



Panel recommendations for GSA

June 26, 2009

A. Price Reduction Clause and Task/Delivery Order Competition

Recommendation 1. That the GSA Administrator eliminate the Price Reduction Clause from MAS program services contracts and adopt an 803- like approach to compete orders for all agencies when using schedules contracts.

Recommendation 2. That the GSA Administrator remove the price reduction clause from the MAS program supply contracts for products in phases as the GSA Administrator implements recommendations for competition and price transparency at schedule contract level and the order level.

Recommendation 3. That the GSA Administrator implement the requirements of Section 803 for products as mandatory for use of the MAS program for all users government-wide at the order level.

Recommendation 4. That the GSA Administrator not apply the price reduction clause to the acquisition of solutions.

Recommendation 5. That the GSA Administrator ensure procurements for solutions are subject to the same competitive forces at the order level similar to the Panel's recommendations for products and services.

Recommendation 6. That the GSA Administrator update the MAS program guidance to make explicit that prices for solutions must be determined to be fair and reasonable at the order level.

B. Price Reasonableness

Recommendation 7. That the GSA Administrator issue clear and consistent guidance to implement the price objective for GSA schedules for services; the price objective is to obtain fair and reasonable prices at the time of contract formation by pursuing the lowest overall cost alternative to the government, consistent with the statute.

Recommendation 8. That the GSA Administrator issue clear and consistent guidance to implement the price objective for GSA schedules for products, including information related to thresholds of purchasing experience; the price objective is to obtain fair and reasonable prices at the time of contract formation at the Schedule contract level. The price has to be reasonable not only to the basis of award customer but to the commercial marketplace as well.

Recommendation 9. That the GSA Administrator, with the consent and active participation of the ordering activities, establish a process that will enable ordering activities to collect and report on their purchasing experiences, including quantity and quality considerations as well as price.

Recommendation 10. That the GSA Administrator develop a solution that captures pricing at the order level and makes it available to the contracting officers at both the schedule and order level to conduct market research, determine fair and reasonable pricing at the contract level, and competition at the order level.

Recommendation 11. That the GSA Administrator use whatever data is available to regularly review and refresh prices on schedule contracts to reflect relevant market prices, consistent with each market segment.

C. Disclosure

Recommendation 12. That the GSA Administrator disclose the basis upon which the contracting officer determines that the MAS program contract prices for services are fair and reasonable. [Applicable to services]

Recommendation 13. That the GSA Administrator disclose the basis upon which the contracting officer determines that the MAS program contract prices for products are fair and reasonable. The procedures/process must ensure that GSA does not disclose proprietary pricing information and it addresses who has access to the information. [Applicable to goods]

Recommendation 14. That the GSA Administrator improve the manner in which MAS contract terms and conditions are made available to ordering activities in order to ensure that orders are placed in a manner that is consistent with the schedule contract.

D. Contract Type

Recommendation 15. That the GSA Administrator explore the addition of cost type SINs to the schedule program for services on a voluntary basis for those contractors with the capacity to manage cost type contracts.

Recommendation 16 .That the GSA Administrator require orders for solutions under the schedules program to be firm-fixed-price and performance based.

E. Program Evaluation and Review

Recommendation 17. That the GSA Administrator undertake a periodic evaluation, in consultation with the ordering agencies and industry partners, of current MAS program schedules to determine their relevance in the marketplace and applicability for meeting agencies needs.

Recommendation 18. That the GSA Administrator review the length of the MAS schedule contracts.

Recommendation 19. That the GSA Administrator perform a comprehensive review of GSA policies and guidance that facilitate the acquisition of solutions under the MAS program.

Recommendation 20. That the GSA Administrator periodically evaluate MAS program Special Item Number (SIN) descriptions to determine if the descriptions are consistent with the customer needs and current market offerings, and that the labor categories within SINs are also consistent with the scope of the SIN description.

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