

Significant Changes For the GSA Multiple Award Schedule (MAS) Solicitation (Interact post attachment)

DISCLAIMER: GSA FAS is posting this notification of a planned solicitation refresh or mass modification as a courtesy to industry. All comments on the attached DRAFT document must be submitted in the "Comments" section below within ten (10) business days of this posting. Comments provided elsewhere or after 10 business days will not be considered. GSA FAS will consider all relevant comments and make changes to the DRAFT as appropriate, but will not issue a formal response to industry comments or related inquiries. Interested parties should thoroughly review the final version of the solicitation refresh or mass modification for changes made to this DRAFT.

GSA anticipates that the refresh will occur in December, 2023.

Summary of Planned Changes Below is a high-level description of significant changes to be included in the upcoming MAS refresh and mass modification. Be sure to review the final solicitation refresh and mass modification for full details.

NOTE: The mass modification applying the changes associated with Refresh 18 is due to be accepted by the subject contractor no later than **90 days** after the mod has been issued. Failure to accept this modification prior to the due date may result in loss of access to GSA eTools and/or cancellation of the subject contract.

A: Changes to Overall MAS Solicitation:

1. **Incorporate the following updates to SCP-FSS-001** (see GSA Interact notice attachment for revised text):
 - a. Add the following language related to Performance Requirement FAS Cyber-Supply Chain Risk Assessment: Performance Requirement FAS Cyber-Supply Chain Risk Assessment:
 - i. The Government may perform a cyber-supply chain risk assessment of the awarded contractor at any time during the period of performance. The Government may review any information provided by the contractor to the Government as part of this contract action, along with any other information available to the Government from any other source, to assess the cyber-supply chain risk associated with the contractor. The Government may monitor the following cyber-supply chain risk information, including, but not limited to:

- Functionality and features of awarded products and services, including access to data and information system privileges;
- The ability of a source to produce and deliver products and services as expected;
- Foreign control of, or influence over, a source, product or service (e.g., foreign ownership, personal and professional ties between a source and any foreign entity, legal regime of any foreign country in which a source is headquartered or conducts operations);
- Security, authenticity, and integrity of products and services and their supply and compilation chains;
- The contractor's capacity to mitigate identified risks;
- Any other considerations that would factor into an analysis of the security, integrity, resilience, quality, trustworthiness, or authenticity of products, services or sources.

In the event supply chain risks are identified during contract administration and corrective action becomes necessary, mutually agreeable corrective actions will be sought based upon specific identified risks. Failure to resolve any identified risk may result in Government action including not extending the period of performance, not exercising remaining option periods and contract termination.

b. Add the following Options & Accessories Language

- i. When submitting products that include Accessories (Related Products) and/or Options, the following conditions apply:
 1. Accessories. Accessories are standalone items, also referred to as Related Products, that can be sold with a base item. Accessories have their own unique product information, and the base/accessory relationship is established by the contractor to link an accessory with its associated base item(s). Because accessories function similar to base items, each accessory should have supporting documentation to justify the price.
 2. Options. Product options can be applied to a base item or an accessory. Options have their own part numbers, but cannot be sold independently of a base item or accessory. Options must be applied at the time of purchase, and may or may not have an associated price. Options that impact the price of a base item or an accessory should have supporting documentation to justify the price.

- c. Added the following language regarding solely compatible items:
 - i. Products that are solely compatible with products that are prohibited for national security reasons (e.g., FAR clause 52.204-23; FAR clause 52.204-25; FAR clause 52.204-30) may not be offered under MAS contracts. “Solely compatible products” are items that can only fulfill their intended purpose in conjunction with another product(s). For example, a small pluggable module that only functions with a telecommunications product from a covered entity is considered to be solely compatible with a prohibited product. These products do not add value to the MAS program since the products they are designed to support cannot be purchased or used by GSA customers.
 - d. Added the following note related to clarifying current requirements of Transactional Data Reporting (TDR):
 - i. Note: If a contractor opts into TDR, the entire contract is subject to TDR terms and conditions for the remainder of the contract.
2. **Revise Clause I-FSS-639:** To support the Administration’s efforts to bring in new entrants and retain recent entrants, FAS FSS clause I-FSS-639, Contract Sales Criteria, is being revised to:
- a. Change the time period for consideration of sales:
 - i. FROM: 24 months and 12 months respectively
 - ii. TO: a standardized 60 months
 - b. Adjust the dollar thresholds:
 - i. FROM: \$25,000 within the first 24 months following contract award, and \$25,000 in sales each 12-month period thereafter
 - ii. TO: a single \$100,000 threshold for the first 60 months of the contract, and a \$125,000 threshold for each 60 month option period thereafter
 - c. Make the consideration of sales a part of a FSS contracting officer’s determination to exercise (or not) an option to extend the term of the contract.
3. **FASCSA Orders:** DoD, GSA, and NASA are issuing an [interim rule](#) amending the Federal Acquisition Regulation (FAR) to implement supply chain risk information sharing and exclusion or removal orders consistent with the Federal Acquisition Supply Chain Security Act of 2018 and a final rule issued by the Federal Acquisition Security Council. This rule refers to both exclusion and removal orders as “**FASCSA orders**”.

Accordingly, the following clause and provision will be **ADDED**:

Provision 52.204–29 Federal Acquisition Supply Chain Security Act Orders—Representation and Disclosures. Prohibits contractors from providing any covered article, or any products or services produced or provided by a source, including

contractor use of covered articles or sources, if the covered article or the source is subject to an applicable FASCSA order identified in the clause at FAR 52.204–30(b)(1).

- Contractors must search SAM by using the search term “FASCSA order” to locate all FASCSA orders or only those that apply to the solicitation.
- By submitting an offer, an offeror is representing that it has conducted a reasonable inquiry and is not providing any covered article, or any products or services subject to an applicable FASCSA order identified in the solicitation
- If an offeror cannot represent compliance with the prohibition, then the offeror must disclose this and provide the required information in accordance with 52.204–29(e). The Government will use this information to determine whether to seek a waiver or may choose to make an award to an offeror that does not require a waiver.

FAR Clause 52.204–30, Alt I *Federal Acquisition Supply Chain Security Act Orders—Prohibition*. Prohibits contractors from providing any covered article, or any products or services produced or provided by a source, if the covered article or the source is subject to an applicable FASCSA order.

- The clause, when used with its Alternate I, identifies a different construct for paragraph (b) allowing the contracting officer to select the applicable FASCSA orders (*i.e.* DoD FASCSA order, DHS FASCSA order, DNI FASCSA order). GSA will select all three orders for Multiple Award Schedule contracts.
- The clause also requires the contractor to review SAM at least once every three months or as advised by the contracting officer, and provide a report in the event the contractor identifies that a covered article, or product or service produced or provided by a source, that is subject to a FASCSA order, was provided to the Government or used during contract performance; or the contractor is notified of such by a subcontractor at any tier or by any other means.

4. Revised [MAS Sustainability Language](#) under Section III A. Terms and Conditions Related to Schedule Contract Administration to clarify current requirements as shown below:

The U.S. General Services Administration (GSA) requires contractors to highlight sustainable products under Federal Supply Service schedule contracts on GSAAvantagel and other communication media (see clause 552.238-78). Unless an exemption or exception applies, for task and delivery orders under this contract, federal agencies are required to meet the following requirements based on statute, regulation and Executive Order:

- Energy efficient products that are [ENERGY STAR](#)® certified or Federal Energy Management Program (FEMP)-designated products
- Biobased products meeting the content requirement of the U.S. Department of Agriculture under the [BioPreferred](#)® program
- Acceptable chemicals, products, and manufacturing processes listed under EPA’s [Significant New Alternatives Policy \(SNAP\)](#) program, which

ensures a safe and smooth transition away from substances that contribute to the depletion of stratospheric ozone

- Products containing recovered material designated by the U.S. Environmental Protection Agency (EPA) under the [Comprehensive Procurement Guidelines](#)
- [WaterSense®](#) labeled (water efficient) products and services
- [Safer Choice](#)-certified products (products that contain safer chemical ingredients)
- To the maximum extent practicable, purchase sustainable products and services identified or recommended by the Environmental protection Agency (EPA) (see [EPA Recommendations of Specifications, Standards, and Ecolabels](#)).

FAR 23.103(b) states that the required products in contract actions for services include: products that are delivered to the Government during performance; acquired by the contractor for use in performing services at a Federally-controlled facility; or furnished by the contractor for use by the Government.

Contractors should refer to specific clauses in the Solicitation and are encouraged to use GSA's [Green Procurement Compilation \(GPC\)](#) to find sustainable acquisition requirements that apply to federal acquisitions.

5. Update the Mandatory Attachment for MAS Joint Ventures (JV) to:

- Require all JVs to disclose whether a JV partner is currently subject to an OIG audit
- Require JV offerors representing themselves as a small or socioeconomic category to acknowledge that they have completed FAR 52.212-3 dated December 2022 or later [in SAM.gov](#).
- Delete the requirement for JV offerors representing themselves as a small or socioeconomic category to complete their Small Business Program Representations in the JV attachment itself.

6. Incorporate clause and provision updates, as necessary, through [Federal Acquisition Circular \(FAC\) 2023-06](#) and [GSAR Change 171](#)

7. Implement various changes to the Offer and Modification Price Proposal Templates (PPTs):

- a. The Pricing Terms tab has been removed from all PPT's, this information is now captured through a stand-alone document titled Pricing Terms.
 - i. This document is posted under the Price Proposal Templates section of the [MAS Scope and Templates](#) page

B: Changes to Specific Large Category, Subcategory or SIN:

1. Office Management (A):

a. Document Services (A3):

- i. SIN 518210DC - Document Conversion Services: Update title of SIN 518210DC from “Document Conversion Services” to Document Conversion and Digitization Services.”
- ii. SIN 518210DC - Document Conversion Services: Incorporate NARA’s Digitization Regulations for Temporary Records (36 CFR Part 1236 Subpart D) and Permanent Records (36 CFR Part 1236 Subpart E) into SIN 518210DC.
- iii. SIN 518210DC - Document Conversion Services: Incorporate New SIN Subgroup titled: “NARA-Compliant Digitization Services for Federal Records”
 - Contractors under SIN 518210DC who wish to be added to the NARA Compliant Digitization Services SIN subgroup are required to review and reference NARA’s Digitization Regulations for Temporary Records (36 CFR Part 1236 Subpart D) and Permanent Records (36 CFR Part 1236 Subpart E) For more information about NARA’s Digitization Regulations contact NARA via rmpolicy@nara.gov.

b. Records Management (A11):

- i. SIN 518210ERM - Electronic Records Management Solutions : Incorporate updated Version of NARA’s Universal ERM Requirements Spreadsheet on the [MAS Scope and Templates](#) page.
 - This document outlines the specific Elements of ERM solutions and their corresponding requirements/standards established and administered by the National Archives and Records Administration (NARA). Vendors adding SIN 518210ERM must reference this spreadsheet in order to complete their required Vendor Certification for Electronic Records Management Solutions form.
- ii. SIN 518210ERM - Electronic Records Management Solutions: Incorporate updated Vendor Certification for Electronic Records Management Solutions form on the [MAS Scope and Templates](#) page.
 - Vendors proposing services under SIN 518210ERM must complete this document to identify which of the ERM Elements they provide, and self-certify that they are capable of meeting all standards associated with the identified elements. Vendors must reference NARA’s Universal ERM Requirements Spreadsheet to view the ERM Elements and their respective associated standards. Submit this form if you are submitting an Offer with SIN 518210ERM proposed, or if you are an existing MAS contractor submitting an Add SIN modification for SIN 518210ERM.

2. Miscellaneous (G):

a. Apparel (G5):

i. SIN 339113PA Protective Apparel:

- Add new SIN Subgroup titled “Body Armor”
 - a. Any contractor offering body armor under SIN 339113PA may utilize this subgroup

b. Complementary SINS (G6):

i. SIN OLM Order-Level Materials: Add Transportation of Things (K5) to the list of OLM eligible subcategories.

- The use of the Order Level Materials (OLM) SIN is limited to 60 OLM-eligible subcategories under the MAS program. Supplies and/or services provided utilizing OLM authority must be acquired in direct support of an individual task or delivery order that is placed under an OLM-eligible subcategory