

CLIENT ALERT

GSA Clarifies the Future of Transactional Data Reporting in the Federal Supply Schedule Program

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On April 27, 2021, the General Services Administration (GSA) announced its intention to not only continue but expand the Federal Supply Schedule (FSS) Transactional Data Reporting (TDR) pilot program, based on a third consecutive year of positive results.

Since 2016, GSA's pilot has studied the potential for TDR to replace the various onerous requirements FSS contractors must currently fulfill to ensure the pricing offered to GSA customers is fair and reasonable, including the obligation to make Commercial Sales Practice disclosures and to track commercial pricing and discounts to the negotiated Basis of Award customer under the Price Reductions Clause. Although the TDR pilot program has been well-received by industry participants, the GSA Federal Acquisition Service's silence on the program after extending it through FY2020 raised concern over the future of TDR, particularly in the face of published criticism of the TDR pilot program by the GSA Office of Inspector General. This announcement is therefore welcome news to many existing and future FSS contractors, for whom the future of TDR had been in some doubt over recent months. Contractors interested in TDR should reach out to their FSS contracting officer for additional guidance regarding the program's planned expansion.

For more information, please contact the professional(s) listed below, or your regular Crowell & Moring contact.

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