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Domain Expertise

GSA Seeks Feedback on Proposed IT Schedule 70 Special Item Number for CDM Products

The General Services Administration has asked industry to provide feedback on the new special item number for continuous diagnostics and mitigation platforms to be offered under *IT Schedule 70*.

GSA said in a [FedBizOpps](#) notice published on March 22, 2017 the proposed SIN seeks to create a government-wide contracting platform for the continuous delivery of CDM products, develop a list of approved CDM tools and classify 15 tool functional areas into five new subcategories in order to streamline requirements for CDM tools.

The agency also wants information on how vendors offer CDM products on IT Schedule 70 and will accept responses through April 5. The new request for information comes weeks after GSA and the Department of Homeland Security [issued an RFI](#) that aims to identify *GSA Alliant Small Business* governmentwide acquisition contract holders that have potential to provide CDM services as the \$6 billion [blanket purchase agreement](#) for the CDM program approaches expiration in August 2018.

[Source](#)



Federal Marketplace Matters

GSA Seeks Contractor to Perform SEM Program Surveys

The U.S. General Services Administration (GSA), Public Buildings Service (PBS), released on March 23 a presolicitation notice for Survey Services for its Safety and Environmental Management (SEM) Program in various locations within the National Capital Region (NCR).

The GSA plans to procure and award a Multiple Award Indefinite Delivery Indefinite Quantity (IDIQ) contract, and subsequently issue firm fixed-price task orders under these contracts, as it needs SEM professional services on specific projects.

The GSA intends to award a one-year contract, with four subsequent one-year option periods.

The applicable NAICS code is 541620, Environmental Consulting Services, and the small business size standard is \$15 million. The GSA intends to award the contract to a small business who qualifies for and is certified to receive one or more types of set-asides.

[Read More](#)

GSA MAS Updates Planned for Spring 2017

On March 22, GSA held a Webinar to outline the upcoming Refresh/Mass Mod for All GSA Schedules to Incorporate Clause and Provision Updates, including Small Business Subcontracting Improvements. The Refresh is expected to be released mid-April 2017; however, it may take longer for those schedules within the TDR Pilot Program.

A draft of significant changes and a new model Subcontracting Plan can be found on [Interact](#). GSA will post some Q&A's as follow-up to webinar and this site can be used to post additional questions.

Following is a brief recap of the [Webinar](#):

1. Subcontracting
 - New FAR rule gives contracting officers the discretion to ask for a new Subk plan when a small company recertifies as other than small. As a matter of policy GSA will **require** a Subk plan in these circumstances
 - Task order contracting officers can establish goals for specific task orders. The goal for an order can be higher than goals in the contract plan
 - Order level reporting will be required after November 2017. Changes needed to eSRS to accommodate the change. GSA expects to give additional training on reporting and updates to the system
 - Changes apply to commercial and individual Subk plans.
 - The mass mod will have a new model Subk plan. The model will apply to new offers.
2. Service Contracting Act
 - Wages Determinations will be undated in the Mass Mods
 - Policy changes are on hold; GSA working with DOL
3. VA
 - These changes implement FAR – they apply to both VA and GSA
4. Use of Schedules by state, local, tribal government
 - Disaster relief expanded to include disaster preparation
 - The buying entity decides what constitutes preparation
5. TDR
 - Not covered by this mass mod

[Source: The Gormley Group](#)



Federal Marketplace Matters

Incumbentitis Strikes Again; Be Careful Out There

We have commented before, here and here, about the importance of avoiding Incumbentitis, a particularly potent affliction that can fatally undermine a contractor's efforts to win follow-on contracts. The recent decision by the Government Accountability Office (GAO) in Interactive Technology Solutions, LLC, B-413665.2, B-413665.3 (March 1, 2017) reminds us that the contagion is still at large within the contractor community. Prudent incumbent contractors must take precautions to avoid contracting the disease.

The protest in question involved the award of a task order to Technology, Automation & Management, Inc. (TeAM) under a task order proposal request (TOPR) issued by the Department of the Army, U.S. Army Medical Research Acquisition Activity, for program management and technical management support services. The incumbent, Interactive Technology Solutions (ITS), protested the award, challenging, among other things, the agency's evaluation of its technical approach.

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GSA IG: Contracts Awarded without Establishing Price Reasonableness

On Tuesday, March 21, the General Services Administration's (GSA) Office of Inspector General (OIG) published a [report](#) titled, "Audit of Price Evaluations and Negotiations for the Professional Services Schedule Contracts". According to the IG audit, when GSA was consolidating pre-existing contracts into the Professional Services Schedule (PSS), new contracts were awarded without establishing price reasonableness. The OIG also reported that contracting officers used a "Pre and Price Negotiation Memorandum" template which does not conform to Federal Acquisition Service (FAS) policy.

The OIG recommended that GSA conduct a review of the migrated PSS contracts to determine if prices are fair and reasonable. In addition, the OIG recommended that GSA discontinue the use of the "Pre and Price Negotiation Memorandum" template and replace it with the Pre-Negotiation Memorandum and Price Negotiation Memorandum from FAS Instructional Letter 2011-02.

FAS Commissioner, Tom Sharpe, responded to the audit's findings and agreed with the recommendation to evaluate the PSS contracts to determine if pricing is fair and reasonable. Contracting officers for the migrated contracts have been reevaluating contracts since the beginning of January. In addition, FAS will be reviewing all contract documentation templates to ensure that the templates comport with FAS guidance and transactional data reporting.

[Source](#)

Alexa, Can You Tell Me About GSA's Virtual Assistant Pilot?

In the future, citizens seeking government services might not flock to websites. Instead, they might ask their Amazon Alexa, Apple's Siri or a text-based chatbot for help.

At least, that's the plan, per a new pilot program at the General Services Administration. This week, GSA launched a pilot that would walk federal agencies through the process of setting up virtual assistants, powered by machine-learning and artificial intelligence technology, which can eventually be deployed to citizens.

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Federal Marketplace Matters

GSA Blog: Leveraging New Resources to Achieve Greater Efficiency in FY 2017

On Monday, March 20, Casey Kelley, the Acting Director of the Office of IT (OIT) Services at the General Services Administration's (GSA) Federal Acquisition Service (FAS), posted a [blog](#) detailing his office's role in delivering IT capabilities across the Federal government during Fiscal Year (FY) 2016. Specifically, Mr. Kelly highlighted how the OIT was able to provide Federal customers with expert support through customer engagement, Best-in-Class (BIC) acquisition solutions, and government-wide contracts, which helped reduce contract duplication and enhance efficiency.

Moving into FY 2017, Mr. Kelly described how the OIT will be seeking to attain a BIC designation for the Alliant GWAC and to ensure that two of the new IT Schedule 70 Special Item Numbers (SINs), the Health IT SIN (132-56) and the Cloud SIN (132-40), are operating effectively. In addition, the OIT will be looking to develop an open market spend model and award the next generation of GSA GWACs, which will include Alliant 2, Alliant 2 Small Business, and VETS 2.

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GAO: No Set Aside Required Where Offerors' Prices Too High

An agency was justified in canceling a small business set-aside solicitation—and reissuing the solicitation on an unrestricted basis—where the agency determined that the prices offered by small businesses were too high. In a recent bid protest decision, the GAO confirmed that while the FAR's "rule of two" set-aside requirement provides a powerful and important preference for small businesses, it doesn't require an agency to pay more than fair market value for products or services.

The GAO's decision in Wall Colmonoy Corporation, B-413320; B-413322 (Oct. 3, 2016) involved an Air Force solicitation for the remanufacture of approximately 80 F-16 heat exchangers. Before issuing the solicitation, the Air Force conducted market research to determine whether the solicitation should be set aside for small businesses. The market research indicated that two small businesses were likely to submit proposals. Based on its market research, the Air Force issued the solicitation as a small business set-aside.

The Air Force also prepared an independent government estimate, or IGE, to use in the evaluation of offerors' price proposals. The Air Force's IGE indicated that the remanufacture of each unit should cost approximately \$12,000. The Air Force's IGE was based in large part on a 2012 contract for the same services, under which the Air Force paid \$11,936 per unit.

The two small businesses identified in the market research submitted proposals. Wall Colmonoy Corporation, one of the small businesses, proposed a unit price of \$17,426. The other small business proposed a unit price of \$29,950. The Air Force opened discussions with both small business offerors. Through several rounds of discussions, the Air Force informed the small businesses that their proposed prices were higher than the Air Force had anticipated. WCC ultimately lowered its proposed price to \$15,950 per unit. The second small business apparently lowered its price by only \$450 per unit, to \$29,500.

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Federal Marketplace Matters

Trump Pledges New Office to Bring Business Innovation to Government Operations

The Trump administration is launching a new office to spur innovation in government operations, the White House announced Monday, promising to give business acumen a more prominent role in federal activities.

President Trump tapped Jared Kushner, his son-in-law and senior adviser, to lead the new White House Office of American Innovation. The administration is billing the initiative -- first reported by *The Washington Post* -- as a SWAT team of former business executives. The goal, the White House said, is to shake up the status quo of the federal bureaucracy by infusing new ideas that allow private enterprises to succeed.

The administration billed the office as non-partisan, looking for any new ideas from both inside and outside government. A particular area of focus will be improving the Veterans Affairs Department

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Educational

Corporate Whistleblower Center Urges an Employee of a Technology Company Providing Services to The GSA to Call About Rewards If Their Employer Is Overbilling the Government

The [Corporate Whistleblower Center](#) says, "We are urging an employee of a software or technology company providing services to the federal government via the Government Services Administration to call us anytime at 866-714-6466 about what could be substantial financial compensation via federal rewards if your employer is ripping off a federal agency or if the technology company is not being compliant with a GSA contract. Recently a whistleblower was awarded \$10 million dollars for this type of information."

The Corporate Whistleblower Center fears that many employees of technology companies providing services to the federal government will look the other way when their employer is overbilling the government for hours never worked, for software that does not work, and or for services never provided. Recently it has come to light that the CIA hired outside contractors to assist them with creating viruses to infect people's computers or cell phones. This federal agency no longer has control of these viruses. How incredibly stupid is that? "In our opinion this is just one more glaring example of contractors ripping off the government, and the taxpayers left holding the bag.

"Most astonishingly of all it would appear that federal agencies would that prefer to hide the misdeeds of their contractors than publicly expose them-because public exposure of a contractor could make the federal agency's senior management look incompetent or worse. There was a recent exception to this rule."

In March 2017, the US Department of Justice announced a \$45 million-dollar settlement with a technology company that was providing software and software maintenance services to the federal government. Allegedly the company did not fully and accurately disclose its discounting practices to GSA contracting officers.

[Read More](#)





Upcoming Events

March 28 -29, 2017 IFMIPS 03FAC Industry Day Event

[Register](#)

March 29, 2017 2:00 - 3:00 PM EST
Packaged Solutions thru the MAS Program for Vendors

[Register](#)

April 7, 2017 – Schedule 36 IWA Center Industry Day event in Philadelphia

[Register](#)

April 25-26, 2017 the GSA Federal Acquisition Training Symposium Huntsville, Alabama,

[Registration Details](#)

May 9-10, 2017 Schedule 84 Industry Day event in Dallas/Ft Worth

[Details to follow](#)

June 6, 2017 the Professional Services Industry Day in Tacoma, Washington.

[See more information](#)

April 13 2017 B2G Conference & Expo Joint Base Langley / Eustice

[More Info](#)

TGG will be represented at all GSA Industry events above so if you are not able to attend contact your TGG consultant with any questions you may have.



Compliance

Civilian Employee at Aberdeen Proving Ground Pleads Guilty to Accepting Bribes in Exchange for Favorable Actions on Contracts

Baltimore, Maryland – Rainier Ramos, age 50, of Bel Air, Maryland, pleaded guilty today to bribery in connection with his duties at the U.S. Army Public Health Command at Aberdeen Proving Ground.

The guilty plea was announced by United States Attorney for the District of Maryland Rod J. Rosenstein; Special Agent in Charge Gordon B. Johnson of the Federal Bureau of Investigation, Baltimore Field Office; Special Agent in Charge L. Scott Moreland, Mid-Atlantic Fraud Field Office, Major Procurement Fraud Unit, U.S. Army Criminal Investigation Command; and Special Agent in Charge Robert E. Craig, Jr. of the Defense Criminal Investigative Service - Mid-Atlantic Field Office.

According to Ramos' plea agreement, he was a civilian information technology professional at the U.S. Army Public Health Command at Aberdeen Proving Ground (APG). Beginning in 2009, Ramos solicited and accepted bribes from the owner and CEO of an information technology company headquartered in McLean, Virginia (the Company). Specifically, Ramos admitted that he sought and accepted, among other things, meals and drinks, rounds of golf, tickets to sporting events, and gift cards. The sporting events included courtside seats to Washington Wizards basketball games, football tickets and access to the company's luxury suite for Washington Redskins games at FedEx field, tickets to the see the New Orleans Saints play at the Mercedes Benz Dome in New Orleans, and tickets to see the New Orleans Hornets basketball team in New Orleans. In exchange, Ramos admitted that he took official actions favorable to the Company and the owner in relation to the MEDCOM contract, which was worth more than \$50 million.

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