

Significant Changes For the GSA Multiple Award Schedule (MAS)

Refresh 4

Mass Modification A824

Purpose of the Planned Action (Refresh): The General Services Administration (GSA) Federal Acquisition Service (FAS) is planning to refresh GSA Multiple Award Schedule (MAS) solicitation to:

1. Implement Section 889 Part B of the FY19 National Defense Authorization Act
2. Update SCP-FSS-001: Instructions Applicable to All Offerors
3. Delete clause 52.222-17 Nondisplacement of Qualified Workers
4. Incorporate clause and provision updates through Federal Acquisition Circulars (FAC) 2020-08
5. Incorporate Solicitation updates

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.

1. Implementation of Section 889 Part B of the FY19 National Defense Authorization Act

In order to combat the national security and intellectual property threats that face the United States, Section 889(a)(1)(B) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (i.e., Section 889 Part B) prohibits the Federal Government from entering into, or extending or renewing, a contract with an entity that uses any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system, on or after August 13, 2020, unless an exception applies or a waiver is granted.

On August 13, 2019, an interim rule under [FAR Case 2019-009](#) amending the Federal Acquisition Regulation (FAR) will go into effect:

- Prohibiting contractors from using covered telecommunications equipment or services unless the agency confirms that an exception applies or a waiver is granted; and
- Requiring every offeror for a contract or order to represent whether or not it uses covered telecommunications equipment or services and, if so, to furnish additional detail about the covered equipment or services.

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

- **Provision 52.204-24 Representation Regarding Certain Telecommunications and Video Surveillance Services or Equipment (AUG 2020).** The revised provision requires

offerors to represent, after conducting a reasonable inquiry, that it “does” or “does not” use covered telecommunications equipment or services, or use any equipment or service that uses covered telecommunications equipment or services.

- **Clause 52.204-25 Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment (AUG 2020).** The revised clause prohibits the head of an executive agency on or after August 13, 2020, from entering into a contract, or extending or renewing a contract, with an entity that uses any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system, unless an exception at paragraph (c) applies or the covered telecommunication equipment or services are covered by a waiver described in FAR 4.2104.

IMPORTANT! Orders may not be placed against this indefinite delivery vehicle contract until the modification has been accepted to incorporate revised FAR clause 52.204-25 into the contract (see [FAR Case 2019-009](#)).

The prohibitions of Section 889(a)(1)(A) (i.e., Section 889 Part A) are still in effect. Section 889 Part A prohibits agencies from procuring or obtaining, or extending or renewing a contract to procure or obtain, any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as a critical technology as part of any system.

Please see [FAQs: Section 889 Part B of the FY19 National Defense Authorization Act](#) for additional information; more detailed communications on Section 889 Part B are forthcoming.

2. SCP-FSS-001: Instructions Applicable to All Offerors Updates:

This solicitation refresh incorporates updated offeror instructions related to AbilityOne Essentially the Same (ETS) items and the demonstration of past performance under Technical Factor Two - Past Performance.

- Paragraph (j)(1)(xii) is updated to clarify that all offerors, including AbilityOne Distributors, are prohibited from offering ETS items under the MAS Schedule. For more information, see AbilityOne Policy [51.540](#), *AbilityOne Authorized Commercial Distributor Program Requirements*
- Paragraphs (j)(2)(ii) (A), (B) and (C) are updated to clarify if an offeror is unable to meet the CPARS criteria outlined in (A), an offeror may demonstrate past performance using one of the following methods:
 - Submit an eligible Open Ratings report in accordance with paragraph (B) or
 - Submit a list of three (3) customer references and completed past performance questionnaires in accordance with paragraph (C)
- The Past Performance Questionnaires (PPQ) must be completed in their entirety by the offeror’s relevant customer references prior to proposal submission. If the offeror fails to upload completed PPQs with its proposal in eOffer, the proposal will be rejected.

- A relevant customer reference must either complete the PPQ template published on the MAS Roadmap Site or address all of the evaluation areas outlined in the template in a format of their own choosing.

3. Deletion of Clause 52.222-17 Nondisplacement of Qualified Workers

On 5/6/2020, DoD, GSA, and NASA issued a [final rule](#) amending the FAR to implement Executive Order (E.O.) 13897 of October 31, 2019, Improving Federal Contractor Operations which revoked Executive Order 13495 of January 30, 2009, Nondisplacement of Qualified Workers Under Service Contracts. E.O. 13495 required service contractors and their subcontractors to offer employees of the predecessor contractor and its subcontractors a right of first refusal of employment for positions for which they are qualified. This final rule amends the FAR to delete FAR subpart 22.12 in its entirety as well as the corresponding clause at FAR 52.222-17, Nondisplacement of Qualified Workers.

4. FAR clause/provision updates through Federal Acquisition Circular (FAC) 2020-08 will be incorporated.

5. Solicitation Updates

Special Item Number (SIN) Updates

1. Corrections to data for various SINs, as highlighted in red in the Available Offerings Attachment on www.gsa.gov/mascategoryrequirements.
2. Information Technology Category: Special Item Number (SIN) Retirement for SINs 132-4/532420R, Daily/Short Term Rental, and 132-9/33411REF, Purchase of Used or Refurbished Equipment

On June 24, 2019, a Request for Information (RFI) for the proposed retirement of SIN 132-4 Daily/Short Term Rental and SIN 132-9 Purchase of Used or Refurbished Equipment was published on eBuy and FedBizOpps. Once the RFI response period concluded, GSA received a total of 36 responses. The majority of the responses were specific to SIN 132-9 and requested that GSA consider implementing industry best practices for vetting suppliers and product compliance standards rather than SIN retirement. There was no industry opposition to retire SIN 132-4.

Upon reviewing the comments received from the RFI and conducting an analysis of the programs, GSA determined that it is in the best interest of the government to retire both SINs. Therefore, effective October 1 2020, SINs 132-4/532420R and 132-9/33411REF will be retired.

Throughout the lifecycle of these SINs, there has been a major shift in the federal IT market away from these types of purchases due to declining prices of new equipment saturating the commercial market and increasing interest and compliance implementation of supply chain risk controls in government contracts. Additional factors for the SIN retirements include:

- These SIN retirements support the ongoing federal IT Modernization initiative.
- Supply chain vulnerabilities are mitigated by removing the products offered under SIN 132-9/33411REF.
- Service offered under SIN 132-4/532420R is becoming obsolete in the federal market
- Continuous decline in sales and customer demand for the services/items offered

Next Steps:

With the release of MAS Consolidated Solicitation Refresh #4, SINs 532420R, Daily/Short Term Rental and 33411REF, Purchase of Used or Refurbished Equipment will not be available for award under a new offer or add SIN modification. Effective October 1, 2020 SINs 532420R and 33411REF or legacy Schedule 70 SINs 132-4 or 132-9 will be retired. The SINs will be cancelled from contracts.

Updated Clause and Provisions:

52.204-24 Representation Regarding Certain Telecommunications and Video Surveillance Services or Equipment (AUG 2020)

The Offeror shall not complete the representation at paragraph (d)(1) of this provision if the Offeror has represented that it “does not provide covered telecommunications equipment or services as a part of its offered products or services to the Government in the performance of any contract, subcontract, or other contractual instrument” in the provision at 52.204-26, Covered Telecommunications Equipment or Services—Representation, or in paragraph (v) of the provision at 52.212-3, Offeror Representations and Certifications—Commercial Items.

(a) *Definitions.* As used in this provision-

Backhaul, covered telecommunications equipment or services, critical technology, interconnection arrangements, reasonable inquiry, roaming, and substantial or essential component have the meanings provided in the clause 52.204-25, Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment.

(b) *Prohibition.*

(1) Section 889(a)(1)(A) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Pub. L. 115-232) prohibits the head of an executive agency on or after August 13, 2019, from procuring or obtaining, or extending or renewing a contract to procure or obtain, any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential component of

any system, or as critical technology as part of any system. Nothing in the prohibition shall be construed to-

(i) Prohibit the head of an executive agency from procuring with an entity to provide a service that connects to the facilities of a third-party, such as backhaul, roaming, or interconnection arrangements; or

(ii) Cover telecommunications equipment that cannot route or redirect user data traffic or cannot permit visibility into any user data or packets that such equipment transmits or otherwise handles.

(2) Section 889(a)(1)(B) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Pub. L. 115-232) prohibits the head of an executive agency on or after August 13, 2020, from entering into a contract or extending or renewing a contract with an entity that uses any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system. This prohibition applies to the use of covered telecommunications equipment or services, regardless of whether that use is in performance of work under a Federal contract. Nothing in the prohibition shall be construed to-

(i) Prohibit the head of an executive agency from procuring with an entity to provide a service that connects to the facilities of a third-party, such as backhaul, roaming, or interconnection arrangements; or

(ii) Cover telecommunications equipment that cannot route or redirect user data traffic or cannot permit visibility into any user data or packets that such equipment transmits or otherwise handles.

(c) *Procedures.* The Offeror shall review the list of excluded parties in the System for Award Management (SAM) (<https://www.sam.gov>) for entities excluded from receiving federal awards for “covered telecommunications equipment or services.”

(d) *Representations.*

The Offeror represents that—

(1) It will, will not provide covered telecommunications equipment or services to the Government in the performance of any contract, subcontract or other contractual instrument resulting from this solicitation. The Offeror shall provide the additional disclosure information required at paragraph (e)(1) if the Offeror responds “will” in paragraph (d)(1); and

(2) After conducting a reasonable inquiry, for purposes of this representation, the Offeror represents that—

It does, does not use covered telecommunications equipment or services, or use any equipment, system, or service that uses covered telecommunications equipment or services. The Offeror shall provide the additional disclosure information required at paragraph (e)(2) if the Offeror responds “does” in paragraph (d)(2).

(e) *Disclosures.*

(1) Disclosure for the representation in paragraph (d)(1) of this provision.

If the Offeror has responded “will” in the representation in paragraph (d)(1) of this provision, the Offeror shall provide the following information as part of the offer:

(i) For covered equipment—

(A) The entity that produced the covered telecommunications equipment (include entity name, unique entity identifier, CAGE code, and whether the entity was the original equipment manufacturer (OEM) or a distributor, if known);

(B) A description of all covered telecommunications equipment offered (include brand; model number, such as OEM number, manufacturer part number, or wholesaler number; and item description, as applicable); and

(C) Explanation of the proposed use of covered telecommunications equipment and any factors relevant to determining if such use would be permissible under the prohibition in paragraph (b)(1) of this provision.

(ii) For covered services-

(A) If the service is related to item maintenance: a description of all covered telecommunications services offered (include on the item being maintained: brand; model number, such as OEM number, manufacturer part number, or wholesaler number; and item description, as applicable); or

(B) If not associated with maintenance, the Product Service Code (PSC) of the service being provided; and explanation of the proposed use of covered telecommunications services and any factors relevant to determining if such use would be permissible under the prohibition in paragraph (b)(1) of this provision.

(2) Disclosure for the representation in paragraph (d)(2) of this provision.

If the Offeror has responded “does” in the representation in paragraph (d)(2) of this provision, the Offeror shall provide the following information as part of the offer:

(i) For covered equipment—

(A) The entity that produced the covered telecommunications equipment (include entity name, unique entity identifier, CAGE code, and whether the entity was the OEM or a distributor, if known);

(B) A description of all covered telecommunications equipment offered (include brand; model number, such as OEM number, manufacturer part number, or wholesaler number; and item description, as applicable); and

(C) Explanation of the proposed use of covered telecommunications equipment and any factors relevant to determining if such use would be permissible under the prohibition in paragraph (b)(2) of this provision.

(ii) For covered services—

(A) If the service is related to item maintenance: a description of all covered telecommunications services offered (include on the item being maintained: brand; model number, such as OEM number, manufacturer part number, or wholesaler number; and item description, as applicable); or

(B) If not associated with maintenance, the PSC of the service being provided; and explanation of the proposed use of covered telecommunications services and any factors relevant to determining if such use would be permissible under the prohibition in paragraph (b)(2) of this provision.

(End of provision)

52.204-25 Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment

As prescribed in 4.2105(b), insert the following clause:

(a) *Definitions.* As used in this clause -

Backhaul means intermediate links between the core network, or backbone network, and the small subnetworks at the edge of the network (e.g., connecting cell phones/towers to the core telephone network). Backhaul can be wireless (e.g., microwave) or wired (e.g., fiber optic, coaxial cable, Ethernet).

Covered foreign country means The People's Republic of China.

Covered telecommunications equipment or services means -

(1) Telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities);

(2) For the purpose of public safety, security of Government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance and telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities);

(3) Telecommunications or video surveillance services provided by such entities or using such equipment; or

(4) Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a covered foreign country.

Critical technology means -

(1) Defense articles or defense services included on the United States Munitions List set forth in the International Traffic in Arms Regulations under subchapter M of chapter I of title 22, Code of Federal Regulations;

(2) Items included on the Commerce Control List set forth in Supplement No. 1 to part 774 of the Export Administration Regulations under subchapter C of chapter VII of title 15, Code of Federal Regulations, and controlled -

(i) Pursuant to multilateral regimes, including for reasons relating to national security, chemical and biological weapons proliferation, nuclear nonproliferation, or missile technology; or

(ii) For reasons relating to regional stability or surreptitious listening;

(3) Specially designed and prepared nuclear equipment, parts and components, materials, software, and technology covered by part 810 of title 10, Code of Federal Regulations (relating to assistance to foreign atomic energy activities);

(4) Nuclear facilities, equipment, and material covered by part 110 of title 10, Code of Federal Regulations (relating to export and import of nuclear equipment and material);

(5) Select agents and toxins covered by part 331 of title 7, Code of Federal Regulations, part 121 of title 9 of such Code, or part 73 of title 42 of such Code; or

(6) Emerging and foundational technologies controlled pursuant to section 1758 of the Export Control Reform Act of 2018 (50 U.S.C. 4817).

Interconnection arrangements means arrangements governing the physical connection of two or more networks to allow the use of another's network to hand off traffic where it is ultimately delivered (e.g., connection of a customer of telephone provider A to a customer of telephone company B) or sharing data and other information resources.

Reasonable inquiry means an inquiry designed to uncover any information in the entity's possession about the identity of the producer or provider of covered telecommunications equipment or services used by the entity that excludes the need to include an internal or third-party audit.

Roaming means cellular communications services (e.g., voice, video, data) received from a visited network when unable to connect to the facilities of the home network either because signal coverage is too weak or because traffic is too high.

Substantial or essential component means any component necessary for the proper function or performance of a piece of equipment, system, or service.

(b) *Prohibition.*

(1) Section 889(a)(1)(A) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Pub. L. 115-232) prohibits the head of an executive agency on or after August 13, 2019, from procuring or obtaining, or extending or renewing a contract to procure or obtain, any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system. The Contractor is prohibited from providing to the Government any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system, unless an exception at paragraph (c) of this clause applies or the covered telecommunication equipment or services are covered by a waiver described in FAR 4.2104.

(2) Section 889(a)(1)(B) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Pub. L. 115-232) prohibits the head of an executive agency on or after August 13, 2020, from entering into a contract, or extending or renewing a contract, with an entity that uses any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system, unless an exception at paragraph (c) of this clause applies or the covered telecommunication equipment or services are covered by a waiver described in FAR 4.2104. This prohibition applies to the use of covered telecommunications equipment or services, regardless of whether that use is in performance of work under a Federal contract.

(c) *Exceptions.* This clause does not prohibit contractors from providing -

(1) A service that connects to the facilities of a third-party, such as backhaul, roaming, or interconnection arrangements; or

(2) Telecommunications equipment that cannot route or redirect user data traffic or permit visibility into any user data or packets that such equipment transmits or otherwise handles.

(d) *Reporting requirement.*

(1) In the event the Contractor identifies covered telecommunications equipment or services used as a substantial or essential component of any system, or as critical technology as part of any system, during contract performance, or the Contractor is notified of such by a subcontractor at any tier or by any other source, the Contractor shall report the information in paragraph (d)(2) of this clause to the Contracting Officer, unless elsewhere in this contract are established procedures for reporting the information; in the case of the Department of Defense, the Contractor shall report to the website at <https://dibnet.dod.mil>. For indefinite delivery contracts, the Contractor shall report to the Contracting Officer for the indefinite delivery contract and the Contracting Officer(s) for any affected order or, in the case of the Department of Defense, identify both the indefinite delivery contract and any affected orders in the report provided at <https://dibnet.dod.mil>.

(2) The Contractor shall report the following information pursuant to paragraph (d)(1) of this clause:

(i) Within one business day from the date of such identification or notification: The contract number; the order number(s), if applicable; supplier name; supplier unique entity identifier (if known); supplier Commercial and Government Entity (CAGE) code (if known); brand; model number (original equipment manufacturer number, manufacturer

part number, or wholesaler number); item description; and any readily available information about mitigation actions undertaken or recommended.

(ii) Within 10 business days of submitting the information in paragraph (d)(2)(i) of this clause: Any further available information about mitigation actions undertaken or recommended. In addition, the Contractor shall describe the efforts it undertook to prevent use or submission of covered telecommunications equipment or services, and any additional efforts that will be incorporated to prevent future use or submission of covered telecommunications equipment or services.

(e) *Subcontracts.* The Contractor shall insert the substance of this clause, including this paragraph (e), in all subcontracts and other contractual instruments, including subcontracts for the acquisition of commercial items.

SCP-FSS-001 Instructions Applicable to All Offerors (AUG 2020)

(a) Read the entire solicitation document prior to preparing your offer. The Government will consider award for a responsible offeror whose offer conforms to all solicitation requirements, is determined technically acceptable and whose prices are determined fair and reasonable. The Government reserves the right to award or reject without discussions. Therefore, the offeror's initial proposal should contain the best terms from a price and technical standpoint.

(b) Electronic submission of offers via GSA's [eOffer web-based application](#) is mandatory. Digital certificates are required in order to use eOffer and at least one employee of the company who is also an authorized negotiator must obtain and submit a screenshot of a digital certificate with the offer. Offerors are advised to review the Offer Documents Submission Checklist posted on the [MAS roadmap](#) site prior to submitting an offer.

(c) Offers must be current, accurate, and complete, and demonstrate a thorough understanding of solicitation requirements. By submission of an offer:

(1) The offeror attests that there have been no exceptions taken to the terms and conditions of this solicitation unless explicitly identified in eOffer (see "Exceptions to Terms and Conditions" under the Standard Response module)

(2) The offeror attests that it understands and agrees to comply with the requirements of all clauses and provisions. Failure to comply with applicable clauses and provisions will result in rejection of the offer. Offerors are responsible for ensuring that their offers meet ALL solicitation requirements and should not assume that deficient items will be clarified prior to the offer being rejected.

(3) The offeror attests that it understands and agrees to comply with the requirements of clause 552.238-80 Industrial Funding Fee and Sales Reporting OR clause 552.238-80 Industrial Funding Fee and Sales Reporting (Alternate I) if

participating in Transactional Data Reporting (TDR) (see paragraph (g) below for more information on TDR).

(d) If the offeror was previously awarded a Schedule contract that was cancelled or allowed to expire due to low or no sales, a new offer for the same Schedule will not be considered unless a minimum of 12 months have passed since the effective date of the cancellation or expiration date of the previous contract. Any offer submitted prior to the completion of this 12-month period will be rejected.

(e) Existing Federal Supply Schedule (FSS) Program contractors can submit streamlined offers as annotated in this provision provided that the contractor meets ALL of the following criteria:

(1) The contractor has an active FSS program contract under this Schedule and is submitting a new offer for the same Special Item Numbers (SINs).

(2) Sales under the existing contract have averaged a minimum of \$25,000 per year for the previous five years of reported sales.

(3) There is a demonstrated pattern of satisfactory past performance under the existing contract.

(f) A current FSS contractor can submit an offer for a new contract under this Schedule at any time during the existing contract's period of performance. Typically, the award of a new contract will result in the cancellation of the existing contract upon award. However, if the contractor has one or more active Blanket Purchase Agreements (BPAs) or orders under its existing contract; or has submitted quotes for either and is awaiting an award decision), it is eligible for the award of a new contract that is allowed to overlap and run alongside the existing one. This is referred to as holding continuous contracts.

Holding continuous contracts enables the FSS contractor to complete work under BPAs and orders awarded via the existing contract, while utilizing the new contract for new business opportunities. A contractor that wishes to hold continuous contracts must:

(1) Indicate with its offer that it wishes to hold continuous contracts, along with a listing of all active submitted quotes, established BPAs, and awarded orders under the existing contract. For each, the contractor must include the ordering activity name and point of contact, RFQ/BPA/order number and period of performance (including options).

(2) Assist the FSS contracting officer in determining the proper cancellation date for the existing contract. The existing contract is to be cancelled the day after the final day of the ordering period for the active BPA or order (including options). In situations where multiple BPAs and/or orders are active, the cancellation date should be based on the last remaining BPA or order, provided that they do not extend beyond the existing contract end date.

(3) Agree not to use the existing contract to compete for new business opportunities after the new contract is awarded.

(g) This solicitation includes Transactional Data Reporting (TDR), which requires contractors that choose to participate in TDR to electronically report the price the federal government paid for an item or services purchased through contracts covered by TDR. TDR participants are not required to provide Commercial Sales Practices (CSP) disclosures or to monitor price reduction violations in accordance with Clause 552.238-81 Price Reductions. Special proposal instructions for TDR participants are detailed in this provision.

(h) In addition to compliance with the requirements of this provision, the offeror must also comply with any additional NAICS or category specific instructions specified in the solicitation, as applicable. Failure to comply with all proposal instructions will result in rejection of the offer.

(i) **Withdrawal of Offer:** The offeror may withdraw its offer from consideration at any time prior to award or rejection by withdrawing it in eOffer. If an offer is withdrawn, a new offer can be resubmitted at a later date. Information saved from the previous withdrawn offer can be copied over to the new offer, excluding uploaded documents.

(j) All offerors must comply with the following (unless annotated otherwise):

(1) Section I – Administrative/Contract Data

i. Applicable to both products and services offers. The offeror must complete and submit the Pathway to Success training*. The Pathway to Success training must be completed by a designated Authorized Negotiator who is also a company officer (e.g., President, CEO, CFO, etc.) and completed/dated within one year of the date of offer submission. This free, web-based self-assessment is available through the [Vendor Education Center](#) (VEC) or through the [Vendor Support Center](#) by selecting the “Education” tab and then “Pathway to Success.” The training session is less than two hours total and covers the major factors vendors should consider prior to submitting an offer to GSA. eOffer will verify the name of the person that completed the Pathway to Success training and the date of completion.

* The requirement to complete the Pathway to Success training does not apply to contractors that have an active FSS program contract under this Schedule and meet the criteria for submitting a streamlined offer, see (e) 1-3.

ii. Applicable to both products and services offers. The offeror must complete and submit the Readiness Assessment for Prospective Offerors*. The Readiness Assessment must be completed by a company officer (e.g., President, CEO, CFO, etc.) and completed/dated within one year of the date of offer submission. This free, web-based self-assessment is available through the [Vendor Education Center](#) (VEC) or through the [Vendor Support Center](#) by selecting the “Education” tab and then “Vendor Toolbox (Readiness Assessment).” This tool is designed to assist vendors in determining whether they are ready to pursue a Schedule contract and prepares them to navigate the Schedule proposal process.

*The requirement to complete the Readiness Assessment for Prospective Offerors does not apply to contractors that have an active FSS program contract

under this Schedule and meet the criteria for submitting a streamlined offer, see (e) 1-3.

iii. Applicable to both products and services offers. The offeror must be registered with the [System for Award Management](#) (SAM). The information provided must be current, accurate, and complete, and reflect the North American Industrial Classification System (NAICS) code(s) for this solicitation and the products/services proposed. The offeror must provide verification that it has an active SAM registration

iv. Applicable to both products and services offers. If an offeror was previously awarded a Schedule contract, and it was subsequently cancelled or allowed to expire due to low sales, provide a detailed description of the steps the offeror plans to take to generate sales through a new contract that includes the following:

(A) A copy of the cancellation letter or notification of determination not to exercise an option.

(B) Current Federal sales (either as a prime or subcontractor) in excess of \$25,000, for products/services that are within scope of this Schedule, as evidenced by copies of contractual documents that identify the Federal entity and the date and value of the product or services provided, OR a written customer agency request for the offeror's specific products or services to be available on Schedule.

(C) Demonstration that there is a reasonable expectation that any future award will comply with clause I-FSS-639 Contract Sales Criteria.

(D) A narrative describing your marketing strategy and steps you will take to ensure you meet the minimum sales requirement (limit 2 pages).

v. Applicable to both product and service offers. The offeror must provide annual financial statements* for the previous two-years (audited, if available). At a minimum, each financial statement must consist of a balance sheet and income statement. GSA will use this information to determine financial responsibility. Provide an explanation for any negative financial information disclosed, including negative equity or income. Offerors may be required to provide letters of credit or other documentation to demonstrate that adequate financial resources are available. In accordance with Federal Acquisition Regulation (FAR) 9.104-1(a), contracts will only be awarded to responsible prospective contractors. To be determined responsible, an offeror must have adequate financial resources to perform the contract or the ability to obtain them. Note that 1.) submission of a GSA Form 527 Contractor Qualifications and Financial Information does not meet the aforementioned requirements, and 2.) offerors shall NOT submit tax returns.

*The requirement to provide financial statements does not apply to contractors that have an active FSS program contract under this Schedule and meet the criteria for submitting a streamlined offer, see (e) 1-3.

vi. Applicable to both product and service offers. If the offeror is other than a small business, the offeror must prepare and submit a Small Business Subcontracting Plan, as detailed in clause 52.219-9 Small Business Subcontracting Plan. The Small Business Subcontracting Plan shall be submitted through the Subcontracting Module in eOffer. The Government will review each plan to ensure it is consistent with the provisions of this clause. Subcontracting plans are subject to negotiation, 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. Failure to submit a Small Business Subcontracting Plan when required will result in the rejection of your offer.

The preponderance of work NAICS will determine the business size of the offeror at the contract level.

The following information is provided for reference only:

SBA's definition of a small business concern can be found via the following link: [SBA Size Standards](#).

GSA's subcontracting goals can be found via the following link: [GSA Subcontracting Goals](#).

vii. Applicable to both product and service offers. The offeror shall not submit brochures, newsletters, or other marketing materials.

viii. Applicable to both product and service offers. An Agent Authorization Letter must be completed and submitted as part of the offer if a consultant or third-party agent assisted in the preparation of the offer, will be involved in any part of the negotiation of the offer, or will be involved in any post-award actions. The template for the Agent Authorization Letter can be found as an attachment to the solicitation. The Agent Authorization Letter has both pre- and post-award delegations. For any resultant contract, the contractor is responsible for initiating a modification to ensure all authorized negotiators and delegations are up-to-date (e.g., removing an authorized negotiator that only has pre-award delegations). If an agent will have signatory authority under the contract, the offeror must upload a screenshot of the agent's digital certificate.

ix. Applicable to both product and service offers. Section 508 Standards. Section 508 of the Rehabilitation Act, as amended by the Workforce Investment Act of 1998 (P.L. 105-220) requires that when Federal agencies develop, procure, maintain, or use information and communication technology (ICT), it shall be accessible to people with disabilities. Federal employees and members of the public who have disabilities must have access to, and use of, information and data that is comparable to people without disabilities.

Offerors must identify whether a proposed Information and Communication Technology (ICT) product or service is compliant with the Section 508 accessibility standards at 36 CFR 1194. The offer must also identify where full details of compliance can be found (e.g., vendor's website or other exact location.) For more information on Section 508 standards visit the [Section 508](#) site.

x. Applicable to product and service offers. All proposed products and services must comply with the Trade Agreements Act (TAA). The country of origin for services is the country in which the firm providing services is established. It is the responsibility of the offeror to identify the product's country of origin. When an item consists of components from various countries and the components are assembled in an additional country, a test to determine country of origin is "substantial transformation" (reference FAR 25.001(c)(2)). The offeror may request an opinion from a third-party expert or make the determination itself. Offerors can go to The Office of Regulations and Rulings within [U.S. Customs and Border Protection](#) (CBP), which is the Federal agency responsible for making final substantial transformation determinations (reference 19 CFR Part 177 Subpart B).

xi. Applicable to product offers. If the offeror is not the manufacturer of the product(s) being proposed, an acceptable Letter of Commitment/Supply or evidence of an uninterrupted source of supply must be uploaded to eOffer. See clause I-FSS-644 Dealers and Suppliers and the solicitation for required language. If the Government determines that the offeror's evidence of an uninterrupted source of supply is not sufficient, the Government will request submission of a Letter of Commitment/Supply. Failure to provide an acceptable Letter of Commitment/Supply or evidence of an uninterrupted source of supply may result in rejection of the offer.

xii. Applicable to product offers. AbilityOne Program Products. The AbilityOne Program is a Federal procurement program that generates jobs for individuals who are blind or have another significant disability. In order to distribute AbilityOne products, a vendor must be an authorized AbilityOne Program distributor as designated by the U.S. AbilityOne Commission. Certain commercial products are considered "[essentially the same](#)" (ETS) as AbilityOne products. Because AbilityOne products are mandatory purchases for Federal customers, an offeror must not include any ETS items in its FSS proposal. Offerors can search for products on the [procurement list](#). For more information on the AbilityOne Program, ETS products, and becoming an authorized AbilityOne distributor, please visit the [AbilityOne](#) site or contact Mr. Mike Jurkowski at mjurkowski@abilityone.gov/ 703-603-2117.

xiii. Applicable to product offers. Manufacturer Part Number (MPN) data must be submitted for all products. The offeror must ensure that the MPN for each proposed product reflects the actual number assigned. Universal Product Code Type A (UPC-A) data must also be submitted for all products for which this information is commercially available. If MPN (and UPC-A data, if commercially

available) is submitted incorrectly or not submitted, the offer may be rejected and/or the associated product(s) may not be awarded.

xiv. Applicable to product offers. Offerors are advised that following contract award, Schedule contractors offering products under designated Special Item Numbers (SINs) must submit detailed electronic contract data, such as, but not limited to, Universal Product Codes (UPC) and product photos for each item offered on GSA Advantage! using the Schedule Input Program (SIP), Electronic Data Interchange (EDI) or other common-use electronic medium prescribed by GSA.

Contractors must follow the detailed guidance and requirements provided on the MAS 'Contract Requirements and Modification Guidance' page (www.gsa.gov/mascontractrequirements) when submitting electronic contract data for inclusion on the GSA Advantage! website.

xv. Applicable to product offers. GSA Advantage Purchase Order (PO Portal). The offeror must use EDI, cXML or the GSA Advantage [Purchase Order \(PO\) Portal](#) to provide order acknowledgment information that enables ordering agencies to track the location of an order at any time, from the moment the order is shipped, to the point of delivery and acceptance. The GSA Advantage [Purchase Order \(PO\) Portal](#) gives GSA schedule contractors quick and easy access to purchase orders placed by federal agencies using GSA Advantage or eBuy. The PO Portal allows contractors to view, print and/or download orders and to send order acknowledgment/status directly to ordering agencies. For more information on the PO portal review the PO Portal [help guide](#).

xvi. Applicable to product offers. Frustrated Freight (applicable only to overseas delivery). The offeror must demonstrate understanding of orders bound for an international end-point delivery by providing a sample electronic version of a label appropriately marked in accordance with the FED-STD-123 and MIL-STD-129 edition in effect as of the date of solicitation issuance. An offer for OCONUS delivery will not be accepted if the offeror does not provide a sample packaging label for international delivery.

(2) Section II – Technical Proposal

The offeror must address the four technical proposal factors below. Note that Factors One, Three and Four must be completed directly through eOffer. The submission of uploaded documents to address Factors One, Three and Four will not be considered.

i. Applicable to both product and service offers. Factor One - Corporate Experience*: The offeror must provide a narrative description of its corporate experience including all information below. Note that the narrative must be completed directly through the eOffer application by responding to the eOffer prompts; separate attachments addressing Corporate Experience will not be considered.

(A) The number of years of corporate experience in providing the products/services described under this Schedule, regardless of the specific products/services being proposed. A minimum of two (2) years of corporate experience is required.

(B) Organization's number of employees, experience in the field, and resources available to enable it to fulfill requirements,

(C) Brief history of the offeror's activities contributing to the development of expertise and capabilities related to this requirement,

(D) Information that demonstrates the offeror's organizational (e.g. organizational chart, list of key departments) and accounting controls (e.g. processes and/or systems in place),

(E) A description of the resources presently in-house or the ability to acquire the type and kinds of personnel/products proposed,

(F) A description of the marketing strategy that will be used to reach Federal ordering activities,

(G) A description of the intended use of subcontractors.

*The requirement to provide a Corporate Experience narrative does not apply to contractors that have an active FSS program contract under this Schedule and meet the criteria for submitting a streamlined offer, see (e) 1-3.

ii. Applicable to both product and service offers. Factor Two - Past Performance*: Past performance information is one indicator of an offeror's ability to perform the contract successfully. Offerors shall demonstrate a pattern of past performance in accordance with the instructions below. Failure to submit the required information may result in rejection of the proposal.

(A) Offerors with three (3) or more contractor performance assessment reports available in the federal Contractor Performance Assessment Reporting System (CPARS) shall verify in eOffer that they have three (3) or more assessment reports available in CPARS that represent:

(1) contracts or orders completed within three (3) years of the date of offer submission;

(2) at least three (3) distinct orders and/or contracts; and

(3) work similar in scope to products/services included in this solicitation.

The offeror shall address any negative feedback in the contractor performance assessment reports not previously documented in the

CPARS report. Offerors may access [CPARS](#) to view previously completed evaluations.

If unable to meet these criteria, the offer shall submit either an Open Ratings Past Performance Evaluation in accordance with paragraph (B) below or a list of relevant customer references and completed Past Performance Questionnaires in accordance with paragraph (C) below.

(B) Attention All Offerors: Although Open Ratings is no longer accepting new orders for Past Performance Evaluations as of Friday, December 06, 2019, offerors that ordered an Open Ratings Past Performance Evaluation on or before December 06, 2019 may use the evaluation to demonstrate a pattern of Past Performance if the Open Ratings Past Performance Evaluation uploaded to the offer is dated within one (1) year of offer submission. The following applies to offerors demonstrating past performance with an Open Ratings report:

(1) Offerors are responsible for payment to Open Ratings for the Past Performance Evaluation.

(2) If the evaluation was issued more than one year prior to the date of proposal submission via eOffer, the proposal will be rejected.

(3) The offeror shall upload one (1) copy of the completed Past Performance Evaluation and one (1) copy of the order form (identifying the customer references submitted) with its proposal in eOffer.

(4) The offeror's Open Ratings order form shall include between six (6) and twenty customer references. A "customer reference" is defined as a person or company that has purchased relevant products/services from the offeror. The offeror is advised that references should be from projects similar in scope to products/services included in this solicitation.

(5) The offeror shall address any negative feedback for each of the feedback categories contained in the contractor performance assessment found in the Open Ratings report, to include actions taken to minimize the problems that resulted in the negative feedback.

(C) Offerors that do not meet the criteria in paragraph (A) or (B) above shall upload a list of three (3) relevant customer references and three (3) completed Past Performance Questionnaires to eOffer. Relevant customer references are defined as customers for whom the offeror has performed work similar in scope to products/services included in this solicitation. Relevant customer references must be associated with

three (3) distinct orders and/or contracts and the work referenced must have been completed within three (3) years of the date of offer submission. For each reference listed, the offeror shall identify the following:

- (1) Customer name;
- (2) Customer point of contact (including name, phone, and email address);
- (3) Brief description of work performed and the offeror's role;
- (4) Dollar value of project; and
- (5) Period of performance.

If the offeror does not have three (3) relevant customer references from three (3) distinct orders and/or contracts, the offeror may substitute customer references for relevant work performed by predecessor companies or key personnel.

The Past Performance Questionnaires must be completed in their entirety by the offeror's relevant customer references prior to proposal submission. If the offeror fails to upload completed Past Performance Questionnaires with its proposal in eOffer, the proposal will be rejected.

A relevant customer reference must either complete the Past Performance Questionnaire template published on the MAS Roadmap Site or address all of the evaluation areas outlined in the template in a format of their own choosing. Offerors are advised that GSA may contact a customer reference to discuss information provided by a customer reference in a Past Performance Questionnaire.

*The requirement to provide Past Performance Information does not apply to contractors that have an active FSS program contract under this Schedule and meet the criteria for submitting a streamlined offer, see (e) 1-3.

iii. Applicable to both product and service offers. Factor Three - Quality Control: The offeror must provide a Quality Control narrative that addresses the information below. The offeror shall provide a single narrative for this factor, regardless of the number of products/services offered. Note that this narrative must be completed directly through the eOffer application by responding to the eOffer prompts; separate attachments addressing Quality Control will not be considered.

- (A) A description of internal review procedures that facilitate high-quality standards,
- (B) Identification of individuals responsible for ensuring quality control,

- (C) Whether or not subcontractors are used and, if so, the quality control measures used to ensure acceptable subcontractor performance,
- (D) How potential problem areas and solutions are handled,
- (E) The procedures for ensuring quality performance when meeting urgent requirements,
- (F) How quality control will be managed when completing multiple projects for multiple agencies simultaneously.

iv Applicable to service offers. Factor Four – Relevant Project Experience: The offerors must submit a narrative demonstrating relevant project experience by responding to the Relevant Project Experience prompts in eOffer. A narrative is required for each proposed services SIN when proposing services and must include the following:

- (A) A description of one (1) relevant project, not to exceed four (4) pages per project. Each description must clearly indicate the SIN to which it applies, and identify the specific services being proposed under that SIN. 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 multi-year task orders, at a minimum, the first year must have been completed. Note: Specific services may have additional requirements under Factor Four. Offerors shall also refer to NAICS or category specific instructions, for additional Factor Four requirements.

The project description must also address the following elements:

- (1) Detailed description of SIN relevant work performed and results achieved
- (2) Methodology, tools, and/or processes utilized in performing the work
- (3) Demonstration of compliance with any applicable laws, regulations, Executive Orders, OMB Circulars, professional standards, etc.
- (4) Project schedule (i.e., major milestones, tasks, deliverables), including an explanation of any delays
- (5) How the work performed is similar in scope and complexity to the work solicited under the proposed SIN
- (6) Demonstration of required specific experience and/or special qualifications detailed under the proposed SIN.

The offeror may use the same project in support of more than one SIN as long as the description clearly identifies the SIN relevant work. All examples of completed services must have been deemed acceptable by the customer.

If the offeror was previously awarded a Schedule contract for these services that was cancelled or allowed to expire due to low or no sales, the offeror's relevant project must be a Federal prime contract valued in excess of \$25,000.

(B) For each project description, must also provide the following customer reference information (this data is not counted towards the four-page-per-project limitation):

- (1) Customer/client name
- (2) Project name/contract number
- (3) Customer point of contact for project
- (4) Point of contact phone number and email
- (5) Project performance period (include begin/end dates)
- (6) Dollar value of the entire project
- (7) Dollar value received for the work performed relevant to the SIN offered
- (8) Brief summary of the project as a whole (i.e., background, purpose, etc.)
- (9) A completed copy of the Statement of Work, Performance Work Statement or Statement of Objectives for the project

(C) If relevant project experience does not exist, the offeror may substitute the 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 requirement does not apply to contractors that have an active FSS program contract under this Schedule and meet the criteria for submitting a streamlined offer, see (e) 1-3.

(3) Section III – Price Proposal

i. Applicable to both product and service offers. GSA's pricing goal** is to obtain equal to or better than the offeror's Most Favored Customer (MFC) pricing under the same or similar terms and conditions. GSA seeks to obtain the offeror's best price based on its evaluation of discounts, terms, conditions, and concessions offered to commercial customers. However, offers that propose

Most Favored Customer pricing that is not highly competitive will not be determined fair and reasonable and will not be accepted. 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."

**This requirement does not apply to offerors/contractors that will be participating in TDR.

ii. Applicable to both product and service offers. Submit proposed pricing using the attached Price Proposal Template. The Price Proposal Template (PPT) MUST be submitted in Microsoft Office Excel format. The proposed pricing structure must be consistent with the offeror's commercial practices. Pricing must be clearly identified as based either on a "Commercial Price List" or a "Commercial Market Price," as defined in FAR 2.101 (see "Catalog Price" and "Market Prices" under the definition of "Commercial Item").

(A) If the MFC is a Federal agency, but sales exist to commercial customers, identify which, if any, of the commercial customers receive the offeror's best price. This will allow the Government to establish a "basis of award" customer in accordance with paragraph (a) of clause 552.238-81 Price Reductions.**

**The requirement to provide MFC information on the PPT does not apply to TDR participants.

(B) Proposed prices must include the 0.75% Industrial Funding Fee (IFF) (see contract clause 552.238-80 Industrial Funding Fee and Sales Reporting OR clause 552.238-80 Industrial Funding Fee and Sales Reporting (Alternate I) if participating in the TDR). This fee will be included in the awarded prices and reflected in the total amount charged to ordering activities.

iii. Applicable to both product and service offers. Provide supporting documentation for EACH proposed product/service price. Supporting pricing documentation may consist of published and publicly-available commercial catalogs/price lists, copies of invoices, contracts, or quote sheets, and must be submitted with 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 clearly labeled with the name of the corresponding proposed product/service.**

**The requirement to provide supporting documentation with the offer does not apply to offerors/contractors that will be participating in the TDR. However, as per GSAM 538.270-2 Evaluation of offers with access to transactional data, paragraph (c)(3), if the Government cannot determine the prices offered to be fair and reasonable based on readily available data or market research, it may request the offeror provide other than certified cost or pricing data to facilitate the Government's evaluation of the proposed pricing.

iv. Applicable to both product and service offers. If the pricing offered is not equal to or better than the pricing extended to the Most Favored (commercial) Customer, offerors must provide a rationale to enable the contracting officer to determine that offered prices/rates are fair and reasonable.**

**This requirement does not apply to offerors/contractors that will be participating in the TDR.

v. Applicable to both product and service offers. The offeror must propose a mechanism for future price adjustments, as detailed below:

(A) If proposed pricing is based on a published or publicly-available commercial price list, submit a copy of the company's current, dated, price list, catalog, or standard rate sheet (note that this must be an existing, standalone document, and not prepared for purposes of this solicitation). Future price adjustments for pricing based on a commercial price list are subject to clause 552.216-70 Economic Price Adjustment – Multiple Award Schedule Contracts.

OR

(B) If proposed pricing is based on commercial market prices, future price adjustments are subject to clause I-FSS-969 Economic Price Adjustment – FSS Multiple Award Schedule. The offeror must either propose a fixed annual escalation rate in accordance with I-FSS-969 paragraph (b)(1) OR propose a relevant market indicator (e.g., the Bureau of Labor Statistics Employment Cost Index(ECI)) in accordance with I-FSS-969 paragraph (b)(2).

vi. Applicable to both product and service offers. Complete the Commercial Sales Practices Format (CSP-1)** in eOffer in accordance with instructions provided in GSAR Figure 515.4-2. Provide a rationale for the given estimate of GSA contract annual sales. Any deviation from the offeror's commercial sales practices must be explained, including the specific circumstances and frequency of the deviations under Item 4b of the CSP.

**The requirement to complete the CSP-1 does not apply to offerors/contractors that will be participating in the TDR.

vii. Applicable to both product and service offers. Full-Product and Broad-Service Offerings. The offeror must provide a full and broad array of proposed products/services. An offer will not be accepted with limited product/service offerings unless it represents a total solution for the offeror or proposed product/service offering.

viii. Applicable to both product and service offers. Fair and Reasonable Pricing. To determine fair and reasonable pricing, the GSA contracting officer may consider many factors, including, but not limited to pricing on competitor

contracts and historical pricing. Offers that propose Most Favored Customer pricing but are not highly competitive will not be determined fair and reasonable and will not be accepted.**

**Attention offerors/contractors that will be participating in TDR:

To determine fair and reasonable pricing, the GSA contracting officer may consider many factors, including, but not limited to pricing on competitor contracts and historical pricing. Offers that are not highly competitive will not be determined fair and reasonable and will not be accepted.

ix. Applicable to service offers. Offerors proposing services have the option to propose separate rates for "domestic" versus "overseas" and/or "customer facility" versus "contractor facility" if there are variations in costs that depend on where the work is performed. Rates proposed in this manner must be clearly labeled as such and supported through the submission of supporting price documentation, which may include published and publicly-available commercial price lists, copies of invoices, contracts and quote sheets. 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 clearly labeled with the name of the corresponding proposed service and submitted with the offer.

(A) For each proposed labor category, the offeror must 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 offeror'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).

(B) For each proposed training course, the offeror must provide a detailed training course description which includes the following information:

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

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

(3) Minimum/Maximum number of participants

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

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

(C) Fixed Price Services: Provide a description for each fixed price service offered that clearly demonstrates how each service is within scope of the applicable SIN(s). Descriptions should contain sufficient

detail to ensure ordering agencies have enough information to know what they're buying.

(D) Ancillary Supplies and Services/Other Direct Costs (ODCs) for Marketing and Public Relations Services: Provide a description for all known support products and/or Other Direct Costs (ODCs) that are proposed for award at the Schedule level that clearly describes what the ordering agencies are buying.

(E) Proposed prices must represent fully-burdened rates inclusive of all cost factors (e.g., direct labor, indirect labor, G&A, profit, and IFF).

x. Applicable to service offers. Offerors must submit a Professional Compensation Plan in accordance with provision 52.222-46 Evaluation of Compensation for Professional Employees. Individual compensation disclosure is not required. Submission of the general compensation practices printed in the offeror's employee handbook is often sufficient.

xi. Applicable to service offers. Offerors must submit a copy of its policy that addresses uncompensated overtime, in accordance with provision 52.237-10 Identification of Uncompensated Overtime.

xii. Applicable to service offers. Service Contract Labor Standards: Applicable to this solicitation (Service Contract Labor Standards 52.222-41, and related clauses 52.222-17, 52.222-42, 52.222-43, 52.222-49, and 52.222-55)

(A) The Service Contract Labor Standards (SCLS), formerly known as the Service Contract Act (SCA) applies to some nonprofessional services to be provided under this Schedule excluding pricing offered for services outside of the United States. The SCLS wage determinations applicable to this solicitation and resultant contract are located on the [MAS roadmap](#). Some of the proposed labor categories may be subject to the SCLS (usually nonprofessional categories and fixed-price services). As such, the offeror should verify that its proposed base rates and fringe benefit rates for these labor categories meet or exceed the SCLS wage determination rates and fringe benefits for the areas included in the geographic scope of the contract (i.e., nationwide); the offeror will be required to comply with applicable SCLS wage determination locality rates and fringe benefits regardless of the price proposed and awarded on any resultant Schedule contract. The offeror may be required to submit supporting documentation for the proposed rates that will allow the contracting officer to conduct price analysis to determine that offered prices are fair and reasonable.

(B) Schedule contractors must comply with the base rate and fringe benefit rate requirements of the prevailing SCLS Wage Determination (WD) Revision Number currently incorporated into the GSA Schedule contract. Task orders may not incorporate WDs different from those incorporated into the Schedule contract, as the order may then be in conflict with the Schedule contract terms and conditions. However,

Schedule contractors shall comply with the WDs incorporated into the Schedule contract based on the rate applicable to the locality in which the work is to be performed, regardless of the pricing proposed and awarded on the contract. WDs based on collective bargaining agreements (CBAs) may be incorporated into a task order if the task order is found to be a successor contract as used in FAR Subpart 22.10; a CBA WD would be applicable only to the task order it is incorporated into and no other orders under that Schedule contract.

(C) In the price proposal template (PPT), indicate which of the proposed labor categories or fixed price services are subject to the SCLS by placing a double asterisk (**) next to the labor category name or fixed price service.

(D) For each SCLS eligible contract labor category or fixed price service, complete the following information in the below spreadsheet format directly in eOffer (labor categories shown are for example purposes):

SCA/SCLS Matrix		
SCLS Eligible Contract Labor Category/Fixed Price Service	SCLS 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

(E) The following language shall be inserted below the SCLS/SCA matrix in the authorized price list posted on GSA Advantage:

"The Service Contract Labor Standards, formerly the Service Contract Act (SCA), apply to this contract and it includes SCLS applicable labor categories. Labor categories and fixed price services marked with a (**) in this pricelist are based on the U.S. Department of Labor Wage Determination Number(s) identified in the SCLS/SCA matrix. The prices awarded are in line with the geographic scope of the contract (i.e., nationwide)."

(F) Escalation of SCLS-covered services shall be in accordance with FAR clause [52.222-43](#) and either clause I-FSS-969 or clause 552.216-70, as applicable to the contract.

Note 1: The contractor will not automatically be allowed an increase in prices based solely on new wage determinations. Contractor may be required to furnish the Schedule Contracting Officer with additional justification for a price increase. Additional justification may include, but is not limited to, invoices, payroll information, current e98s, RFQ, and/or task order information.

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 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.