



January 17, 2017

Wdonna Woods
Contracting Officer
U.S. General Services Administration
One World Trade Center
55th floor, Room 55W09
New York, NY 10007-0089

Subject: Request for Information for Re-opening MAS 75

Dear Ms. Woods,

Thank you for the opportunity to provide comments in response to the General Services Administration (“GSA”) Request for Information (“RFI”) regarding their proposed plans to reopen the Multiple Award Schedule (“MAS”) 75.

The Coalition for Government Procurement (“the Coalition”) is a non-profit association of firms selling commercial services and products to the Federal Government. Our members collectively account for a significant percentage of the sales generated through GSA contracts including the MAS program. Coalition members are also responsible for many of the commercial item solutions purchased annually by the Federal Government. Coalition members include small, medium, and large business concerns. The Coalition is proud to have worked with Government officials for more than 35 years towards the mutual goal of common sense acquisition.

The Coalition supports the reopening of MAS 75 to new offers in alignment with the Schedules policy of continuous open seasons. However, the proposed reopening of Schedule 75 as outlined in the RFI is too restrictive. According to the RFI, Revised SIN 75 200 and SIN 75 85 will be closed to new offers. The newly established Enhanced SIN 75 2XX would be open to new offers, but only for an undisclosed period of time every two years. The Coalition is concerned that this approach would increase costs for both Schedule 75 contractors and customer agencies, and reduce competition. One of the hallmarks of the MAS program is its ease of use, however, we find that the current proposal is unnecessarily complex for both GSA’s customers and industry partners. We appreciate GSA’s attention to the following comments and questions, and look forward to GSA’s response to the topics raised.

- 1. All Schedule 75 SINs should reopen immediately and remain open to new offers on a continuous basis*

Since Schedule 75 was closed over six years ago, the Coalition has consistently urged GSA to reopen the Schedule. We recommend that GSA do so immediately without restriction. Not allowing new offers for Schedule 75 SINs limits opportunities for companies, especially small businesses, to access the Federal market. It also restricts world-class companies whose contracts have expired from offering their products and services to agencies. This reduces access to innovation and decreases competition. Reopening all Schedule 75 SINs to new offers will increase competition as more vendors have the opportunity to offer their products to the Federal Government.

Continuous open seasons are foundational to the success of the MAS program. Continuous open seasons reflect a fundamental belief in the commercial market's ability to meet the mission needs of customer agencies. They allow entities of all sizes, and especially small businesses, have a strategic opportunity to channel into the Federal marketplace. Moreover, continuous open seasons are consistent with the statutory framework authorizing the MAS program as a competitive procedure under the Competition for Contracting Act (CICA). The MAS program is considered a competitive procedure under CICA as long as contracts and orders are open to all sources.

2. Ensure that current Schedule 75 contractors can continue to offer office supply products and services through GSA

Since 2010, companies whose contracts have expired have been unable to renew their Schedule 75 contracts. By leaving the majority of the Schedule 75 SINs closed as proposed in the RFI, contractors under those SINs who are approaching the end of their 20 year contract term will not have an opportunity to submit offers and receive new contracts to continue to compete and deliver commercial products and services to customer agencies. It is also likely to create an unlevel playing field because inevitably there will be some contractors whose contract expiration dates coincide with the open period for Enhanced SIN 75 2XX and others who will have to wait, potentially for years with no indication of when the Enhanced SIN will reopen again. This situation is likely to lead these contractors to leave the Schedules program entirely, versus "reducing program leakage" as GSA intends.

3. The proposed SIN structure is duplicative and unnecessarily complicated for customer agencies and contractors.

GSA's offerings for the purchase of office supplies and services, as proposed in the RFI, are unnecessarily complex for both customer agencies and contractors. As outlined in the RFI:

- There will be three GSA vehicles for office supplies and services once Schedule 75 is reopened:
 - FSSI OS3
 - Enhanced SIN 75 2XX
 - Revised SIN 75 200

- Current contractors under SIN 75 200 will need to decide whether they should instead offer their products under the Enhanced SIN 75 2XX, and prior to the end of the OS3 contract in 2019, OS3 contractors will have to decide which Schedule 75 SIN to offer their products under in the future.
- The order of priority of the three GSA options is unknown as well as which one customer agencies will prefer.

Further, it is unclear what the benefit and/or return to the taxpayer is for offering three vehicles with similar products and services. We find this proposal duplicative and highly inefficient for both customer agencies and contractors.

4. *Once Schedule 75 is reopened, GSA should offer streamlined proposal submission and evaluation processes in alignment with the “Make It Easier” initiative*

The Coalition recommends that GSA offer a streamlined proposal submission and evaluation process for reputable vendors who have previously been on Schedule 75 and achieved a specified level of annual sales over the life of the contract. These vendors clearly understand the obligations related to participating on Schedule 75 and have demonstrated a sustained period of success.

This approach is consistent with the Competition in Contracting Act (CICA), the Federal Acquisition Regulation (FAR), and the General Services Acquisition Regulation (GSAR). In addition, FAR 1.102-2(c)(3) provides that:

The government shall exercise discretion, use sound judgment business judgment, and comply with applicable laws and regulations in dealing with contractors and prospective contractors. All contractors and prospective contractors shall be treated fairly and impartially **but need not be treated the same.**

[Emphasis added]

By streamlining the proposal submission and evaluation process for these vendors, GSA would also reduce the overall workload for contracting officers on Schedule 75, and thus, deliver best value innovation to customer agencies in less time.

5. *Apply the standard IFF of 0.075% to the Enhanced SIN 75 2XX without additional fees consistent with the overall Schedules program*

The Coalition recommends that GSA apply the standard 0.075% Industrial Funding Fee (IFF) to solutions offered under the Enhanced SIN 75 2XX rather than the 2% “Best in Class” Contract Access Fee (CAF) proposed in the RFI. Tracking and payment of a different fee for a particular SIN is costly and burdensome for contractors and not a standard practice in the Schedules program. Utilizing the standard 0.075% IFF is also in the best interest of the customer agency. The notion that GSA would increase the fee to 2% indicates that there are increased administrative costs for GSA. Similarly, there will be costs to contractors to comply with the requirements of the Enhanced SIN 75 2XX which will inevitably be passed on to

agencies. We find this approach inconsistent with GSA's efforts to reduce prices across the Schedules program.

In summary, members are concerned that the RFI proposal limits access to the Federal market, especially for small businesses; defines the available office solutions for customer agencies and contractors; and increases costs to customer agencies. Rather than the current approach, we recommend that GSA:

- Open all Schedule 75 SINs immediately and remain open to new offers at all times
- Ensure that current Schedule 75 contractors can continue to offer office supply products and services through GSA
- Delay implementation of an Enhanced SIN 2XX. It is duplicative of OS3 and SIN 75 200 in terms of scope. Allow enhanced requirements to be set at the task order level by customer agencies who can make volume commitments.
- Offer streamlined proposal submission and evaluation processes for successful FSS contractors¹
- Apply the standard IFF of 0.075% to all Schedule 75 SINs

Questions:

1. How does the proposed structure outlined in the RFI result in extra savings and value to the Government (compared with the current SINs and OS3)?
2. Will agencies be able to establish BPAs under the proposed SINs?
3. What is the purpose of offering the Enhanced SIN 2XX at the same time as OS3?
4. Why will the Enhanced SIN 2XX be the only SIN open to new offers? Why not have all Schedule 75 SINs open like other Schedules under the MAS program?
5. What is the order of priority for OS3, SIN 75 2XX and SIN 75 200?

Thank you for the opportunity to provide public comments in response to the RFI. As discussed, the Coalition will provide additional comments on the proposed reopening when we receive further feedback from members. If there are any questions, please contact me at (202) 331-0975 or rwaldron@thecgp.org.

Sincerely,



Roger Waldron
President

¹ Similar to the streamlined process for Successful FSS Contractors offered under GSA's Contract Continuity Initiative