



Topic	Problem	Solution	Responsible Party	Impact
<p>1. Multiple Award Schedule (MAS) contract price negotiation: Federal Acquisition Service Policy and Procedure (PAP) 2021-05: Evaluation of FSS Pricing, (the PAP).</p>	<p>The PAP’s guidance is inconsistent with policy and regulation, overly complex, and burdensome for contracting officers (COs) and industry partners. The PAP provides guidance to COs that is inconsistent with the terms of the MAS solicitation. The PAP increases the complexity, costs, and timing of price negotiations. Finally, it puts COs in an untenable position by directing pricing goals that are fundamentally at odds with the contract terms.</p>	<p>Revoke PAP 2021-05: Evaluation of FSS Pricing</p>	<p>GSA</p>	<p>Along with eliminating the Price Reduction Clause (PRC), eliminating the PAP will save government and industry time and money. It will speed up and simplify MAS contract price negotiations, reducing costs for government and industry. Current regulatory guidance (GSAR and FAR) is sufficient to support the price negotiations. Revoking the PAP also provides an opportunity to bring a commonsense approach to price negotiations that does not undermine COs or penalize commercial firms seeking to support the government through the MAS program.</p>
<p>2. MAS PRC Clause, GSAR 552.238-81.</p>	<p>The PRC is a major administrative burden and compliance risk (Civil False Claims</p>	<p>Issue a deviation eliminating the PRC from the MAS solicitation and pen a</p>	<p>GSA</p>	<p>Removing the PRC will eliminate unnecessary, unproductive administrative compliance costs for government and industry, costs that</p>

Topic	Problem	Solution	Responsible Party	Impact
	<p>Act), collectively costing MAS contractors close to a \$1 billion annually in compliance. This does not include government administrative costs. The PRC restricts competition in the commercial market, limiting the ability to offer lower prices. The PRC is a barrier to entry for non-traditional firms. Finally, based on GSA's own data, PRC is ineffective with less than 10 percent of price reductions attributed to the clause. Competition and agency specific requirements at the order level drive price and value, not the PRC.</p>	<p>GSAR rule-making case to reform MAS pricing policies. The clause is found at GSAR 552.238-81.</p>		<p>provide no return on investment. Eliminating the PRC will foster full and free competition in the commercial market. Eliminating the PRC will remove a barrier to entry for commercial firms, including non-traditional firms. Eliminating the PRC will streamline the adoption/addition of new technologies and capabilities for customer agencies. Elimination will remove a significant barrier to commercial firms bringing commercial solutions to the federal customer.</p>
<p>3. Contract duplication</p>	<p>Proliferation of large, long-term governmentwide contracts and agency specific multiple</p>	<p>Add Cost Reimbursement Capability to MAS. Conduct a fulsome business case review</p>	<p>GSA/OMB</p>	<p>Expand use of MAS and other GSA contract vehicles by the Department of Defense (DoD), and reduce need for other large, agency specific contracts. Doing so would also effectuate</p>

Topic	Problem	Solution	Responsible Party	Impact
	award contracts (MACs) with similar scopes of work	of governmentwide acquisition contracts (GWACs) to address overlap/duplication. Strengthen preference for pre-existing contracts like the MAS program.		Senator Roger Wicker’s proposal to alter DoD’s future contracting, given part of his recommendation is to <i>cut red tape</i> that inhibits innovation and urgency. Contract duplication is a clear form of red tape. It costs government and industry unnecessary bid and proposal and contract management costs while also serving as a barrier to entry to the federal market.
4. Disregard for commercial contracting preference	Proliferation of application of new FAR/DFAR clauses to commercial item acquisitions For specific FAR clause applicable for commercial item acquisitions, see FAR 12.301(b). For DoD clauses, see DFARS Subpart 212.301.	Maximize Commercial Item exemption for new regulations. Review 809 Panel’s FAR and DFARS elimination recommendations and past decisions. See <i>the Coalition’s white paper</i> on this opportunity to streamline commercial item contracting.	FAR Council/DoD must make determination to apply or not apply for new regulations (41 USC 3307, 10 USC 3452); FAR Council/DoD have authority to conduct review of past decisions	Eliminating unnecessary clauses for commercial item contracts will return the FAR to the original Congressional intent. It will streamline procurement and reduce complexity and costs for government and industry. It will also remove what has become a significant barrier to entry for commercial firms seeking to bring their commercial solutions to the federal mission. In sum, reducing/eliminating unnecessary clauses will increase access to the commercial market, increase competition, increase efficiency, and increase opportunities for federal agencies to leverage cutting edge commercial solutions to meet mission requirements.
5. Burdensome FAR clauses	FAR clauses that have nothing to do with contract performance.	Reform – full review & elimination of unnecessary clauses	Congress/FAR Council depending on the clause, GSA could make	Reduce compliance burden, reduce industry and government costs, e.g., government system to report executive compensation, lower barriers to entry

Topic	Problem	Solution	Responsible Party	Impact
	<p>Examples include:</p> <ul style="list-style-type: none"> a. Reporting of Executive Compensation and First Tier Subcontracting (FAR Clause 52.204-10) b. Policies on Texting While Driving (FAR Clause 52.226-8) c. Drug-Free Workplace (FAR Clause 52.226-7) d. Human Trafficking (FAR Clause 52.222-50) 	<ul style="list-style-type: none"> a. Section 2 of the Federal Funding Accountability and Transparency Act of 2006 (Pub.L.109-282), as amended by section 6202 of the Government Funding Transparency Act of 2008 (Pub. L. 110-252). b. Executive Order (EO) 13513, issued during the Obama Administration. c. 41 USC 8101-8106 d. 22 U.S.C. Ch. 78 and EO 13627, issued during the Obama Administration. 	<p>recommendations to Congress for repeal</p>	<p>and attract new entrants. Eliminating these clauses would align with Senator Wicker’s proposal to remove <i>excessive requirements</i>, which slows down the acquisition process and deters small business participation.</p>
<p>6. MAS Statutory Authority</p>	<p>The current statutory language requires that contracts and orders result in the “lowest cost alternative” to meet the government’s requirements. This language limits the potential of the MAS program to deliver</p>	<p>Adopt the Best Value MAS Statutory Language amending (41 USC 152(3); 10 USC 3012(3)) as proposed in the in the FoRGED Act. This language would replace “lowest cost alternative” with “best value.” The FoRGED</p>	<p>Congress</p>	<p>Changing “lowest cost alternative” to “best value” would provide statutory assurance that MAS contract price will not be an impediment for MAS contract award and that price will be competed at the order level. Significantly, adopting the best value language would provide clear authority to revolutionize the MAS program. For example, it would provide the foundation to redesign the program to</p>

Topic	Problem	Solution	Responsible Party	Impact
	best value mission support. It reflects a low price, technically acceptable approach that limits the ability of the MAS program to innovate and respond to the commercial market.	Act provision can be in this year's NDAA and expanded to cover civilian agencies.		enhance access to the commercial market, reform pricing policies, eliminate the PRC, add cost reimbursement capability, fully address other direct costs, and adopt streamlined contracting methods akin to Other Transactions Authority and Commercial Solutions Offerings.
7. Contract labor rates on MAS	Difficult and time-consuming to negotiate labor rates at the contract level without substantial volume guarantees, and without knowing inflation and other market conditions that will influence labor rates in the future	Broaden GSA's Section 876 authority to apply to the entire MAS program (41 USC 3306(c)).	Statutory	Supports competition at the task order level for services, instead of negotiating labor rates at the contract level. Will reduce costs for government and industry associated with contract formation. An extension of authority would ensure that MAS would focus on ensuring <i>meaningful competition</i> , which would ensure the government received the best value and solutions while reducing administrative burdens on small businesses and COs.
8. Vertical Contract duplication	ASCEND Blanket Purchase Agreement (BPA) is redundant to the GSA MAS Cloud Special Item Number	Absent a clear identification and commitment of volume requirements, GSA should cancel the ASCEND BPA. GSA should focus on enhancing the cloud offerings on the MAS contracts.	GSA	Save time and money for government and industry.

Topic	Problem	Solution	Responsible Party	Impact
9. Cloud security standardization	Agencies have divergent and non-conforming security standards	Standardize FEDRAMP as the security standard for all agencies and minimize agency unique requirements. Provide reciprocity for meeting commercial cloud security standards. Invest in automation to the greatest extent practicable,	GSA/OMB	Save government time and money by adopting commercial cloud innovation, solutions and services.
10. Bid portal duplication	Duplicative bid portals and inconsistent proposal formats; contractors have to monitor GSA eBuy, SAM.gov, FedConnect, GSA ASSIST, NIH eGOS, DLA DIBBS, etc. for opportunities	Consolidate all acquisitions on one system	Executive Branch	Save industry time and money, reduce costs for government. Contractors are required to spend <i>significant resources</i> to find opportunities across these portals (e.g., GovCon AI programs, networking, partnerships with prime contractors). Without these, it leaves contractors at risk of not finding proper opportunities to pursue, subsequently leading to a loss in time and resources.
11. Inhibited investment in technology and manufacturing	Firms that receive venture capital (VC) investments may be affiliated with the VC and other entities owned or controlled by the VC, thereby losing small business status	Exempt VCs from affiliation rules, similar to the current exemption from affiliation for Small Business Investment Companies (13 CFR 121.103(b)(1)).	SBA	The change would spur private sector investment in emerging technology and manufacturing. Under the existing rules, small businesses, who <i>already</i> have a difficult time locating capital, are <i>penalized</i> for receiving financial support. Thus, the ultimate effect of the affiliation rules, even if unintended, forces these businesses

Topic	Problem	Solution	Responsible Party	Impact
				to compete in the federal marketplace against larger companies for contracts, which has an unintended consequence of discouraging innovation.
12. Diluted competition	Over enforcement of small business mandates	Change, and then finalize, proposed FAR and SBA rules by stating agencies “may” in their sole discretion set aside orders under MACs for small business, consistent with statute (15 USC 644(r)). Current proposed SBA and FAR rules state “shall,” and under Court of Federal Claims Tolliver decision the rule of two applies to orders.	FAR Council and SBA	Reduce government contract costs through greater competition
13. Non-commercial accounting rules	Unique, government specific accounting rules for cost reimbursement contracting	To the maximum extent practicable, adopt Generally Accepted Accounting Principles (GAAP) for cost reimbursement contracting. FAR Part 30, DFAR Part 230. Currently being	FAR Council/DoD	Reduce costs for government and industry. GAAP has also grown since CAS was implemented in the 1970s. Thus, adopting GAAP now would allow for eliminating or modifying CAS requirements which overlap with GAAP and apply GAAP as a <i>reasonable</i> substitute for CAS standards.

Topic	Problem	Solution	Responsible Party	Impact
		reviewed by CAS Board.		