



March 17, 2021

Jill Akridge
Director, Customer Account Management
General Services Administration
1800 F St. NW
Washington, DC 20405

Subject: Feedback on BIC MAC RFI

Dear Ms. Akridge,

The Coalition for Government Procurement appreciates the opportunity to submit member feedback on the request for information (RFI) for General Services Administration's (GSA) Best-in-Class Multiple Agency Contract (BIC MAC). GSA's outreach to industry about the acquisition has been productive, and the Coalition looks forward to continuing the dialogue.

As you are aware, the Coalition is a non-profit association of firms selling commercial services and products to the Federal Government. Coalition members include small, medium, and large business concerns, and collectively account for more \$115 billion in spending through Government contracts, including more than \$23 billion dollars of professional services spending. The Coalition is proud to have worked with Government officials for more than 40 years towards the mutual goal of common-sense acquisition.

The Coalition's comments focus on several areas:

- BIC MAC contract structure
- Market research
- Domains and scope
- Transactional data

The Coalition appreciates GSA's consideration of this feedback on the BIC MAC RFI and concepts overview.

BIC MAC Contract Structure

In addition to the RFI, GSA released a contracts overview document, which outlines background information and initial thinking on BIC MAC. In creating the BIC MAC contract structure, GSA does not plan to cap the number of awards under each domain. Vendors that meet the minimum technical qualifications for each domain would receive an award. Additionally, GSA plans for BIC MAC to be continuously open for new awardees, and utilize Small Business Reserves, rather than having separate contracts for small and large businesses.

Industry appreciates GSA's openness to sharing its initial acquisition planning and the following comments are provided for your consideration:

Source Selection

In proposing a contract with a continuous open season and no cap on the number of awardees, GSA is designing BIC MAC to share key characteristics with the GSA Schedules program. The Coalition has long supported GSA contract programs, like the Schedules and OASIS, because of their streamlined structure and the value that they provide to Government customers. In moving BIC MAC closer in form to the Schedules, members are concerned that GSA may be creating a duplicative contracting channel.

Generally, contract duplication creates administrative burden for industry, particularly small businesses, as contractors attempt to manage multiple sets of requirements. Here, where it appears a duplicative contracting approach is intended and acceptable, Coalition members are concerned that BIC MAC could incent agencies to create their own contract vehicles, further exacerbating the costs and challenges associated with contract duplication. Such duplication might be acceptable in the face of significant benefits, but here, there are no apparent benefits attendant to BIC MAC that might provide a countervailing justification for this duplication.

Based on the foregoing, Coalition members believe that GSA should create and publish a business case for BIC MAC. The information derived from this business case would help explain GSA's plan for BIC MAC and inform industry's strategic planning and response. In the absence of such information, based on their current understanding of the program, Coalition members recommend that, rather than duplicate the Schedules Program, which already effectively serves as an entry point to the Federal market, GSA should consider how BIC MAC should complement that program and GSA's other contract programs, like the IT GWACs. Further, Coalition members recommend that GSA explore alternatives to its proposed approach, such as increasing the number of on-ramps along with increasing the number of small business awards, or lowering the evaluation criteria related to individual project size, which excluded some mid-sized business from participating in OASIS.

Small Business Reserves

GSA's plan for BIC MAC contemplates a single contract, including both large and small businesses, but will include Small Business Reserves in order to maximize opportunities for small businesses. Coalition members, including both small and other than small businesses, are concerned that the unintended consequence of this approach will be to reduce opportunities for small businesses by increasing the complexity of the structure and the initial evaluation of proposals, along with the subsequent management and competition for task orders. This increased complexity will impact the overall customer interest and demand for BIC MAC, which, in turn, will reduce opportunities to deliver the best value services that OASIS has become known for delivering to customer agencies.

The OASIS dual contract vehicle approach (one small contract vehicle and one other than small vehicle) simplifies acquisition planning, task order competition, and contract administration. It provides focused pools of similar contractors offering competing services. The decision to set-

aside is reflected in the decision on which contract vehicle to use rather than at the time the task order is issued. As a result, acquisition planning is streamlined for the government and industry, providing flexibility at the task order level and the tailoring of key contract terms.

The envisioned BIC MAC combined evaluation using different criteria under a single solicitation will increase the complexity and risk associated with the proposal evaluation process. Coalition members are concerned that this complexity will raise the potential for delays in the procurement process, which could impact customer agency interest in the vehicle.

In sum, creating single contract vehicle is a landmark change in the program. The significant change in structure, accompanied by the increased complexity in proposal evaluation and task order management will likely have the unintended consequence of diluting the best value “brand” established by OASIS.

Market Research

GSA plans to make data available to customers to assist with market research and source selection. The RFI seems to describe plans for GSA to create a new market research tool and a repository of project experience profiles for the companies that have received a BIC MAC award. As a threshold matter, Coalition members support GSA’s plan to create a market research tool, but believe the concept needs to be developed and thoroughly tested.

For example, members are concerned that searches in system could be manipulated to reduce artificially the number of bidders or otherwise hurt the competitive environment and run counter to requirements for fair opportunity. For this reason, Coalition members recommend that GSA ensure opportunities are sent to all awardees in order to prevent this problem. Additionally, it is not clear how the information included in the market research tool will not be current or accurate without a significant devotion of resources from the awardees. Incomplete information in the tool could have the unintended effect of reducing agency confidence in BIC MAC. Thus, details on the population of data in this tool would be helpful.

GSA should consider its approach with a new market research tool. The resource, if well-designed, could benefit agencies and help streamline the procurement process by reducing unnecessary RFI’s. Coalition members, however, recommend that GSA focus on awarding BIC MAC, and develop the new research tool to support the contract strategy. Also, Coalition members hope that BIC MAC can be awarded in advance of the expiration of OASIS. Providing a period of overlap between the two contracts, similar to the strategy GSA successfully implemented with Alliant 2, ensures continuity and a smooth transition for the program.

Once BIC MAC is successfully developed, the new tool can be created to support the contract. Coalition members are ready and willing to help the Government with testing and providing feedback on the new tool.

Domains and Scope

The concept overview document provides that GSA plans to create a contract structured around nine to fifteen domains, which will contain functional areas comprised of NAICS codes. The

NAICS codes will overlap across multiple domains. The RFI also states that companies would qualify for all NAICS in a domain, and asks about the possibility of being able to opt out of certain NAICS within a domain.

Coalition members generally support expanding the scope of BIC MAC, but believe that the domain structure as currently established is overly complicated. Significantly, one pool on OASIS (the broadly structured Management/Scientific/Technical Services) accounts for almost half of all spending. Additionally, over 98 percent of the spending on OASIS is through two NAICS codes (541330 Engineering Services and 541712 Research and Development in Physical, Engineering, and Life Sciences). Thus, it appears that agencies desire simplicity and flexibility in their contract vehicles. Given the success and track record of OASIS, as well as market conditions, Coalition members recommend that GSA streamline and simplify the domain concept to the maximum extent possible.

Transactional Data

The RFI explains that GSA intends to utilize the authority in Section 876 of the 2019 National Defense Authorization Act (NDAA) to establish price at the task order level for services contracts. In order to help customers determine that prices are fair and reasonable, GSA would collect transactional data from awardees and share the data with agencies.

Coalition members are not opposed to the Government using transactional data to assist with fair and reasonable price determinations. The collection of transactional data, particularly other data collection efforts like Transactional Data Reporting (TDR) for the GSA Schedules, however, is burdensome and costly to industry. Additionally, members question if raw prices paid data is particularly helpful to customers because complex professional services are difficult to understand without the accompanying statement of work. Coalition members believe that the Government should automate the collection of data, rather than manually collecting it from contractors. In so doing, GSA should develop training and guidance for customers on the limitations of the data and how to best utilize it for price analyses.

Questions

Coalition members also have submitted questions, which they hope GSA will answer during future industry days and/or in future acquisition strategy documents.

- What would opting out of a NAICS within a domain mean, especially considering that the RFI indicates a contractor would have to qualify under all NAICS for each domain?
- How often will GSA add domains and/or functions, and what will be the process for preventing scope overlap across domains? Will this number of domains increase as growth is experienced; or will everything be fixed at contract award?
- What are the possible rules for getting on to the domains after the additional offering (*i.e.*, if a company gains some experience, can it then bid; or, if they fail to make it on to a domain, can they apply again later after they have gained experience)?
- How will Order Level Qualifications will be used in source selection and post-award for task order market research and evaluations?

- Will all BIC MAC awardees receive notice of all task orders and RFI's? Will a company be able to bid on orders if they do not meet all of the Order Level Qualifications established by the ordering CO?
- In self-scoring for OASIS, firms were allowed to use the experience and qualifications of affiliates. This approach enabled more qualifying bids from SBs and minimized the risk to GSA and agency clients that JVs and CTAs entail because the affiliates were controlled by the same responsible corporate entity. Will bidders be able to list the qualifications of their affiliates in their BIC MAC proposals?
- What will the process be for primes to verify subcontractor experience? Specifically, what are they verifying - existence of a teaming agreement, volume, type, and quantity of work? Will a company's ability to participate in a domain potentially rely on a competitor's timely validation of subcontractor experience?
- What contract access fee (CAF) does GSA plan to use on BIC MAC? Will the continuous open season and expanded contractor pool necessitate a higher fee?
- Has GSA developed a plan for training agency ordering CO's? Will this or any other such plan be shared with industry?
- What is the strategy to include AbilityOne in the delivery of professional services in a category management environment where performance of service delivery is in the form of bundled opportunities?
- How will BIC MAC incorporate AbilityOne into the program? Will GSA help eliminate barriers to employment for people who are blind or have significant disabilities?
- The RFI noted that the government is considering implementing socioeconomic Reserves (per FAR 19.503) and not having separate unrestricted and small business contract pools. If that is done, will the same evaluation criteria be used to evaluate all bidders, regardless of the business size?

The Coalition appreciates GSA's outreach to industry thus far, and we look forward to continuing the dialogue at future meetings and industry days. If you have any questions about these comments, please contact me at RWaldron@thecgp.org.

Regards,

A handwritten signature in black ink, appearing to read 'RWaldron', with a long horizontal flourish extending to the right.

Roger Waldron
President