

September 23, 2010

## FAS INSTRUCTIONAL LETTER 2010-09

MEMORANDUM FOR ALL FAS and VA ACQUISITION ACTIVITIES

FROM: HOUSTON W. TAYLOR  
ACTING ASSISTANT COMMISSIONER  
OFFICE OF ACQUISITION MANAGEMENT (QV)

SUBJECT: Mandating the Electronic Submission of Offers and Modifications  
for the Federal Supply Schedules Program

1. Purpose. The purpose of this Instructional Letter (IL) is to provide guidance on mandating the electronic submission of contract offers and modifications in Federal Supply Schedule (FSS) contracts.

2. Background. This IL extends the statutory and regulatory authority that allows contracting officers to accept proposals electronically, make contract award using an electronic signature, and maintain contract files in an electronic format. This IL serves as a supplement to Acquisition Letters FX-04-1, "Authority to Receive, Award, and Maintain Contract Files Electronically", and FX-04-3, "Electronic Modifications (e-Mods)", by expanding the applicability of eOffer and eMod to include **all** Schedules managed by the Federal Acquisition Service (FAS).

Since the establishment of eOffer and eMod in 2004, FAS has made significant progress in the move to electronic contracting, including successfully mandating eMod on a pilot basis on a limited number of Schedules and more recently launching the Rapid Action Modification (RAM) process improvement initiative. A number of Schedules have also begun to mandate the use of eOffer on an informal basis. Despite our efforts, business is still largely paper-based, and a majority of Schedule contracts are still awarded and administered as paper contract files. In order to successfully transition from a paper-based contracting environment to an electronic one, it is necessary to formally mandate the use of both eOffer and eMod for the submission of contract offers and modifications.

Mandating eOffer and eMod is part of FAS's strategic goal of Acquisition Excellence and will support several FAS initiatives that are currently underway. These initiatives include but are not limited to digitization of MAS contract files, Contracts Online, and the Enterprise Acquisition Solution (EAS). Coupled with the mandating of eOffer and eMod, these initiatives will help to modernize federal procurement.

3. Effective Date. Date of signature.

4. Termination Date. This IL expires one year from the effective date unless cancelled, extended, or incorporated into a handbook.

5. Applicability. This IL applies to all GSA/FAS acquisition activities awarding and administering Federal Supply Schedule contracts. The IL does not apply to Department of Veterans Affairs (VA) acquisition activities awarding and administering Federal Supply Schedule contracts.

6. Reference to Regulations. This IL references Acquisition Letters FX-04-1, "Authority to Receive, Award, and Maintain Contract Files Electronically", and FX-04-3, "Electronic Modifications (e-Mods)". Other references include FAR Subpart 4.5, Electronic Commerce in Contracting.

7. Instructions/Procedures. The following instructions/procedures apply to all provision/clause changes delineated below.

A. Refresh all Federal Supply Schedule solicitations and modify all Schedule contracts:

Incorporate the following revised provisions/clause to mandate the electronic submission of offers and modifications (see Appendix A for revised clause language) **no later than 6 months after the effective date of this IL:**

- SCP-FSS-001 General Proposal Submission Instructions\*
- SCP-FSS-002 Specific Proposal Submission Instructions\*
- SCP-FSS-003 General Proposal Submission Instructions\*
- 552.243-72 Modifications (Federal Supply Schedule) (Deviation)\*\*

\* Provisions SCP-FSS-001, SP-FSS-002, and SP-FSS-003 will be eliminated when the GSAR Part 538-Federal Supply Schedule Contracting is revised. They will be replaced with one, comprehensive offer submission provision.

\*\* Clause 552.243-72 Modifications (Federal Supply Schedule) (Deviation) is the result of a deviation to GSAR Part 552.243-72 that was approved by GSA's Senior Procurement Executive on May 20, 2010. The approved deviation can be accessed on the Electronic Centralized Acquisition Tool (eCAT).

<http://apps.fas.gsa.gov/newclausemanual/manual/index.cfm>

- i. Applicability: The preceding provisions/clause apply to all Schedule contracts, with the exception of those managed by the Department of Veteran Affairs.
- ii. Solicitation Refresh: During the next scheduled solicitation refresh, insert the revised provisions/clause into all Schedule solicitations. The Solicitation Writing System (SWS) will mark all clauses as required for Schedule solicitations.
- iii. In-House Offers: Schedule offers received prior to the solicitation refresh shall issue a solicitation amendment to incorporate the revised provisions/clause into the awarded contract. When deciding to accept the amendment, each offeror shall have the opportunity to withdraw its offer. If the offeror chooses to withdraw its offer and subsequently resubmit, the offer must be submitted via eOffer. Each Acquisition Center may make its own determination as to whether or not to process in-house paper offers or to require the offeror to resubmit its offer via eOffer.
- iv. Contract Modification: Schedule contracts shall be modified to incorporate only 552.243-72 Modifications (Federal Supply Schedule) (Deviation I). This shall be accomplished through a typical mass modification that is issued from SWS following a solicitation refresh. There is no need for a separate mass modification. The effective date for existing Schedule contracts will be the date that the modification is executed.

B. Staggered implementation approach to mandated eOffer/eMod:

Because not all modification types are currently available in the eMod application, and Schedules are at varying degrees of overall readiness, a staggered approach will be taken to implement mandatory eOffer/eMod.

- i. **eOffer** - Provisions SCP-FSS-001, SPC-FSS-002, and SPC-FSS-003 will be incorporated into all Schedule solicitations through solicitation refreshes. Each Schedule will activate the provisions individually, after notifying the Office of Acquisition Management (QV). Requests should be sent via email to Rose Matthews at [rose.matthews@gsa.gov](mailto:rose.matthews@gsa.gov). AM will subsequently coordinate with the Chief Information Officer (OCIO).
- ii. **eMod** - 552.243-72 Modifications (Federal Supply Schedule) (Deviation I) will be incorporated simultaneously into all Schedule contracts through a mass modification. Each Schedule will activate the clause individually, after notifying the Office of Acquisition Management (QV). Requests should be sent via email to Rose Matthews at [rose.matthews@gsa.gov](mailto:rose.matthews@gsa.gov). AM will subsequently coordinate with the Chief Information Officer (OCIO).
- iii. As the provisions/clause state, Schedules (eOffer) and modification types (eMod) will be listed on the Vendor Support Center website ([vsc.gsa.gov](http://vsc.gsa.gov)) when eOffer/eMod becomes mandatory. For eMod, contractors will be notified at least 60 days prior to any new requirements going into effect.

**All Schedules must mandate eOffer and eMod by incorporating the required provisions/clause into solicitations no later than 6 months after the effective date of this IL.**

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## APPENDIX A

### SCP-FSS-001 GENERAL PROPOSAL SUBMISSION INSTRUCTIONS (DATE)

- (a) Read the entire solicitation document prior to preparation of your offer.
- (b) All information provided by the offeror shall be current concise, specific, and complete, and shall demonstrate a thorough understanding of the requirements described in the Statement of Work in Part I. By signing the offer, the offeror attests to the fact that there have been no changes to the text of this solicitation, unless otherwise stated.
- (c) All offers must include the following. Omission of any section or substantial deficiencies within any section will result in rejection of the offer.
- (1) Section I *Administrative/Contract Data*
  - (2) Section II *Technical Proposal*
  - (3) Section III *Price Proposal*
- (d) Offers will be rejected if they do not meet all of the following criteria:
- (1) Submit "Pathway to Success" training certificate.
  - (2) Submit a signed Standard Form 1449 (unless submitting an eOffer).
  - (3) If a consultant or an agent, other than an employee of the company, is being used during or after award, submit an agent authorization letter.
  - (4) Submit a completed Vendor Response Document (Vendor Information document if submitting an eOffer).
  - (5) The offeror currently has an up to date registration in Central Contractor Registry (CCR).
  - (6) The offeror has completed the Online Representations and Certifications Application (ORCA) in its entirety. The information is current, accurate, and complete, and reflects the North American Industrial Classification System (NAICS) code(s) for this solicitation.
  - (7) Submit a completed Open Ratings, Inc. (ORI) Past Performance Evaluation and Order Form (references).
  - (8) Submit a completed Commercial Sales Practices (CSP) Format.
  - (9) Submit a complete Small Business Subcontracting Plan, as applicable.
- (e) *Withdrawal of Offer:* An offeror may withdraw its offer at any time prior to award by submitting a written withdrawal request to the GSA Contract Specialist evaluating the offer. If the offer is withdrawn, it can be resubmitted as a new offer at a later date.
- (f) **Electronic submission of offers via eOffer is mandatory via <http://eOffer.gsa.gov>, unless otherwise stated in the electronic submission standards and requirements at the Vendor Support Center website (<http://vsc.gsa.gov>).**

**SCP-FSS-002                    SPECIFIC PROPOSAL SUBMISSION INSTRUCTIONS (DATE)**

(a) Section I *Administrative/Contract Data*:

(1) Offeror must submit a copy of the certificate signifying that one of its current employees, who is an authorized negotiator for this offer, has completed the "Pathway to Success" training within the past year. "Pathway to Success" training is available through the Vendor Support Center website at <http://vsc.gsa.gov>. Click on the tab "Vendor Training" to access this free, web based training. The training session is less than two hours total and covers the major factors your organization should consider prior to submitting an offer to GSA.

(2) **Electronic submission of offers via eOffer is mandatory via <http://eOffer.gsa.gov>, unless otherwise stated in the electronic submission standards and requirements at the Vendor Support Center website (<http://vsc.gsa.gov>). The most recent refresh of this solicitation can be viewed on FedBizOpps. Submissions of previous versions received more than thirty (30) calendar days after the issuing date of this version will be rejected.**

(i) **It is NOT necessary to submit a signed copy of the SF1449 or other signatures that may be required in the solicitation document, because a digital certificate is required to submit an eOffer. Completing an eOffer through the eOffer system will constitute a signature wherever signature is required in this solicitation regardless of whether or not an electronic signature is present on the document requiring a signature. The offer must include the SF1449, the Vendor Information document (fill-in responses to the Vendor Response Document, GSA required attachments, and offeror's "optional" attachments (defined as any other information submitted by the offeror, not already a part of the requirements and instructions defined by the Government).**

(3) If a consultant is being used during or after award, submit an agent authorization letter. See FedBizOpps Document 12 for sample letter.

(4) Offeror shall provide a complete copy of its current CCR and ORCA which includes applicable NAICS codes for services/products offered.

(5) Offeror shall provide a copy of any cancellation and/or rejection notice(s) your firm has received in the preceding two years from any previous GSA Schedule contracts or proposals.

(6) Offeror shall provide the contract number(s) and price lists of any other GSA Schedule contract(s).

(7) Offeror shall identify any pending offers under other GSA Schedules including the name and phone number of the contract specialist evaluating the offer.

(8) Offeror should not submit clauses Incorporated by Reference (IBR) document (FedBizOpps Document 5), which is the full text of all the clauses incorporated by reference.

(9) Unless otherwise requested, offerors should not submit brochures, newsletters, or other marketing materials.

(10) Elaborate artwork, expensive paper and bindings, and visual or other presentation aids are discouraged.

(11) Provide a copy of offeror's most current, complete, audited (if available) two years of financial statements (at a minimum, balance sheets and income statements). GSA uses balance sheet and income statement information to determine financial responsibility. NOTE: Do NOT submit tax returns. Provide an explanation for any negative financial information disclosed, including negative equity or income. You may be required to provide letters of credit or other documentation to demonstrate that adequate financial resources are available.

(12) Small Business Subcontracting Plan, if applicable The offeror shall prepare and submit a Small Business Subcontracting Plan if, pursuant to the applicable NAICS codes and size standards, it is determined to be other than a small business concern for purposes of this solicitation. Failure to submit a Small Business Subcontracting Plan when required will result in the rejection of your proposal. Large businesses, nonprofit organizations and educational institutions are advised of the requirement to submit a Small Business Subcontracting Plan (see Clause 552.219-72, incorporated by reference).The Government will review each plan to assure it is consistent with the provisions of this clause. Subcontracting plans are subject to negotiations along with the terms and conditions of any contract resulting from this solicitation. The offeror's subcontracting plan must be approved by the Contracting Officer prior to award. A sample outline that may be used in preparing a subcontracting plan is included as FedBizOpps Document 7 (ref. FAR 19.702).

GSA's subcontracting goals for Fiscal Year 2009 are:	
Category of Small Business	Goal % of Total Subcontracting Dollars

Small Business (total of all types)	37%
HUBZone	3%
Small Disadvantaged	6%
Women Owned	5%
Veteran Owned	5%
Service Disabled Veteran Owned	3%

(b) Section II *Technical Proposal*: The technical proposal is comprised of four factors Factor One (Corporate Experience), Factor Two (Relevant Project Experience), Factor Three (Past Performance) and Factor Four (Quality Control). All offers shall address these factors as instructed below. If the offeror is proposing multiple Special Item Numbers (SINs), they shall clearly identify each SIN with the corresponding technical information. Please provide a narrative for each of the following sections to demonstrate your company's capabilities in satisfying ALL underlying requirements listed below.

(1) Factor One Corporate Experience: Submit a two page (maximum) narrative describing the company's corporate experience in all services provided under this Schedule, regardless of the number of SINs being offered. Your company must have provided the type of professional services under this schedule to either a Government or Commercial entity for a minimum of two years. At a minimum, your narrative must include the following:

- (i) Organization's number of years of corporate experience in the services described in Part I of this solicitation.
- (ii) Organization's size, experience in the field, and resources available to enable the offeror to fulfill requirements.
- (iii) Brief history of the organization's activities contributing to the development of expertise and capabilities related to this requirement.
- (iv) Information that demonstrates the offeror's organizational and accounting controls and manpower presently in house or the ability to acquire the type and kinds of personnel proposed.
- (v) Describe/identify how you intend to market services to federal clients.
- (vi) Discuss the use of subcontractors. If applicable, a letter of commitment is required to cover the term of the contract.

(2) Factor Two *Relevant Project Experience*:

(i) For each service SIN offered, the offeror must provide descriptions of two (2) projects. Each description must state the SIN to which it applies, and identify the specific services being proposed for that SIN.

(ii) The projects must either have been completed within the last two years or be ongoing. For ongoing contracts with a base year and option years, at a minimum, the base year must have been completed; for multiyear task orders, at a minimum, the first year must have been completed.

(iii) The offeror must demonstrate that the tasks performed are of a similar complexity to the work solicited under each SIN. The offeror may provide the same project for more than one SIN as long as the description identifies which specific work relates to each SIN. All examples of completed services must have been found to be acceptable by the client. Project descriptions shall not exceed four (4) pages per project.

(iv) Each project description shall include the following customer reference information:

- (A) Customer/Client Name
- (B) Project Name/Contract Number
- (C) Customer Point of Contact for Project
- (D) POC's phone number and email
- (E) Project performance period (include months/years)
- (F) Dollar value of the entire project
- (G) Dollar value received for the work performed relevant to the SIN offered

(H) Brief summary of the project as a whole (background, purpose, etc.)

(I) A copy of the Statement of Work for the project; this does not count against the limitation of four pages per project.

(v) As applicable, each project description shall include a narrative account of the work performed that addresses the following elements:

(A) Detailed description of SIN relevant work performed and results achieved

(B) Methodology, tools, and/or processes utilized in performing the work

(C) Demonstration of compliance with any applicable laws, regulations, Executive Orders, OMB Circulars, professional standards, etc.

(D) Project schedule (i.e., major milestones, tasks, deliverables), including an explanation of any delays

(E) How the work performed is similar in scope and complexity to that described in the Statement of Work (Part I of this solicitation)

(F) Demonstration of specific experience and/or special qualifications detailed in the Statement of Work (Part I of this solicitation)

(vi) Substitution For Relevant Project Experience If project experience does not exist, the offeror may substitute relevant projects of predecessor companies or key personnel that will be performing major aspects of the work. If the offeror chooses to make such a substitution, the narratives must clearly identify the entity or personnel that performed the services. This paragraph applies only to the following schedules:

(A) 520 Financial and Business Services (FABS),

(B) 738 II Language Services,

(C) 738 X Human Resources and EEO Resources,

(D) 69 Training Aids & Devices, Instructor LED Training, Test Administration, and

(E) 03FAC Facilities Maintenance and Management.

(3) Factor Three *Past Performance*: The offeror shall order and obtain a Past Performance Evaluation from Open Ratings, Inc. (ORI). See FedBizOpps Document 6. Offerors are responsible for payment to ORI for the Past Performance Evaluation.

(i) Past Performance Evaluations are valid for a period of one year from date of issuance by ORI. The submission of an evaluation issued more than one year prior to the date of proposal submission will result in rejection of the proposal.

(ii) The offeror shall submit one (1) copy of the completed Past Performance Evaluation and one (1) copy of the order form (including information on up to 20 customer references) with its proposal. Failure to submit the order form and the completed evaluation with the offer will result in rejection of the proposal. A "customer reference" is defined as a person or company that has purchased services from your firm.

(iii) Offeror is advised to use references from projects involving services related to this solicitation and/or those performed under the appropriate NAICS code(s) related to services offered. If these references were not provided to ORI, please explain why.

(iv) The offeror shall address any negative feedback contained in the ORI report. Explain what actions your firm has taken to minimize the problems that resulted in negative feedback.

(4) Factor Four *Quality Control*: Submit one narrative regardless of the number of SINs offered, not to exceed two (2) pages, addressing each of the following items to demonstrate your firm's capabilities in satisfying ALL underlying requirements listed below.

(i) Describe the internal review procedures which facilitate high quality standards in the organization.

(ii) Identify the individuals who will directly supervise or review projects specifically regarding quality control.

(iii) State whether or not subcontractors are used and, if subcontractors are used, describe the quality control measures the offeror uses to ensure acceptable subcontractor performance.

(iv) Describe how your firm handles potential problem areas and solutions.

(v) Describe the procedures for insuring quality performance while meeting urgent requirements.

(vi) Identify the strategies your firm will implement to manage and complete multiple projects for multiple agencies simultaneously.

(c) Section III *Price Proposal*:

(1) GSA's pricing goal: Obtain equal to or better than the Most Favored Customer (MFC) pricing with the same or similar terms and conditions. The U.S. Government Accountability Office has specifically recommended that "the price analysis GSA does to establish the Government's MAS negotiation objective should start with the best discount given to any of the vendor's customers." GSA seeks to obtain the offeror's best price based on its evaluation of discounts, terms, conditions, and concessions offered to commercial customers. If the MFC is a Federal agency, but sales exist to commercial clients, identify which, if any, of the commercial clients obtain the best price. This will allow the Government to establish a "basis for award" customer in accordance with the Price Reductions Clause 552.238-75, paragraph (a). The prices submitted represent fully burdened rates inclusive of all cost factors (e.g., direct labor, in direct labor, G&A, profit, and IFF).

(2) The offeror shall propose a pricing structure consistent with its commercial practices and provide supporting documentation (See paragraph (12) below). Pricing shall be submitted and clearly identified as being based either on a "Commercial Price List" or on "Commercial Market Price," as defined in FAR 2.101 ("Catalog Price" and "Market Prices" under the definition of "Commercial Item"). Submit an electronic copy of the proposed pricing.

(i) As part of the Price Proposal: Offeror shall outline all services being proposed. At a minimum, the offeror should provide the following information:

(A) SIN(s) proposed

(B) Service/Product proposed

(C) MFC/Best commercial customer

(D) MFC/Best commercial customer price

(E) Discount % offered to MFC/Best commercial customer

(F) Discount % offered to GSA

(G) Prices offered to GSA (excluding IFF)

(H) Prices offered to GSA (including IFF)

(3) When training courses are offered, pricing will include the following information:

(i) (A) Title and brief description of the course, including major course objectives

(B) Length of course (number of hours/days)

(C) Minimum/Maximum number of participants

(D) Price for additional students above minimum (if applicable)

(E) Support materials provided as part of the course (e.g., training manuals, CDs, DVDs)

(F) Commercial price of course ("N/A" if offering market based prices)

(G) Discount % offered to GSA ("N/A" if offering market based prices)

(H) Price of course offered to GSA (excluding IFF)

(I) Price of course offered to GSA (including IFF)

(ii) Note: These descriptions will become part of the GSA Authorized Price List if a contract is awarded, and must be posted on GSA *Advantage!*<sup>TM</sup>. Submit an electronic copy of the description of each course offered.

(4) The offeror may propose separate rates for "domestic" and "overseas" services based on the application of variations in their indirect costs, depending upon where the services are performed. Two sets of rates are not required. In the event two sets of rates are offered, the offeror must identify which are considered "domestic" rates and which are considered "overseas" rates.

(5) The offeror may propose separate rates for "customer facility" and "contractor facility" (also known as "offsite/onsite"), based on the application of variations in its indirect costs depending upon where the services are performed. Two sets of rates are not required. In the event two sets of rates are offered, the offeror must identify which is for work at the "customer facility" (i.e., the ordering activity/agency) and which is for work at the "contractor facility."

(6) Offeror is required to include a 0.75% Industrial Funding Fee (IFF) in the prices submitted with their offer (See contract clause 552.23874, Industrial Funding Fee and Sales Reporting). The fee will be included in the awarded prices and reflected in the total amount charged to ordering activities.

(7) (i) When pricing is based on a Commercial Price List (CPL), submit two copies of the company's current dated CPL/Standard Rate Sheet (this is a stand alone document that was not prepared for this solicitation). Submit proposals for the base year only. Pricing based on the CPL are subject to the Economic Price Adjustment Clause at 552.21670.

OR

(ii) Pricing based on Commercial Market Prices are subject to the Economic Price Adjustment Clause, I-FSS-969. If offering market pricing in accordance with Clause I-FSS-969, the offeror must propose a fixed rate of escalation or identify an economic indicator such as the Bureau of Labor Statistics Employment Cost Index.

(8) For each proposed labor category, the offeror shall provide a detailed position description. Position descriptions must include functional responsibilities, minimum years of experience, minimum educational/degree requirements, and any applicable training or certification requirements. If it is the firm's standard commercial practice to substitute experience for education, explain the methodology in use (e.g., five years experience equates to a BA/BS degree). These descriptions will become part of the GSA Authorized Price List if a contract is awarded, and must be posted on GSA *Advantage!*<sup>TM</sup>. Submit an electronic copy of the labor category descriptions and minimum education and minimum experience requirements for each labor category.

(9) Travel will be handled in accordance with clause C-FSS-370. Costs for transportation, lodging, meals and incidental expenses incurred by the contractor are allowable subject to the limitations contained in the Federal Travel Regulations and/or Joint Travel Regulations. They should not be included in the offered prices and will be considered at the task order level.

(10) The Commercial Sales Practices Format (CSP) must be completed in accordance with the Commercial Sales Practices Instructions, demonstrating comparative pricing with your best customer(s). A general explanation of the circumstances and frequency of deviations from your standard commercial practices is required [see Clause 552.212-70, Preparation of Offer (Multiple Awards Schedule)]. A separate CSP must be completed for each pricing structure proposed. Provide a rationale for the estimated GSA contract annual sales (CSP).

(11) The offeror shall include a detailed narrative containing sufficient information for each of the services offered to enable the Contracting Officer to determine that offered prices are fair and reasonable. For example, if a price offered to GSA is not equal to or better than the price offered to the firm's designated Most Favored Customer, the narrative must fully explain the offeror's rationale for proposing such a rate as well as demonstrate why the GSA price is still fair and reasonable. Any deviation from an offeror's commercial sales practices must be explained, including the circumstances surrounding and frequency of the deviations.

(12) The offeror must provide supporting pricing documentation for EACH proposed service/product (e.g. each labor category, percentage based fee, etc.). Supporting pricing documentation may consist of copies of invoices, contracts, quote sheets, etc. and MUST be included in the Offer. There must be a clear and relevant relationship between the supporting document and the proposed price it is meant to substantiate. Each supporting document must be labeled with the name of the corresponding proposed labor category, service, etc.

(13) If offering professional services (as defined by 29 CFR 541), offeror MUST submit a Professional Compensation Plan setting forth salaries and fringe benefits proposed for the professional employees who will work under the contract in accordance with Clause 52.222-46 Evaluation of Compensation for Professional Employees. Individual compensation disclosure is not required. Submission of general compensation practices often printed in an employee handbook is sufficient.

(14) If offering professional or technical services, submit a copy of the offeror's policy that addresses uncompensated overtime in accordance with Clause 52.237-10 Identification of Uncompensated Overtime.

(15) Repair and Alterations (R&A): Applicable to the solicitation \* \_\_\_\_\_ \*: Information for offering R&A is located in PART

I. Clauses specific to R&A are located in a separate FedBizOpps document.

(16) Service Contract Act: Applicable to this-solicitation (Service Contract Act 52.222-41, and related clauses 52.222-42, 52.222-43, and 52.222-49)

(i) The Service Contract Act (SCA) applies to all nonprofessional services to be provided under this schedule except for any pricing offered for service outside of the United States. The SINS to which the SCA applies are identified elsewhere in the solicitation. The SCA index of applicable wage determinations for this solicitation and resultant contract are shown in FedBizOpps document "SCA Index of Wage Determinations." The full text version of each wage determination can be viewed at [www.wdol.gov](http://www.wdol.gov). Some of the proposed labor categories may be subject to the SCA (usually nonprofessional categories). As such, it is important that the offeror verifies that its proposed base rates and fringe benefit rates for these labor categories meet or exceed the SCA wage determination rates and fringe benefits for the areas where the offeror expects to perform the majority of work under the contract.

(ii) A contract must meet only the base rate and fringe benefit rate requirements in the SCA Wage Determination (WD) Revision Number currently incorporated into the GSA Contract. The WD Revision Number in the GSA contract takes precedence over any WD Revision Number an agency incorporates into an RFQ at the Task Order Level. Contractor cannot increase its GSA contract prices at the Task Order Level as a result of accepting a WD Revision Number at the Task Order Level that differs from the WD Revision Number currently incorporated to the Contractor's GSA contract.

(iii) Identify the SCA wage determination(s), including determination number, revision date, state and counties that were used to determine that the rates offered are in compliance. The revision numbers of the wage determinations listed in the solicitation index of wage determinations should be used in the comparisons.

See the sample below for how labor categories subject to the SCA are to be submitted as part of the GSA proposal. Labor category titles and rates are shown for example purposes only.

Labor categories	Hourly Rate
Principal	\$100.00
Engineer	\$80.00
Secretary**	\$20.00
Scientist	\$80.00
Driver**	\$25.00
Engineering Technician**	\$26.00
Administrative Assistant**	\$18.00
**Indicates SCA eligible categories. See the SCA Matrix following the price list for additional information regarding these labor categories.	

(iv) The following paragraph is meant to be instructive and NOT to be copied as part of the proposed GSA price list.

For all the identified SCA eligible labor categories, map the SCA equivalent labor category title (titles/descriptions available at <http://www.wdol.gov>. Click on the "library" link, then download the SCA Directory of Occupations, 5<sup>th</sup> Edition). Also identify the WD# that the labor categories in your offer are predicated on. Note that the applicable revision number for any Wage Determination number is the revision number identified in the solicitation index of wage determinations.

(v) Utilize the following spreadsheet format (labor categories shown are for example purposes):

SCA Matrix		
SCA Eligible Contract Labor Category	SCA Equivalent Code Title	WD Number
Secretary	01115 General Clerk I	052059
Driver	31361 Truck driver, Light Truck	052059

Engineering Technician	29081 Engineering Technician I	052059
Administrative Assistant	01011 Accounting Clerk I	052059

(vi) Insert the following language below the above SCA matrix and insert both (matrix and language) at the end of the proposed GSA price list.

"The Service Contract Act (SCA) is applicable to this contract and it includes SCA applicable labor categories. The prices for the indicated (\*\*\*) SCA labor categories are based on the U.S. Department of Labor Wage Determination Number(s) identified in the SCA matrix. The prices offered are based on the preponderance of where work is performed and should the contractor perform in an area with lower SCA rates, resulting in lower wages being paid, the task order prices will be discounted accordingly."

(vii) (A) There are three methods for determining price adjustments of Service Contract Act (SCA) eligible labor categories ONLY. The offeror will be required to select one method for the life of the contract.

(1) Method 1: Price Adjustment for the base contract period and all options exercised shall be in accordance with clause 52.222-43, Fair Labor Standards Act and Service Contract Act Price Adjustment (Multiple Year and Option Contracts). When a modification is issued to all contract holders incorporating a revised index of wage determinations, contractors shall notify the Contracting Officer of any increase/decrease claimed under clause 52.222-43 within 30 calendar days after receipt of the modification.

(2) Method 2: An escalation method is negotiated prior to award in accordance with the clause I-FSS-969, Economic Price Adjustment FSS Multiple Award Schedule, utilizing any of the methods available in the solicitation under that clause.

(3) Method 3: When the offered prices are based upon a commercial price list, then only revisions in the commercial price list will enable the contractor to revise prices. They will only be allowed increases in accordance with clause 552.216-70, Economic Price Adjustment FSS Multiple Award Schedule Contracts.

(B) Regardless of the method used, contractor must ensure that within 30 calendar days after the effective date of any modification to revise pricing based on changes in the applicable wage determination(s), the electronic catalog is updated on *GSAA Advantage!™*.

(viii) Note 1: The contractor will not automatically be allowed an increase in prices based solely on new wage determinations.

(ix) Note 2: Reference Code of Federal Regulations, Title 29, Labor, Subtitle A Office of the Secretary of Labor, Part 4 Labor Standards for Federal Service Contracts, Subpart D Compensation Standards, paragraph 4.161 Minimum monetary wages under contracts exceeding \$2,500, which states: "No change in the obligation of the contractor or subcontractor with respect to minimum monetary wages will result from the mere fact that higher or lower wage rates may be determined to be prevailing for such employees in the locality after the award and before completion of the contract."

**SCP-FSS-003                    GENERAL PROPOSAL SUBMISSION INSTRUCTIONS (DATE)**

- (a) Read the entire solicitation document prior to preparation of the offer.
- (b) All information provided by the offeror shall be current, concise, and complete. It shall demonstrate a thorough understanding of the requirements of this solicitation. By signing and dating the offer, the offeror attests that there have been no changes to the text of this solicitation, unless otherwise stated.
- (c) (1) All offers shall include the following Evaluation Factors. Omission of any section or substantial deficiencies within any Factor may result in rejection of the offer.
- (i) FACTOR 1. Financial Responsibility Determination
  - (ii) FACTOR 2. Corporate Experience
  - (iii) FACTOR 3. Past Performance
  - (iv) FACTOR 4. Project Experience for SIN 132-51 and SIN 132-60f only (IT and IAM Professional Services only)
  - (v) FACTOR 5: Project Experience for SIN 132-54, Commercial Satellite Communications (COMSATCOM) Transponded Capacity and SIN 132-55, COMSATCOM Subscription Services
  - (vi) FACTOR 6: Information Assurance Minimum Security Controls Compliance for SIN 132-54, Commercial Satellite Communications (COMSATCOM) Transponded Capacity and SIN 132-55, COMSATCOM Subscription Services only.
  - (vii) FACTOR 7. Price Proposal
- (2) The evaluation factors will be used to evaluate the merit or excellence of the proposed factors, the work to be performed, service to be provided and for fair and reasonable pricing. Award will be made on a SIN by SIN basis. A rating of unacceptable under any Evaluation Factor may result in an "unacceptable" rating for that SIN and that SIN will be rejected. Offerors determined unacceptable for all proposed SINs will be rejected.
- (d) **Electronic submission of offers via eOffer is mandatory via <http://eOffer.gsa.gov>, unless otherwise stated in the electronic submission standards and requirements at the Vendor Support Center website (<http://vsc.gsa.gov>).**
- (e) The attached Commercial Sales Practices Format (CSP-1) shall be completed in accordance with the Commercial Sales Practices Instructions, demonstrating comparative pricing with your best customer(s). A general explanation of the circumstances and frequency of deviations from your standard commercial practices is required [see Clause 552.212-70, Preparation of Offer (Multiple Awards Schedule)]. A separate CSP-1 shall be completed for each pricing structure proposed. Provide a rationale for the estimated GSA contract annual sales.
- (f) Offers may be rejected if they do not meet all of the following criteria:
- (1) Submit "Pathway to Success" training certificate.
  - (2) Submit a signed and dated Standard Form 1449.
  - (3) Submit a completed Vendor Response Document.
  - (4) The offeror currently has an up-dated registration in Central Contractor Registry (CCR).
  - (5) The offeror has completed the Online Representations and Certifications Application (ORCA) in its entirety. The information is current, accurate, and complete, and reflects the North American Industrial Classification System (NAICS) code(s) for this solicitation.
  - (6) Submit a completed Open Ratings, Inc. (ORI) Past Performance Evaluation and Order Form (references).
  - (7) Submit a completed Commercial Sales Practices (CSP-1) Format.
  - (8) Submit a complete Small Business Subcontracting Plan (For Large Businesses).
  - (9) Submit Labor Category Matrix (For Professional Services only) (See Sample Attachment).

(10) Submit a proposed Authorized Information Technology Schedule Pricelist General Purpose Commercial Information Technology, Equipment, Software and Services. Guidance for developing the pricelist is attached to the solicitation.

(11) If other than the manufacturer, submit a Letter of Supply

(12) Submit a Dealer / Reseller Spreadsheet (For supplies only) (See Sample Attachment)

(13) Submit course names, brief description, length of course, type of training, location (on or off customer site) and any other pertinent details to the training offered (For SIN 132-50 only)

(14) If other than the manufacturer, submit proof of authorization to provide training course(s) for manufacturer's software and/or hardware products (For SIN 132-50 only)

(g) (1) Pursuant to FAR 15.404 – Price Evaluation – The offeror shall propose a pricing structure consistent with its commercial practices and provide supporting documentation. Pricing shall be submitted and clearly identified as being based either on a "Commercial Price List" or on "Commercial Market Price," as defined in FAR 2.101 ("Catalog Price" and "Market Prices" under the definition of "Commercial Item").

(2) The offeror shall provide supporting pricing documentation for EACH proposed service and supply/product (e.g. each labor category, percentage based fee, etc.). Supporting pricing documentation may consist of copies of invoices, contracts, quote sheets, etc. and shall be included in the offer. There must be a clear and relevant relationship between the supporting document and the proposed price it is meant to substantiate. Each supporting document must be labeled with the name of the corresponding proposed labor category, service, etc.

(h) If offering professional services (as defined by 29 CFR 541) (SINs 132-51 and/or 132-60f) –

(1) Offeror shall submit a Professional Compensation Plan setting forth salaries and fringe benefits proposed for the professional employees who will work under the contract in accordance with Clause 52.222-46 Evaluation of Compensation for Professional Employees. Individual compensation disclosure is not required. Submission of general compensation practices often printed in an employee handbook is sufficient.

(2) The offeror shall include a detailed narrative containing sufficient information for each of the services offered to enable the Contracting Officer to determine that offered prices are fair and reasonable. For example, if a price offered to GSA is not equal to or better than the price offered to the firm's designated Most Favored Customer, the narrative must fully explain the offeror's rationale for proposing such a rate as well as demonstrate why the GSA price is still fair and reasonable. Any deviation from an offeror's commercial sales practices shall be explained, including the circumstances surrounding and frequency of the deviations.

**552.243-72 MODIFICATIONS (FEDERAL SUPPLY SCHEDULE) (JULY 2000) (DEVIATION I – DATE)**

- (a) General. The Contractor may request a contract modification by submitting a request to the Contracting Officer for approval, except as noted in paragraph (d) of this clause. At a minimum, every request shall describe the proposed change(s) and provide the rationale for the requested change(s).
- (b) Types of Modifications.
- (1) Additional items/additional SIN's. When requesting additions, the following information must be submitted:
    - (i) Information requested in paragraphs (1) and (2) of the Commercial Sales Practice Format to add SIN's.
    - (ii) Discount information for the new items(s) or new SIN(s). Specifically, submit the information requested in paragraphs 3 through 5 of the Commercial Sales Practice Format. If this information is the same as the initial award, a statement to that effect may be submitted instead.
    - (iii) Information about the new item(s) or the item(s) under the new SIN(s) as described in 552.212-70, Preparation of Offer (Multiple Award Schedule) is required.
    - (iv) Delivery time(s) for the new item(s) or the item(s) under the new SIN(s) must be submitted in accordance with 552.211-78, Commercial Delivery Schedule (Multiple Award Schedule).
    - (v) Production point(s) for the new item(s) or the item(s) under the new SIN(s) must be submitted if required by 52.215-6, Place of Performance.
    - (vi) Hazardous Material information (if applicable) must be submitted as required by 52.223-3 (ALT I), Hazardous Material Identification and Material Safety Data.
    - (vii) Any information requested by 52.212-3(f), Offeror Representations and Certifications–Commercial Items, that may be necessary to assure compliance with FAR 52.225-1, Buy American Act–Balance of Payments Programs–Supplies.
  - (2) Deletions. The Contractors shall provide an explanation for the deletion. The Government reserves the right to reject any subsequent offer of the same item or a substantially equal item at a higher price during the same contract period, if the contracting officer finds the higher price to be unreasonable when compared with the deleted item.
  - (3) Price Reduction. The Contractor shall indicate whether the price reduction falls under the item (i), (ii), or (iii) of paragraph (c)(1) of the Price Reductions clause at 552.238–75. If the Price reduction falls under item (i), the Contractor shall submit a copy of the dated commercial price list. If the price reduction falls under item (ii) or (iii), the Contractor shall submit a copy of the applicable price list(s), bulletins or letters or customer agreements which outline the effective date, duration, terms and conditions of the price reduction.
- (c) Effective dates. The effective date of any modification is the date specified in the modification, except as otherwise provided in the Price Reductions clause at 552.238–75.
- (d) Electronic File Updates. The Contractor shall update electronic file submissions to reflect all modifications. For additional items or SINs, the Contractor shall obtain the Contracting Officer's approval before transmitting changes. Contract modifications will not be made effective until the Government receives the electronic file updates. The Contractor may transmit price reductions, item deletions, and corrections without prior approval. However, the Contractor shall notify the Contracting Officer as set forth in the Price Reductions clause at 552.238-75.
- (e) Amendments to Paper Federal Supply Schedule Price Lists.
- (1) The Contractor must provide supplements to its paper price lists, reflecting the most current changes. The Contractor may either:
    - (i) Distribute a supplemental paper Federal Supply Schedule Price List within 15 workdays after the effective date of each modification.
    - (ii) Distribute quarterly cumulative supplements. The period covered by a cumulative supplement is at the discretion of the Contractor, but may not exceed three calendar months from the effective date of the earliest modification. For example, if the first modification occurs in February, the quarterly supplement must cover February–April, and every 3 month period after. The Contractor must distribute each quarterly cumulative supplement within 15 workdays from the last day of the calendar quarter.
  - (2) At a minimum, the Contractor shall distribute each supplement to those ordering activities that previously received the basic document. In addition, the Contractor shall submit two copies of each supplement to the Contracting Officer and one copy to the FSS Schedule Information Center.
- (f) **Electronic submission of modification requests via eMod is mandatory via <http://eOffer.gsa.gov>, unless otherwise stated in the electronic submission standards and requirements at the Vendor Support Center website (<http://vsc.gsa.gov>). If the electronic submissions standards and requirements information is updated at the Vendor Support Center website, Contractors will be notified prior to the effective date of the change.**