SDVOSB firms in order 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 VETS prime, its bench of SDVOSB subcontractors and its inclusion of other than SDVOSB subcontractors, if any, will perform.

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

Based upon 74 FR 52583, FAR 52.215-22 and FAR 52.215-23 are applicable to DOD task orders

Pass Throughs

Primes are expected to perform a meaningful amount of work on every task order awarded against VETS but that has not been defined Governmentwide. Accordingly, it is acceptable that OCOs adopt their agency policies for these matters in TORs and resulting task orders. For instance, for DOD OCOs, 73 FR 27464 and 72 FR 20758 provide legacy approaches to mitigate excessive pass through charges. Similarly, DFAR 815.215-7003 and -7004 were overtaken by the FAR clauses 52.215-22 and 52.215-23.

Order Duration & Order Options

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 goes through February 1, 2017.

Many task orders awarded during the base period (February 2, 2007 – February 1, 2012) included options. OCOs may exercise those options at their discretion whether or not GSA exercised the VETS GWAC option for the prime contractor. OCOs may also exercise those options at their discretion whether or not a VETS GWAC prime contractor is identified as a small business on the VETS industry partner listing found at www.gsa.gov/vetsgwac. OCOs should consider if there has been a change in socioeconomic credit for the task order option period as part of FAR 17.207 due diligence by checking the industry partner list at www.gsa.gov/vetsgwac. OCOs may contact GSA at vetsgwac@gsa.gov with any questions as industry partners that were not awarded the VETS option period will not be shown on the industry partner list.

Orders may be issued for a term consistent with the customer agency's policy on task order duration with one limitation - all orders should be substantially completed by February 1, 2020.

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 – Provide a Fair Opportunity to be Considered

The VETS GWAC contracts were awarded using a competitive service-disabled veteran-owned small business set-aside procedure based on FAR 19.14 resulting in multiple awards. Task order competition requirements are established in FAR 16.505.

The VETS option period (February 2, 2012 – February 1, 2017) has been exercised. While the terms of the contract prohibit any of the *other than small* VETS prime contractors identified on the industry partner listing found at www.gsa.gov/vetsgwac from directly responding to TORs and/or being awarded new task orders, they may be included in TOR distribution. Hence, only the listed prime contractors identified as small businesses are eligible for new task order awards after February 1, 2012.

Since the VETS GWAC is a multiple-award, indefinite-delivery, indefinite-quantity contract, fair opportunity to be considered per FAR 16.505 (b)³ shall be given to all eligible primes for each opportunity exceeding the micropurchase threshold⁴.

FAR 16.505 (b) (1) reflects many of the latest requirements applicable to providing a fair opportunity to be considered.

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 TOR submission requirements to the necessary minimum, which can promote competition. The OCO is responsible for completing and documenting price reasonableness.

The Government may disseminate TORs 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. The use of e-Buy to broadcast a task order request to all eligible contract holders satisfies the Fair Opportunity to be considered notification requirement, while other mediums may require receipt verification.

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

In addition to FAR 16.505 requirements, OCOs may address the following matters in task order requests (this is a representative and not an exhaustive list):

- Identify the VETS GWAC and the applicable FA
- Set a response time to meet agency needs & promote competition
- Establish evaluation criteria (price or cost will always be a criterion) pursuant to FAR 16.505 with the aim of achieving best value. FAR 15-based 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 15 task order request process is not intended, it is a best practice to disclaim that in the task order request. 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

³ DoD customers refer to DFARS 216.505-70

⁴ Unless an exception established in FAR 16.505(b)(2)(i)(A-F) applies

- Decide if past experience will be evaluated at the prime and/or subcontractor levels
- Past performance was a criterion for basic contract award. OCOs are encouraged to use past performance as an evaluation criterion for task order requests estimated to exceed \$100,000. DoD activities previously issued a FAR deviation, number 99-00002 issued 1-29-1999, requiring past performance to be evaluated for IT work exceeding \$1,000,000
- Either tradeoff or low price - technically acceptable evaluations are valid best value methods
- The OCO may use oral presentations
- The OCO should evaluate quotes and offers consistent with the evaluation methodology established for the procurement
- The OCO may evaluate quotations and proposals without discussions if that is clearly identified in the task order request. If the OCO intends to award using a methodology that includes discussions that should be clearly identified in the task order request.
- How to express the period of performance and/or a desired completion date
- How to express milestones and/or performance schedule requirements
- What subcontractor information is required, e.g., the amount of work proposed to be performed by the SDVOSB prime, SDVOSB subcontractors and all other 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
- Security Clearances
- Order type (contract type)
- Clause configuration
 - Implementation of FAR 12 procedures, if desired
- Insurance requirements
- Rights in Data

Some acquisitions, though infrequent, may require an OCO to utilize an exception to a Fair Opportunity to be Considered enumerated at FAR 16.505 (b) (2) (i) (A-F)⁵. When one or more exceptions based on FAR 16.505 (b) (2) is warranted, the OCO must cite and substantiate the exception(s). See Appendix VII if an exception to the fair opportunity process is used, OCOs must ensure that justification, approval, and posting requirements in FedBizOpps (www.fedbizopps.gov) are completed as required. The FAR 16.505 (b) (2) exceptions are in the following section.

Fair Opportunity Exceptions

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

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

⁵ For DoD see DFARS 216.505-70

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(b)].

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

Use of this exception is appropriate under circumstances similar to the authority of FAR 6.302-1 [DFAR 206.302-1, PGI 216.505-70(1)].

(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.

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

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

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) (2) (ii)). 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.

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

This exception is reserved to the Division.

5. For orders exceeding the simplified acquisition threshold, a statute expressly authorizes or requires that the purchase be made from a specified source.

Document the statutory basis for the exception in the task order record. **Example:** The Department of Veterans Affairs (VA) could use this exception for a VETS directed order as a result of Public Law (P.L.) 109-461, Veterans First Contracting Program.

6. In accordance with section 1331 of Public Law 111-240 (15 U.S.C. 644(r)), contracting officers may, at their discretion, set aside orders for any of the small business concerns identified in FAR 19.000(a)(3). When setting aside orders for small business concerns, the specific small business program eligibility requirements identified in FAR 19 apply.

Document the basis for the exception in the task order record. This exception does not require a justification or posting in FedBizOpps in accordance with FAR 16.505(b) (2) (ii).

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 all parties. 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 unless a applicable exception, noted in the previous section, applies. Representatives from the Small Business GWAC Division are available for consultation on the various multi-phased approaches.

Various multi-phased approaches are feasible. However, the best practice recommended by the Small Business GWAC Division is outlined below, and consists of two phases. Historically this two-phase 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:

Phase One

1. Send out the complete TOR to all parties in the applicable FA but instruct that quotes are proposals are not to be submitted in response at that time. It is recommended to use GSA's E-Buy system for this. However, DO NOT use GSA's E-Buy system for Phase Two.
2. Instruct VETS primes to inform the OCO in writing (and tell them how) of their affirmative interest in the competition, aka to "opt in" by the date shown in the TOR in order to be included in Phase Two competition, specifically instructing that they WILL NOT be included in Phase Two if they fail to timely respond. Also specifically state that a non-response/failure to timely opt-in will constitute an opt-out.

- Establish a Phase One response deadline that makes sense, understanding that the response effort for phase one is minimal. Interested VETS primes simply have to respond timely per TOR instructions in order to opt in. Because of the minimal burden of responding to this Phase One best practice, a few days response time will typically suffice. VETS industry partners have an affirmative duty to actively monitor VETS fair opportunity channels, all the more so ones like E-Buy that are cited in this ordering guide.
- Transmit the TOR to the entire list of awardees to determine their interest in the competition, permitting them to opt-in or opt-out of the Phase Two competition. As mentioned, GSA's e-Buy is recommended for Phase One. E-Buy allows the OCO to announce the opportunity to only VETS industry partners and provides proof that the Phase One TOR was posted. VETS primes are responsible for monitoring e-Buy and keeping their information in it current. GSA OCOs may instead use GSA IT Solutions Shop and should select the appropriate VETS contract family associated with the TOR.

2. Maintain a record of the preliminary TOR posting, transmittals and responses in order to document use of fair opportunity to be considered procedures. 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 as needed. 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 VETS primes maintain their own registrations in that system.

3. The OCO must include all VETS contractors that have indicated interest in further consideration that opted-in for Phase Two but not those which did not properly opt-in (those that opted out by action or inaction).

Phase Two

Please ensure that all VETS prime contractors which opted-in during Phase One receive the OCOs Phase Two instructions. It is not necessary to retransmit the TOR in Phase Two if it has not been adjusted. If the TOR has been adjusted between Phases One and Two then the TOR should be sent out to all parties eligible for Phase Two per the Phase One results. It is a best practice for OCOs to ensure no material changes to the TOR have occurred between Phases One and Two in order to proceed with Phase Two based upon the Phase One results. Please contact the VETS GWAC contracting officer with any questions. Please also recall the suggestion to not use E-Buy for Phase Two. Instead, choose another means to interact with the Phase Two competitors.

Step 4: Evaluate Proposals – Price and other considerations

OCO's 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.

Task Order Request (TOR) Cancellation

TOR cancellation 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 announce to the competitors when a TOR is canceled. TOR cancellation may be posted in GSA's E-Buy.

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, <http://itss.gsa.gov>. In lieu of uploading to the GWAC Management Module, the documents may be faxed or e-mailed to the Division at (816) 823-1608 or 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 E-Buy, 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. For announcements regarding exceptions to fair opportunity, see also Appendix VII.

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

Debriefing

In accordance with FAR 16.505 (b) (4), Postaward Notices and Debriefing of Awardees for Orders Exceeding \$5 million, 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)(10)(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), complaints related to matters affecting Order award may be directed to the designated Ombudsman.

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 Division.

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 (c), 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 Division. The Division 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 Division 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 Division at (816) 823-1608 or vetsgwac@gsa.gov respectively.

Other Contractual Matters

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 Division PCOs are authorized to modify the basic contract terms and conditions of the VETS GWAC. Only Small Business GWAC Division 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.

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 Division
- 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's (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
- Oversee and execute in-scope order modifications
- Resolve order disputes
- Ensure FPDS-NG Reporting is completed
- Ensure all task orders and support information are forwarded to the Division 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 Division personnel at vetsgwac@gsa.gov or call toll free at (877) 327-8732.

Appendix I-Resources

Small Business Governmentwide Acquisition Contracts Division

U.S. General Services Administration
Small Business GWAC Division
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

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 Division, 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

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 Division, 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>

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-assistance>

Executive Order 13360, Small Business Administration
<http://www.sba.gov/content/executive-order-13360>

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
Division	The Small Business GWAC Division
CO	Contracting Officer
COR	Contracting Officer's Representative
CPARS	Contractor Performance Assessment Reporting System (CPARS): Used to document contractor performance http://www.cpars.gov
CSC	Client Support Center. FAS Client Support Centers are located throughout the United States, which are separated into Geographic Regions.
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, www.gsa.gov/ebuy
e-Library	On-line research tool for buyer to find information for GSA GWACs, www.gsa.gov/elibrary
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.
FAPIS	<i>Federal Awardee Performance and Integrity Information System</i> http://www.ppirs.gov/fapiis.html , FAPIS was required by Section 872 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009. FAPIS 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, www.acquisition.gov/far
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 4800.2F	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	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— (1) By an executive agent designated by the Office of Management and Budget pursuant to 40 U.S.C. 11302(e); or (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.
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: 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.
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
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 Division, see www.gsa.gov/vetsgwac .
VETS GWAC	A SDVOSB set-aside GWAC also known as VETS awarded by the Small Business GWAC Division, 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 (SMEMS)

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/vetsgwac for form and VETS GWAC Ordering Guide for revisions periodically.)

Scope Compatibility Review Request

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 (select one): VETS ALLIANT SB 8(a) STARS II

Functional Area Selection (except ASB) _____ **Constellation for STARS II** _____

Proposed Order Type: (check all that apply) Fixed-Price Time & Materials Labor-Hour

*Cost

*Cost contract terms are applicable to 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. These percentages are merely guides to help review the nature of the requirement and of themselves are not deterministic.

Have you used this process before? Yes / No _____

Although GSA will respond in writing, would you also like a consultation? Yes / No _____

Appendix VII⁶-Summary of Justification, Approval, and Posting Requirements

The following tables summarize FAR requirements for posting, fair opportunity, exceptions to fair opportunity, justifications for not providing fair opportunity, and justification approvals when placing orders under multiple-award contracts.

Per FAR 16.505(b)(2)(ii), no justification requirement is needed for the fair opportunity exception described in paragraph 16.505(b)(2)(i)(F). Because there is no justification requirement, it follows that there is no posting requirement.

POSTING		
Dollar Threshold	Requirement	FAR Citation(s)
Orders exceeding \$25,000 funded in whole or in part by the Recovery Act	Publish preaward notice “for informational purposes only” in Federal Business Opportunities (FedBizOpps)	5.704 (a)(20) 16.505(a)(11)(i)
Orders or modifications to orders exceeding \$500,000 funded in whole or in part by the Recovery Act	Publish postaward notice in FedBizOpps	5.705 (a)(10(iii)&(iv) 16.505(a)(11)(ii)
Orders exceeding the simplified acquisition threshold not providing for fair opportunity to all awardees; except , if disclosure would compromise the national security or create other security risks	Publish postaward notice in FedBizOpps within 14 days after placing order* And Post Justification for Exception to Fair Opportunity on FedBizOpps and agency Web site (agency Web site may provide link to FedBizOpps notice).** Justification must remain posted for a minimum of 30 days.	5.301(a)(2)(ii) 16.505(b)(2)(ii)(D)(1)(i) 16.505(b)(2)(ii)(D)(4) 5.301(d)(3) 16.505(b)(2)(ii)(D)(1)(ii) & (D)(2)

* Orders based on urgent and compelling circumstances may be published within 30 days of award.

** Contracting officers must carefully screen and remove contractor proprietary data before posting.

FAIR OPPORTUNITY PROCESS		
Dollar Threshold	Requirement	FAR Citation(s)
Orders not exceeding micropurchase threshold	No fair opportunity required. Place order with any awardee that can meet the agency’s need. Attempt to distribute orders among awardees.	16.505(b)(1)(i)
Orders exceeding the micropurchase threshold but not exceeding the simplified acquisition threshold	Provide each awardee offering the required supplies or services with a fair opportunity to be considered. The contracting officer need not contact each of the awardees before selecting an order awardee if the contracting officer has information available to ensure that each awardee is provided a fair opportunity to be considered for each order. Document the rationale for placement and	16.505(b)(1)(i) & (ii) 16.505(b)(5)

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	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.	
Orders exceeding the simplified acquisition threshold but not exceeding \$5 million	<p>Provide each awardee offering the required supplies or services with a fair notice of intent to make a purchase. The notice must include a description of the supplies or services and the basis for selection. Afford all awardees responding to the notice a fair opportunity to submit an offer.</p> <p>Document 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.</p>	<p>16.505(b)(1)(iii)</p> <p>16.505(b)(5)</p>
Orders exceeding \$5 million	<p>Provide each awardee offering the required supplies or services with a fair notice of intent to make a purchase. The notice must include: a clear statement of the agency's requirements; a reasonable response period; the significant factors and subfactors, including cost or price that the agency expects to consider in evaluating proposals, and their relative importance; and, an opportunity for a postaward debriefing.</p> <p>When award is made on a best value basis, prepare a written statement documenting the basis for award and the relative importance of quality and price or cost factors.</p> <p>Notify unsuccessful awardees within 3 days after the date of award.</p> <p>Provide debriefings to unsuccessful awardees. Debriefings must be requested in writing within 3 days after receipt of notification of award. Debriefings should occur within 5 days after receipt of the written request. Summarize debriefings and include in the task or delivery order file.</p>	<p>16.505(b)(1)(iv)</p> <p>16.505(b)(1)(iv)(D)</p> <p>16.505(b)(4)(i) 15.503(b)(1)</p> <p>16.505(b)(4)(ii) & (iii); 15.506</p>

JUSTIFICATION FOR AN EXCEPTION TO FAIR OPPORTUNITY		
Dollar Threshold	Requirement	FAR Citation(s)
Orders exceeding the micropurchase threshold but not exceeding the simplified	Document the basis for using an exception to the fair opportunity process. If the logical follow-on exception is used, describe why	16.505(b)(2)(ii)(A)

acquisition threshold	the relationship between the initial order and the follow-on is logical (e.g., in terms of scope, period of performance, or value).	
Orders exceeding the simplified acquisition threshold	<p>Prepare a detailed justification to include:</p> <ul style="list-style-type: none"> ● Identification of the agency and the contracting activity, and specific identification of the document as a “Justification for an Exception to Fair Opportunity” ● Nature and/or description of the action being approved ● A description of the supplies or services required to meet the agency’s needs (including the estimated value) ● Identification of the exception to fair opportunity and the supporting rationale, including a demonstration that the proposed contractor’s unique qualifications or the nature of the acquisition requires use of the exception cited. If the logical follow-on exception is used, describe why the relationship between the initial order and the follow-on is logical (e.g., in terms of scope, period of performance, or value) ● A determination by the contracting officer that the anticipated cost to the Government will be fair and reasonable Any other facts supporting the justification ● A statement of the actions, if any, the agency may take to remove or overcome any barriers that led to the exception to fair opportunity before any subsequent acquisition for the supplies or services is made ● The contracting officer’s certification that the justification is accurate and complete to the best of his/her knowledge and belief ● Evidence that any supporting data that is the responsibility of technical or requirements personnel (e.g., verifying the Government’s minimum needs or requirements or other rationale for an exception to fair opportunity) and which form a basis for the justification have been certified as complete and accurate by the technical or requirements personnel ● A written determination by the approving official that one of the statutory exceptions applies to the order 	16.505(b)(2)(ii)(B)

JUSTIFICATION APPROVALS		
Dollar Threshold	Approving Official	FAR Citation(s)
Over the micropurchase threshold but not exceeding the simplified acquisition threshold	Contracting officer (unless higher approval required by agency procedures)	16.505(b)(2)(ii)(C)(1)
Over the simplified acquisition threshold but not exceeding \$650,000	Contracting officer (unless higher approval required by agency procedures)	16.505(b)(2)(ii)(C)(1)
Over \$650,000 but not exceeding \$12.5 million	Ordering activity competition advocate or authority cited below	16.505(b)(2)(ii)(C)(2)
Over \$12.5 million but not exceeding \$62.5 million (\$85.5 million for DoD, NASA, and Coast Guard)	Head of ordering procuring activity (or for Armed Forces, a general or flag officer; or for civilians, a GS-15 or above), or authority cited below	16.505(b)(2)(ii)(C)(3)
Over \$62.5 (or \$85.5) million	Senior procurement executive (not delegable, except by the Under Secretary of Defense for Acquisition, Technology, and Logistics)	16.505(b)(2)(ii)(C)(4)