

MAS Consolidation Phase 3 Detailed FAQs December 2021

This document outlines Phase 3 of MAS Consolidation and is meant to be a resource for our industry partners to help answer questions specific to the actions required to complete Phase 3.

Does Phase 3 apply to me?

If your company manages *two or more* MAS contracts with the same Unique Entity Identifier (UEI), then **yes, Phase 3 applies to you.**

Phase 3 does **NOT** apply to your company in the following scenarios:

- You have two contracts and one of them has a small business set-aside (SBSA) Special Item Number (SIN) (if you have more than two non-SBSA contracts, then those must be consolidated)
- One contract is a follow-on contract with the same SIN(s)
- One contract already has the same SIN(s) and services/products as awarded on another contract

The timeline for contract consolidation completion will be contract-dependent. Due to Blanket Purchase Agreements (BPAs) and open orders, it may take up to five years to get all contractors down to one contract per UEI.

Important: Streamlining for Phase 3

As we continue with Phase 3, GSA will streamline the acquisition process by moving impacted contracts to one Procurement Contracting Officer (PCO) in your designated acquisition center wherever possible. In doing so, contractors will now have only one PCO to work with instead of having to coordinate across multiple PCOs to plan and execute the actions needed to consolidate their contracts.

Prior to transferring any contracts, the PCO will complete contract file transfer checklists. If you receive any requests for information as your PCO is preparing the contract file transfer checklist, we ask that you promptly respond. Contracts will only be moved after all transfer requirements are met and documented by the PCO. You will receive a system generated Rapid Action Modification (RAM) Contract Modification eMod for each contract reassignment.

Frequently Asked Questions (FAQs) **General Questions**

Q1) What is Phase 3 and how do I get started?

Phase 3 requires you to consolidate your MAS contracts down to one contract per unique entity identifier (UEI), e.g. Data Universal Numbers System (DUNS) number. In Phase 3, each contractor will fill out a [contractor checklist and plan](#) documenting how and when they would like to consolidate to one contract.

The contractor checklist and plan should be submitted and approved by the PCO **prior** to submitting any streamlined “add SIN” modifications. If you need your designated acquisition center PCO’s information, you may find their email and phone number at

<https://www.gsaelibrary.gsa.gov> (see *Govt. Point of Contact* within the *Contractor Information* section) by entering your contract number or company name in the search block).

While reviewing the contractor checklist and plan, consider the following:

- 1) How many contracts do I have? What are the contract numbers?
- 2) What is the period of performance on each contract? Do my contracts have more than 5 years left of the 20 year period of performance? When is the next option period for each contract?
- 3) Are any of my contracts follow-on contracts ? Which ones? ¹
- 4) Which contract represents my core business/preponderance of work? 5) What is the size standard for the preponderance of work NAICS for each contract?
- 6) What is the pricing structure on each of my contracts?
- 7) Are my contracts under Transactional Data Reporting (TDR) or non-TDR? 8) What is the status of open orders and BPAs on my contracts? If so, what is the period of performance for the BPA(s)?

- 9) Do my contracts have audits, claims, legal disputes, OIG investigations, or novations?

Note: If one or more of your consolidated contracts falls into one or more of these situations, consolidation of the impacted contract(s) will be delayed until there is resolution.

- 10) Are all contracts to be consolidated fully up-to-date? This includes ensuring:
 - a) All pending mandatory Mass Mods have been accepted,
 - b) All sales reporting and Industrial Funding Fee (IFF) remittance is current and accurate,
 - c) Any IOA findings have been resolved,
 - d) Company has migrated to MAS in SIP/EDI
 - e) A current and accurate catalog file is published, and
 - f) SAM registration is current and accurate.

- 11) Are any of my contracts at risk of being cancelled for low or no sales (<\$25,000 annually)?

Note: If you would like to consolidate a low/no sales contract, your PCO may ask for a marketing plan to generate sales and justification for adding SINs, given that there is a risk of the contract being cancelled due to low/no sales.

The timing of and execution of your contract consolidation and process will be between you and your contract owning acquisition center PCO. Any contractor checklist and plan, add SIN modifications, or contract related questions shall be directed to your MAS PCO.

¹ A follow-on contract, also referred to as a duplicate or streamlined contract, is awarded with the same SINs as an existing contract to allow contractors to have enough period of performance to pursue Blanket Purchase Agreements (BPA).

Q2) How long will it take to complete Phase 3?

All [contractor checklists and plans](#) are due to your contracting officer no later than **12/31/2021**. Due to BPAs and open orders, it may take up to five years to get all contractors down to one contract per unique entity identifier (UEI), e.g. Data Universal Numbering System (DUNS) number.

Q3) In reviewing my MAS contracts and completing my contractor checklist and plan, what are my options and how do I complete Phase 3?

GSA created a [Phase 3 Consolidation Guide for Industry](#). This guide outlines the steps contractors need to take as part of MAS Consolidation's Phase 3 to get down to one surviving MAS contract. This includes instructions on choices you have during Phase 3 and how to submit a modification request.

Q4) What are some things I should NOT do during Phase 3?

- 1) **Contractors should NOT just submit modifications to add every SINs/labor category/course/product/solution to your surviving contract.** Carefully consider which SINs and items your company wants to offer. Not all may be necessary or needed.
- 2) **Contractors should NOT continue to pursue work on contracts that you plan to cancel.** Once your contractor checklist and plan is approved, begin submitting your add SIN modification to move needed offerings over to your surviving contract. SIN addition modifications should be submitted in accordance with the outlined '[Request to Hold Continuous Contracts](#)' template and [MAS Modification Guidance](#). If you intend to add SINs using the streamlined procedures outlined in the 'Request to Hold Continuous Contracts' policy, you must keep your non-surviving contract alive until all offerings are added to your surviving contract.
- 3) **Contractors should not choose a surviving MAS contract based solely on preponderance of work NAICS code business size** rather than considering all relevant factors at play as outlined in Question 1 above.

MAS Consolidation Phase 3 Contract Actions - Moving to one surviving contract

Q5) Can I begin submitting 'Add SINs' to my surviving contract before the contracts have all been reassigned to the designated acquisition center for consolidation?

Contractors may complete and submit their contractor checklist and plan to the PCO that manages their contracts. To the maximum extent allowable, the actual 'Add SIN' modification should not be initiated until the contract(s) being consolidated are transferred to the designated acquisition center. If you have an urgent need to begin consolidating prior to being assigned a single PCO, please reach out to all your PCOs to let them know.

Q6) What are GSA PCOs required to review as part of an "Add SIN" modification request under Phase 3?

When reviewing add SIN requests as part of Phase 3, PCOs must:

- 1) determine that the proposed pricing is fair and reasonable independent of the terms awarded under the existing contract,
- 2) consider and properly document the contractor's past performance under its existing MAS contract, and
- 3) execute the required contract modifications to document both the ordering activity and the period of time that the contractor is being allowed to have continuous MAS contracts.

Some SINs have specific evaluation factors outlined at the SIN level in the "Category Attachment available at [SAM.gov](https://www.sam.gov). These will need to be reviewed and confirmed prior to the addition of those SINs to a surviving contract. In general, contractors will NOT be required to re-do oral technical evaluations or meet specific SIN project experience requests, as long as the products or services being added with the SIN are the same that are currently awarded under one of their active MAS contracts.

Q7) How will my small business size standard be handled?

The small business size standard on your surviving contract will prevail. Contractors will not represent their business size unless the conditions outlined in [52.219-28](#) occur. Phase 3 is not a rerepresentation opportunity - a rerepresentation typically happens every 5 years at the option period renewal.

Q8) If a contractor has 3 or more contracts linked to a single UEI, are they required to consolidate all of their individual MAS contracts to a single acquisition center at the same time?

No, contractors are not required to consolidate all of their individual MAS contracts at the same time. Contractors may propose to complete the consolidation of their offerings to a surviving contract in multiple phases, via a single contract modification request or the submission of a new offer entirely. Consolidation strategy will depend on your unique situation/business needs and the plan established between you and your PCO.

Although the contractor will develop their consolidation approach based on their unique situation, they should work with their PCO as the PCO retains the discretion to direct the contractor to complete the consolidation actions in a strategic manner. \

Q9) Can I exercise an option period on a non-surviving MAS contract? Yes, it may be appropriate to exercise an upcoming option period on a non-surviving MAS contract to accommodate ordering activity such as a multi-year BPA. The prohibition on using the non-surviving contract for new business, identifying the ordering activity that makes the contractor eligible to hold continuous contracts, and the earliest possible agreed upon cancellation date for the non-surviving MAS contract must be outlined in a bilateral terms and conditions modification prior to exercising the option period. PCOs must evaluate and vet the need to extend the period of performance for non-surviving contracts thoroughly before proceeding with exercising an upcoming option period.

Q10) Can the continuous contracts have multiple price points for products and labor categories, different economic price adjustment (EPA) methodologies etc.? In some cases, continuous contracts may have different terms and conditions, but the PCO should ensure the contract terms and conditions align as much as possible while both contracts remain active. PCOs must not award identical products at multiple price points on the same MAS contract or on continuous contracts to reduce risk in the supply chain.

When the PCO has determined that it is appropriate to award differing terms and conditions, the PCO must document the contract file transfer checklist with a justification/rationale as to why it is in the best interest of the government to proceed with the contract award/modification.

Q11) Can a contractor consolidate set-aside and non-set aside SINs to its surviving MAS contract?

No, the system currently does not allow for set-aside and non-set aside SINs to be awarded under the same MAS contract. FSS contractors awarded separate contract(s) with set-aside SINs and non-set aside SINs will continue to hold multiple MAS contracts.

Note: These SINs are indicated with SBSA at the end of the SIN number, it is not your company's business size.

Q12) How is my participation in Transactional Data Reporting (TDR) impacted in Phase 3?

TDR participation is agreed to and implemented at the contract level. Any SINs added to a surviving contract that is subject to TDR will also be subject to TDR terms and conditions.

If a contractor is proposing to add SINs that are eligible for TDR participation to a non-TDR surviving contract, the contractor may elect to participate or not participate in TDR when submitting the "Add SIN" modification request. Remember, if you elect to opt-in to TDR during an "Add SIN" modification, it applies to the entire contract and you will NOT be able to opt out of TDR.

Q13) What if my contract has a pending option in the next 12 months and is being transferred to my designated acquisition center?

If your contract is within a year of its contract option period end date, please connect with your PCOs as soon as possible and discuss your consolidation plan. In order to utilize the streamlined procedures for adding SINs to your contract, you will need to have the SINs active on another MAS contract.

Q14) How are scheduled and in-progress OIG pre-award audits handled when the contract will be consolidated via the submission of a new offer or an "Add SIN" modification to a surviving MAS contract?

Scheduled and in-progress OIG pre-award audits associated with a contractor's

non-surviving contract(s) may be completed by the OIG according to the audit plan or the OIG may elect to cancel the audit. Your PCO will contact the Audit Team to discuss any offers/modification requests (other than routine administrative modification requests) received during the consolidation process to determine whether there is any impact to the OIG Audit. PCOs may not process modifications received for a contract being audited during the consolidation process until the PCO has OIG input.

Any contract modification issued to incorporate audit resolutions on a non-surviving contract must be incorporated into the contractor's new or surviving MAS contract.

The process of consolidating the contractor's individual MAS contracts into a single MAS contract may proceed prior to the receipt of an audit report or resolution of the audit findings as long as no changes to the various terms and conditions are made. In addition, when the surviving contract is modified/awarded, the contractor must understand that pricing will not be finalized until audit findings are resolved on the non-surviving contract. Once the audit report is received and audit findings resolved, the resolutions must be incorporated into the new or surviving contract.

Supporting BPAs and Ongoing Task Orders

Q14) Instead of awarding a continuous FSS contract, can BPAs and orders be transferred to the new contract upon expiration (i.e., completion of the 20th year) of the old contract?

No – BPAs and orders under one FSS contract cannot be transferred to another. Contracts that have ongoing BPAs awarded under them, must remain open and current until the BPA is complete. This may include exercising an option against a non-surviving contract.

Phase 3 Impacts to MAS Subcontracting Plans

Q15) How will subcontracting plans be handled under Phase 3 MAS Consolidation?

Consolidation of subcontracting plans will only affect those contracts with individual subcontracting plans which cover the entire MAS contract period of performance, including options, whether exercised or not. Consolidation does not apply to commercial subcontracting plans as they are corporate plans, applying to all of a company's "spend" during their fiscal year. Commercial plans must be renewed every year.

There are three scenarios that could arise under MAS Consolidation:

A. Contractor only has one MAS contract and is not participating in Phase 3.

- i. Subcontracting plan was approved by PCO, SBTA, and PCR under this contract.
- ii. No further review needed.
- iii. Plan remains in effect and may be modified at time of option exercise if there was a significant increase in subcontracting during the expiring period of performance. OSDDBU recommends the goals be renegotiated with the MAS contractor for the remaining periods of the contract.

B. MAS contractor has multiple MAS contracts with ongoing BPAs/orders. Each contract file has an approved individual subcontracting plan.

Contractors who request to hold continuous contracts should continue until the end of their respective performance period. For these contracts, the consolidation of subcontracting plans cannot be completed until these orders/BPAs are completed. Each legacy contract's subcontracting plan remains in effect until the existing BPAs/orders reach the end of their respective performance periods. Contractor continues to report subcontracting against the legacy contract(s) plans in the eSRS system until these orders/BPAs are complete.

NOTE: The non-surviving contract is for reference purposes only and is replaced by the identified surviving contract. All new orders/BPAs MUST be awarded against the identified surviving contract.

C. MAS Contractor has multiple contracts, with no existing BPAs/orders. Each contract file transfer checklist has its own individual subcontracting plan which requires "consolidation" of the subcontracting plans.

- i. If each of the MAS contracts have evidence that each plan was reviewed and approved by the PCO, SBTA, and PCR, the contractor may submit a "consolidated" plan for the surviving contract to the PCO following the procedures in (iii) below.
- ii. If the contractor has a subcontracting plan missing from the MAS contract, the contractor may submit a consolidated subcontracting plan following the procedures in (iii) below.
- iii. Process for the surviving consolidated subcontracting plan based on basic contracting and FAR principles. Two scenarios are likely: ■ No significant change to existing subcontracting plans. Contractor "consolidates" recently approved, existing subcontracting plans into one by creating a new plan for the surviving contract and submitting to the PCO via eMod. The subcontracting plans under these contracts:
 1. Goals demonstrate "maximum" opportunity for small businesses, etc.
 2. Plan includes the four (4) "assurances" added to 52.219-9(d)(12) - (15). These elements were incorporated into the November 2016 and January 2017 plans, and offer protection for small business subcontractors both in utilization and payment as well as task order level reporting requirements. OSDDBU sees no reason why a contractor would not accept these assurances.
 3. File demonstrates the legacy plans were approved by PCO, SBTA, and PCR.

A consolidated subcontracting plan is required to be submitted by the contractor if there is more than one (1) year remaining in the existing option period of performance. The plan should be incorporated into the

contract in conjunction with/shortly after contract consolidation (i.e., once all SINs have been added to the surviving contract).

- Significant changes required for consolidated subcontracting plans, requiring contractor consolidates existing plans that need additional assurances (52.219-9(d)(12) -(15)) and negotiate greater goals that reflect “maximum” opportunity for SBs, etc:
 1. Submits a revised subcontracting plan to the PCO to cover the remaining periods of performance for the surviving MAS contract
 2. New plan contains all 15 required elements (FAR 52.219-9(d)) since the contract number will be associated with the surviving contract. Identifies goals (both dollars and percentages) for each period of performance of the consolidated contract
 3. Combines and identifies the description of the principal items and services expected to be subcontracted under the surviving contract
 4. Requires PCO review and concurrence by SBTA and PCR

Q16) What happens to reports in eSRS after consolidation?

Two sections of the Individual Subcontracting Report will need to be updated to reflect the consolidated subcontracting plan: “Current Goal” and “Actual Cumulative.” To update the “Current Goal”, contractors will follow the same logic when options are exercised as required under FAR 52.219-9(l)(1)(ii)(A). The “Current Goal”² listed in the Individual Subcontract Report (ISR) for the surviving contract must be updated to reflect the consolidated subcontracting goals, both dollars and percentages. Since the legacy contracts cease to exist once consolidation is complete, the “Actual Cumulative” reported during the reporting period should be updated accordingly. The contractor should reference the consolidation in the first ISR submitted after consolidation under the “Remarks” section of the ISR, listing the contract number(s) consolidated.

Why is this important? ISRs track the contractor’s progress in meeting the small business subcontracting goals throughout the life of the contract. Remember that the subcontracting plan is a material part of the contract and is required to be monitored just as any other material part of the contract. Failing to update the “Current Goal” and “Actual Cumulative” in ISR will not present an accurate picture of the contractor’s progress and stymie PCOs ability to assess if the contractor truly made a “good faith effort” to maximize opportunities for SBs, SDBs, WOSBs, VOSBs, SDVOSBs, and HUBZone SBs as required by law.

Note: Consolidation will not affect the contractor’s submission of SSR reports.

² Paragraph (A) states: “the dollar goal inserted on this report shall be the sum of the base period through the current option; for example, for a report submitted after the second option is exercised, the dollar goal would be the sum of the goals for the basic contract, the first option, and the second option.”

Q17) How do I learn more about the new MAS Large Categories and get my questions answered?

For questions related to your specific contract(s), please contact your GSA Contracting Officer. If you have general questions about a specific category or SIN, please contact the applicable category POC below.

MAS Large Category Page Category Email Address
<u>MAS Furniture and Furnishings</u> <u>masfurniture@gsa.gov</u>
<u>MAS Miscellaneous</u> <u>masmiscellaneous@gsa.gov</u>
<u>MAS Office Management</u> <u>masofficemanagement@gsa.gov</u>
<u>MAS Facilities</u> <u>masfacilities@gsa.gov</u>
<u>MAS Human Capital</u> <u>mashumancaptial@gsa.gov</u>
<u>MAS Industrial Products and Services</u> <u>masindustrial@gsa.gov</u>
<u>MAS Information Technology</u> <u>masit@gsa.gov</u>
<u>MAS Professional Services</u> <u>ProfessionalServices@gsa.gov</u>
<u>MAS Scientific Management</u> <u>masscientific@gsa.gov</u>
<u>MAS Security and Protection</u> <u>massecurity@gsa.gov</u>
<u>MAS Transportation and Logistics</u> <u>mastransportation@gsa.gov</u>
<u>MAS Travel</u> <u>mastravel@gsa.gov</u>

If you have additional questions about Phase 3, please reach out to the MAS PMO at MASPMO@gsa.gov.