Contract Formation

Activity 14: Federal Supply Schedules

Procedures for placing orders or BPAs against schedules, compiled by the General Services Administration, of commonly-used supplies and services available to government agencies at specified prices or labor rates.

Related Flow Charts: Flow Chart 14

Related Courses: FAC 023 (Basic Contracting for GSA Schedules)

Related Tools: GSA Advantage, GSA eLibray, Acquisition Gateway Hallways, GSA Multiple Award Schedule (MAS) Desk

Reference

Part A: Procedural Rules for Orders Placed and BPAs Established Against Federal Supply Schedule (FSS) Contracts

Tasks	FAR Reference(s)	Additional Information
1. To place an individual order an FSS contract or to establi BPA against a FSS contract, the procedures in FAR 8.405 8.405-2 or 8.405-3.	sh a Schedules]. follow FAR 8 404 Use of Federal Supply	 The procedures in FAR Subpart 8.4 apply to: Individual orders for supplies or services placed against FSS contracts; and BPAs established against FSS contracts. Ordering activities must use the ordering procedures in FAR 8.405 when placing an order or establishing a BPA for supplies or services. The procedures apply to all schedules. However, GSA may specify special ordering procedures for a particular schedule. Unless otherwise noted, these special ordering procedures take precedence over the procedures in FAR 8.405.

	Tasks	FAR Reference(s)	Additional Information
2.	To place an individual order against an FSS contract or to establish a BPA against an FSS contract based on limited sources, follow the procedures in FAR 8.405-6.	FAR 8.405-6 Limiting sources [ordering procedures for Federal Supply Schedules].	Individual orders placed or BPAs established against a Federal Supply Schedule contract are exempt from the requirements in FAR Part 6. However, an ordering activity must justify its action when restricting consideration in accordance with:
	procedures in this street ci		 Orders or BPAs exceeding the micro-purchase threshold based on a limited sources justification.
			 Items peculiar to one manufacturer.
			See Part F: Limiting Sources for Orders or BPAs for further discussion.

Part B: Procedures for Placing FSS Orders at or Below the Micro-Purchase Threshold

Tasks	FAR Reference(s)	Additional Information
Determine how many FSS contractors to solicit.	FAR 8.405-1(b) Orders at or below the micro-purchase threshold [ordering procedures for supplies, and services not requiring a statement of work]. FAR 8.405-2(c)(1) Orders at, or below, the micro-purchase threshold [request for quotation procedures].	There is no requirement to solicit from a specific number of contractors, but agencies are encouraged to attempt to distribute orders among contractors.
Place an order directly with any FSS contractor that can meet the agency's needs.	FAR 8.405-1(b) Orders at or below the micro-purchase threshold [ordering procedures for supplies, and services not requiring a statement of work]. FAR 8.406-1 Order placement [ordering activity responsibilities].	Orders for supplies and services that do not require a statement of work may be solicited orally.

Part C: Procedures for Placing Orders and Establishing a BPA Against an FSS Contract When a Statement of Work (SOW) is not Required

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	Tasks	FAR Reference(s)	Additional Information
1.	If the order exceeds the micro- purchase threshold but does not exceed the simplified acquisition threshold (SAT), consider reasonably available information about the supply or service offered on the GSA Advantage!® online shopping service.	FAR 8.405-1(c) Ordering procedures for supplies, and services not requiring a statement of work [ordering procedures for Federal Supply Schedules]. FAR 8.405-3(b)(1) For supplies, and for services not requiring a statement of work [competitive procedures for establishing a BPA].	These procedures apply when ordering supplies and services that are listed in the Schedules contracts at a fixed price for the performance of a specific task, where a statement of work (SOW) is not required (e.g., installation, maintenance, and repair).
1 a	Review at least three Schedule contractors' price lists, or obtain quotations from at least three GSA Schedule contractors.	FAR 8.405-1(c) Orders exceeding the micro-purchase threshold but not exceeding the simplified acquisition threshold [ordering procedures for supplies, and services not requiring a statement of work]. FAR 8.405-3(b)(1)(i) If the estimated value of the BPA does not exceed the simplified acquisition threshold. [For supplies, and for services not requiring a statement of work].	Survey available pricing information of at least thee Schedule vendors. Document the circumstances for restricting consideration to fewer than three Schedule contractors based on one of the reasons in FAR 8.405-6(a).
2.	For proposed orders exceeding the SAT where a statement of work is not required, prepare a request for quotation (RFQ).	FAR 8.405-1(d) For proposed orders exceeding the simplified acquisition threshold [ordering procedures for supplies, and services not requiring a statement of work]. FAR 8.405-3 (b)(1)(ii) If the estimated value of the BPA exceeds the simplified acquisition threshold [for supplies, and for services not requiring a statement of work].	The RFQ must include a description of the supplies to be delivered or the services to be performed and the basis upon which the selection will be made.

	Tasks	FAR Reference(s)	Additional Information
2a	Either post the RFQ on e-Buy or provide the RFQ to as many Schedule contractors as practicable.	FAR 8.405-1(d)(3) For proposed orders exceeding the simplified acquisition threshold [ordering procedures for supplies, and services not requiring a statement of work]. FAR 8.405-3(b)(1)(ii)(B) If the estimated value of the BPA exceeds the simplified acquisition threshold [for supplies, and for services not requiring a statement of work].	 Post the RFQ on e-Buy to all available Schedule holders to enable them to submit a quote; or Provide directly to as many Schedule vendors as practicable based on market research to reasonable ensure receiving at least three quotes. When fewer than three quotes are received from schedule contractors that can fulfill the requirement, prepare a written determination explaining that no additional contractors capable of fulfilling the requirement could be identified despite reasonable efforts to do so. The determination must clearly explain efforts made to obtain quotes from at least three schedule contractors.
3.	Fairly consider and evaluate quotes in accordance with the basis for selection in the RFQ.	FAR 8.405-1(d)(4) For proposed orders exceeding the simplified acquisition threshold [ordering procedures for supplies, and services not requiring a statement of work]. FAR 8.405-3(b)(1)(ii)(C) If the estimated value of the BPA exceeds the simplified acquisition threshold [for supplies, and for services not requiring a statement of work].	The ordering activity contracting officer must ensure that all quotes received are fairly considered and award is made in accordance with the basis for selection in the RFQ.
4.	Determine whether to seek a price reduction.	FAR 8.405-4 Price reductions [ordering procedures for Federal Supply Schedules].	If the action is over the SAT, the contracting activity contracting officer must seek a price reduction. If the action is under the SAT, the contracting activity contracting officer may, but is not required, to seek a price reduction. This may happen any time before placing the order. Often it is requested in the RFQ.

	Tasks	FAR Reference(s)	Additional Information
6.	Place the order with a Schedule contractor or establish the BPA.	FAR 8.405-3(i)(B) If the estimated value of the BPA does not exceed the simplified acquisition threshold [for supplies, and for services not requiring a statement of work]. FAR 8.406-1 Order placement [ordering activity responsibilities]. FAR 8.405-3(a) Blanket purchase agreements [ordering from BPAs].	FSS orders may be placed orally. The ordering activity must place an order directly with the contractor in accordance with the terms and conditions of the pricelists. For ordering from BPAs, see Part E: Ordering from a BPA.
7.	Report the award to the Federal Procurement Data System-Next Generation (FPDS-NG).	FAR 4.603 Policy.	Contracts whose estimated value is \$3,000 or more or that may be \$3,000 or more must be reported in FPDS-NG. Every modification to that contract, regardless of dollar value must be reported to FPDS-NG.
8.	Respond to protest, if applicable.	FAR 8.404(e) [Protests].	The procedures under subpart 33.1 are applicable to the issuance of an order or the establishment of BPA against a schedule contract.

Part D: Procedures for Placing an Order for Services and Establishing a BPA Against an FSS Contract When a Statement of Work (SOW) is Required

Tasks	FAR Reference(s)	Additional Information
1. Prepare a statement of work (SOW).	FAR 8.405-2 Ordering procedures for services requiring a statement of work [ordering procedures for Federal Supply Schedules]. FAR 8.405-3 (b)(2)(i) Statements of work (SOWs) [for services requiring a statement of work—Establishing BPAs].	 An SOW is required when ordering services priced at hourly rates. All SOWs must include: A description of work to be performed; Location of work; period of performance; Deliverable schedule; Applicable performance standards; and Any special requirements (e.g., security clearances, travel, special knowledge). To the maximum extent practicable, agency requirements must be performance-based statements (see FAR Part 37).

	Tasks	FAR Reference(s)	Additional Information
2.	Prepare a request for quotation (RFQ).	FAR 8.405-2(c) Ordering procedures for services requiring a statement of work [request for quotation procedures].	The RFQ should specify the type of order (i.e., firm-fixed price, labor-hour) for the services and request that contractors submit firm-fixed prices.
		FAR 8.405-3 (b)(2)(iii) Request for quotation procedures [for services requiring a statement of work— Establishing BPAs].	The ordering activity must provide a RFQ, which includes the statement of work and evaluation criteria (experience and past performance), to schedule contractors that offer services that will meet the agency's needs.
3a.	For proposed orders exceeding the micro-purchase threshold but not exceeding the SAT, provide the RFQ to at least three Schedule contractors.	FAR 8.405-2(c)(2)(ii) For orders exceeding micro-purchase but not exceeding the simplified acquisition threshold [request for quotation procedures]. FAR 8.405-3 (b)(2)(iv) If the estimated value of the BPA does not exceed the simplified acquisition threshold [for services requiring a statement of work].	If the ordering activity does not provide the RFQ to at least three Schedule contractors, it must document the circumstances for restricting consideration to fewer than three Schedule contractors based on one of the reasons at FAR 8.405-6(a).
3b.	For proposed orders exceeding the SAT, either post the RFQ on e-Buy or provide the RFQ to as many Schedule contractors as practicable.	FAR 8.405-2(c)(3)(iii) For orders exceeding the simplified acquisition threshold [request for quotation procedures]. FAR 8.405-3 (b)(2)(v) If the estimated	E-Buy allows all FSS holders with the referenced FSS Special Item Number (SIN) to view the notice, thus satisfying the requirements for fair notice when placing an order or establishing a BPA under FAR Subpart 8.4. The ordering activity must provide the RFQ (including the
		value of the BPA exceeds the simplified acquisition threshold [for services requiring a statement of work].	statement of work and evaluation criteria) to any schedule contractor who requests a copy of it.
4.	Evaluate responses.	FAR 8.405-2(d) Evaluation [ordering procedures for services requiring a statement of work]. FAR 8.405-3(b)(2)(vi) Blanket purchase agreements [For services requiring a statement of work—Establishing BPAs].	Conduct an evaluation of responses using the evaluation criteria; and evaluate the order to conclude that the order represents the best value and results in the lowest overall costs alternative (considering price, special features, administrative costs, etc.) to meet the agency's needs.

	Tasks	FAR Reference(s)	Additional Information
5.	Determine whether to seek a price reduction.	FAR 8.405-4 Price reductions [ordering procedures for Federal Supply	If the action is over the SAT, the contracting activity contracting officer must seek a price reduction.
		Schedules].	If the action is under the SAT, the contracting activity contracting officer may, but is not required, to seek a price reduction.
			This may happen any time before placing the order. Often it is requested in the RFQ.
6.	Place the FSS order for services with a Schedule contractor or	FAR 8.405-2(d) Evaluation [ordering procedures for services requiring a	Place an FSS order or establish the BPA with the Schedule contractor that represents the best value.
	establish the BPA.	statement of work].	See Part E: Ordering from BPAs for further discussion.
	requiring a st [competitive] establishing a FAR 8.405-3(requiring a st [competitive]	FAR 8.405-3 (b)(2)(vii) For services requiring a statement of work [competitive procedures for establishing a BPA].	
		FAR 8.405-3(b)(2)(viii) For services requiring a statement for work [competitive procedures for establishing a BPA].	
7.	Provide timely notification to unsuccessful offerors.	FAR 8.405-2(d) Evaluation [ordering procedures for services requiring a statement of work].	Ordering activities should provide timely notification to unsuccessful offerors.
		FAR 8.405-3(b)(3) Competitive procedures for establishing a BPA.	
8.	Provide brief explanation to unsuccessful offeror, if requested.	FAR 8.405-2(d) Evaluation [ordering procedures for services requiring a statement of work]. FAR 8.405-3(b)(3) Competitive procedures for establishing a BPA.	The contracting officer should make clear from the beginning of the conversation that information provided during the conversation is not a debriefing, and make clear the authority is under FAR Subpart 8.405-2(d) for FSS orders, or FAR 8.405-3(b)(3) for BPAs established against FSS contracts.
			The contracting officer should provide a "brief explanation" of the basis for the award decision if requested by the offeror and if award was based upon factors other than price alone.

Tasks	FAR Reference(s)	Additional Information
9. Document the contract file.	FAR 8.405-2(f) Minimum documentation [ordering procedures for services requiring a statement of work]. FAR 8.405-3(a)(7) Minimum documentation [establishment].	For FSS orders, the ordering activity must document: The schedule contracts considered, noting the contractor from which the service was purchased; A description of the service purchased; The amount paid; The evaluation methodology used in selecting the contractor to receive the order; The rationale for any tradeoffs in making the selection; The price reasonableness determination required by FAR 8.405-2(d); The rationale for using other than A firm-fixed price order; or A performance-based order; and When an order exceeds the simplified acquisition threshold, evidence of compliance with the ordering procedures at FAR 8.405-2(c). For BPAs established against an FSS contract, the ordering activity contracting officer must include in the BPA file: Schedule contracts considered, noting the contractor to which the BPA was awarded; Description of the supply or service purchased; Price; Required justification for a limited-source BPA (see FAR 8.405-6), if applicable; Determination for a single-award BPA exceeding \$103 million, if applicable; Documentation supporting the decision to establish multiple-award BPAs or a single-award BPA; Evidence of compliance with FAR 8.405-3(b) for competitively awarded BPAs, if applicable; and Basis for the award decision. This should include the evaluation methodology used in selecting the contractor,

Tasks	FAR Reference(s)	Additional Information
10. Report the award to the Federal Procurement Data System-Next Generation (FPDS-NG).	FAR 4.603 Policy.	Contracts whose estimated value is \$3,000 or more or that may be \$3,000 or more must be reported in FPDS-NG. Every modification to that contract, regardless of dollar value must be reported to FPDS-NG.
11. Respond to protest, if applicable.	FAR 8.404(e) [Protests].	The procedures under subpart 33.1 are applicable to the issuance of an order or the establishment of BPA against a schedule contract.

Part E: Procedures for Placing Orders Under BPAs Established Against FSS Contracts

	Tasks	FAR Reference(s)	Additional Information
1.	For single-award BPAs, place the order directly under the established BPA when the need for the supply or service arises.	FAR 8.405-3(c)(1) Single-award BPAs [ordering from BPAs].	Although the ordering procedures in FAR 8.405(c) are not required for BPAs established on or before May 16, 2011, ordering activities are encouraged to use the procedures for such BPAs.
2.	For multiple-award BPAs where the order is below the micro-purchase threshold, place order with any BPA holder.	FAR 8.405-3(c)(2)(i) Orders at or below the micro-purchase threshold [multiple-award BPAs].	The ordering activity may place orders at or below the micro- purchase threshold with any BPA holder that can meet the agency needs. The ordering activity should attempt to distribute any such orders among the BPA holders.
3.	For multiple-award BPAs where the order exceeds the micro-purchase threshold but not the SAT, provide each multiple-award BPA holder a fair opportunity to be considered.	FAR 8.405-3(c)(2)(ii) Orders exceeding the micro-purchase threshold but not exceeding the simplified acquisition threshold [multiple-award BPAs].	The ordering activity must provide each multiple-award BPA holder a fair opportunity to be considered for each order exceeding the micro-purchase threshold, but not exceeding the simplified acquisition threshold unless one of the exceptions at FAR 8.405-6(a)(1)(i) applies.
			The ordering activity need not contact each of the multiple-award BPA holders before placing an order if information is available to ensure that each BPA holder is provided a fair opportunity to be considered for each order.
			The ordering activity contracting officer must document the circumstances when restricting consideration to less than all multiple-award BPA holders offering the required supplies or services.

	Tasks	FAR Reference(s)	Additional Information
4.	For multiple-award BPA orders exceeding the SAT, provide an RFQ to all BPA holders.	FAR 8.405-3(c)(iii) Orders exceeding the simplified acquisition threshold [multiple-award BPAs].	Unless the requirement is waived on the basis of a justification that is prepared and approved in accordance with FAR 8.405-6, the ordering activity must:
			 Provide an RFQ to all BPA holders offering the required supplies or services under the multiple-award BPAs, to include a description of the supplies to be delivered or the services to be performed and the basis upon which the selection will be made;
			 Afford all BPA holders responding to the RFQ an opportunity to submit a quote; and
			 Fairly consider all responses received and make award in accordance with the selection procedures.
			The ordering activity must document evidence of compliance with these procedures and the basis for the award decision.

Part F: Limiting Sources for Orders or BPAs

	Tasks	FAR Reference(s)	Additional Information
1.	Other than in the case of procuring a peculiar item from one manufacturer, for a proposed order or BPA with an estimated value exceeding the micro-purchase threshold not placed or established in accordance with the procedures in FAR 8.405-1, 8.405-2, or 8.405-3, justify limiting sources.	FAR 8.405-6(a)(1) Circumstances justifying limiting the source [orders or BPAs exceeding the micro-purchase threshold based on a limited sources justification].	 An urgent and compelling need exists, and following the procedures would result in unacceptable delays; Only one source is capable of providing the supplies or services required at the level of quality required because the supplies or services are unique or highly specialized; or In the interest of economy and efficiency, the new work is a logical follow-on to an original FSS order provided that the original order was placed in accordance with the applicable FSS ordering procedures. The original order or BPA must not have been previously issued under sole-source or limited-sources procedures. Follow FAR 8.405-6(c) for the content of the justification for an order or BPA exceeding the SAT. As a minimum, each justification

Tasks	FAR Reference(s)	Additional Information
		shall include the following information:
		 Identification of the agency and the contracting activity, and specific identification of the document as a "Limited Source Justification."
		Nature and/or description of the action being approved.
		 A description of the supplies or services required to meet the agency's needs (including the estimated value).
		 The authority and supporting rational (see FAR 8.405-6(a)(1)(i) and (b)(1)) and, if applicable, a demonstration of the proposed contractor's unique qualifications to provide the required supply or service.
		 A determination by the ordering activity contracting officer that the order represents the best value consistent with FAR 8.404(d).
		 A description of the market research conducted among Schedule holders and the results or a statement of the reason market research was not conducted.
		Any other facts supporting the justification.
		 A statement of the actions, if any, the agency may take to remove or overcome any barriers that led to the restricted consideration before any subsequent acquisition for the supplies or services is made.
		 The ordering activity contracting officer's certification that the justification is accurate and complete to the best of the contracting officer's knowledge and belief.
		 Evidence that any supporting data that is the responsibility of technical or requirements personnel (e.g., verifying the Government's minimum needs or requirements or other rationale for limited sources) and which form a basis for the justification have been certified as complete and accurate by the technical or requirements personnel.
		For justifications under FAR 8.405-6(a)(1), a written determination by the approving official identifying the

Tasks	FAR Reference(s)	Additional Information
		circumstance that applies.
1a. Publish and post the justification.	FAR 8.405-6(a)(2) Posting [orders or BPAs exceeding the micro-purchase threshold based on a limited sources justification].	Within 14 days after placing an order or establishing a BPA exceeding the SAT that is supported by a limited-sources justification, the ordering activity must:
		 Publish a notice in accordance with FAR 5.301; and
		 Post the justification:
		 At the GPE http://www.fedbizopps.gov;
		 On the Web site of the ordering activity agency, which may provide access to the justification by linking to the GPE; and
		 For a minimum of 30 days.
		In the case of an order or BPA when the action is under urgent and compelling circumstances, the justification must be posted within 30 days after award.
		Carefully screen all justifications for contractor proprietary data and remove all such data and such references and citations before making the justifications available for public inspection.

	Tasks	FAR Reference(s)	Additional Information
2.	When an item is peculiar to one manufacturer, document the basis for restricting competition.	FAR 8.405-6(b) Items peculiar to one manufacturer [limiting sources].	The documentation or justification must be completed and approved at the time the requirement for a brand-name item is determined. In addition, the justification for a brand-name item is required at the order level when a justification for the brand-name item was not completed for the BPA or does not adequately cover the requirements in the order.
			If the proposed order or BPA has an estimated value exceeding the SAT, the justification should be in accordance with FAR 8.405-6(c). As a minimum, each justification shall include the following information:
			 Identification of the agency and the contracting activity, and specific identification of the document as a "Limited Source Justification."
			 Nature and/or description of the action being approved.
			A description of the supplies or services required to meet the agency's needs (including the estimated value).
ı			 The authority and supporting rational (see FAR 8.405-6(a)(1)(i) and (b)(1)) and, if applicable, a demonstration of the proposed contractor's unique qualifications to provide the required supply or service.
			 A determination by the ordering activity contracting officer that the order represents the best value consistent with FAR 8.404(d).
			 A description of the market research conducted among Schedule holders and the results or a statement of the reason market research was not conducted.
			Any other facts supporting the justification.
			 A statement of the actions, if any, the agency may take to remove or overcome any barriers that led to the restricted consideration before any subsequent acquisition for the supplies or services is made.
			 The ordering activity contracting officer's certification that the justification is accurate and complete to the best of the contracting officer's knowledge and belief.
			Evidence that any supporting data that is the responsibility of technical or requirements personnel (e.g., verifying the Government's minimum needs or requirements or other rationale for limited sources) and which form a basis for the justification have been

Tasks	FAR Reference(s)	Additional Information
2a. Seek approval of the justification.	FAR 8.405-6(d) Justification approvals [limiting sources].	 For a proposed order or BPA with an estimated value exceeding the SAT, but not exceeding \$650,000, the ordering activity contracting officer's certification that the justification is accurate and complete to the best of the ordering activity contracting officer's knowledge and belief will serve as approval, unless a higher approval level is established in accordance with agency procedures. For a proposed order or BPA with an estimated value exceeding \$650,000, but not exceeding \$12.5 million, the justification must be approved by the advocate for competition of the activity placing the order, or by an official named in paragraph FAR 8.405-6(d)(3) or (d)(4). This authority is not delegable. For a proposed order or BPA with an estimated value exceeding \$12.5 million, but not exceeding \$62.5 million (or, for DoD, NASA, and the Coast Guard, not exceeding \$85.5 million), the justification must be approved by the head of the procuring activity placing the order; a designee or other named official. For a proposed order or BPA with an estimated value
		exceeding \$62.5 million (or, for DoD, NASA, and the Coast Guard, over \$85.5 million), the justification must be approved by the senior procurement executive of the agency placing the order.
2b. Post the justification and RFQ.	FAR 8.405-6(b)(3) Posting [items peculiar to one manufacturer].	The ordering activity must post the justification along with the RFQ to e-Buy (http://www.ebuy.gsa.gov). The posting requirement does not apply in certain circumstances (e.g., when disclosure would compromise the national security; when the agency's senior procurement executive makes a written determination that access through e-Buy is not in the Government's interest).