

## MEMORANDUM FOR THE RECORD

Subject: (1) Exemption of Synopsis Requirement for SEWP IV Orders  
(2) Ordering Requirements for IDIQ Contracts

(1) This memorandum documents the official file concerning exemption from the synopsis requirement for the subject orders for Information Technology (IT) products under the Solutions for Enterprise-Wide Procurement (SEWP) Government Wide Acquisition Contract (GWAC). The following contracts are covered under this exemption:

NNG07DA46B, NNG07DA31B, NNG07DA39B, NNG07DA48B, NNG07DA22B, NNG07DA35B, NNG07DA40B, NNG07DA50B, NNG07DA24B, NNG07DA63B, NNG07DA15B, NNG07DA51B, NNG07DA26B, NNG07DA43B, NNG07DA11B, NNG07DA18B, NNG07DA30B, NNG07DA08B, NNG07DA62B, NNG07DA32B, NNG07DA38B, NNG07DA33B, NNG07DA49B, NNG07DA17B, NNG07DA42B, NNG07DA12B, NNG07DA28B, NNG07DA27B, NNG07DA20B, NNG07DA64B, NNG07DA10B, NNG07DA45B, NNG07DA23B, NNG07DA47B, NNG07DA36B, NNG07DA25B, NNG07DA52B, NNG07DA14B, NNG07DA37B, NNG07DA21B, NNG07DA29B, NNG07DA44B, NNG07DA19B, NNG07DA09B, NNG07DA13B, NNG07DA34B, NNG07DA41B, NNG08DA05B, NNG08DA02B, NNG08DA03B, NNG08DA04B,

Exemption of this action falls under Federal Acquisition Regulation (FAR) Part 5.202(a)(6), which states the following:

The contracting officer need not submit the notice required by 5.201 when the contract action is an order placed under Subpart 16.5.

(2) SEWP orders are Delivery Orders placed against existing IDIQ contracts. The SEWP IV acquisition is a Part 12 commercial acquisition, which used formal Source Evaluation Board (SEB) procedures, in accordance with FAR Subpart 15.3 and the NASA FAR Supplement (NFS) 1815.3. The SEWP IV solicitation was comprised of 11 separate classes of IT equipment and products. Each class of IT equipment was evaluated as a separate requirement and competition, resulting in awards in the solicited classes of equipment.

This Delivery Order is issued under the following criteria:

SEWP Orders placed under multi-award contracts

FAR 16.505 (b)(1) provides that provide each contractor shall be given a fair opportunity to be considered for each order exceeding \$3,000 issued under multiple delivery-order contracts. In accordance with the requirements of FAR 16.505(b), this memorandum to the file documents the fair opportunity consideration for each contractor in the following SEWP multi-award class, except as provided in FAR 16.505 (b) (2) and in the supporting documentation to this memorandum.

The SEWP on-line Class Search / RFQ tool at <http://www.sewp.nasa.gov> provides assistance in this activity and to augment the required decision documentation required by FAR 16.505(b) (4), which specifies that the contracting officer must document the rationale for placement and price of each order. The SEWP RFQ tool automatically includes the contractors within a selected class in the RFQ / Search process. (see attached **Summary of Quotation/Selection Criteria**)

All other requirements of the NASA FAR Supplement as it pertains to full documents have been satisfied and are contained in the master contract file with the exception of other file documentations contained herein.

**SUMMARY OF QUOTATION/SELECTION CRITERIA**  
**SEWP Orders**  
**NASA/GODDARD SPACE FLIGHT CENTER**  
**SEWP Multi-Award Classes**

SUGGESTED SOURCE	ORDER NUMBER	DATE OF QUOTE REQUEST
CONTRACTOR	PRICE	DELIVERY SCHEDULE
CONTRACTOR # 1	\$	
CONTRACTOR #2	\$	
CONTRACTOR # 3	\$	
CONTRACTOR #4	\$	

**PLEASE DENOTE FAILURE TO RESPOND TO QUOTE.**

**RECOMMENDED CONTRACTOR:** \_\_\_\_\_ **(based on best value).**

**Best Value Discriminator :** Price \_\_\_\_\_ Schedule \_\_\_\_\_ Other \_\_\_\_\_

**Justification for Exclusion of Other Sources Under Fair Opportunity of Multiple Awards  
FAR (16.505.B.2)**

\_\_\_\_\_ The agency need for the supplies or services is so urgent that providing a fair opportunity would result in unacceptable delays; *(needs Directorate or center level approval)*

\_\_\_\_\_ Only one awardee is capable of providing the supplies or services required at the level of quality required because the supplies or services ordered are unique or highly specialized; *(needs justification source)*

\_\_\_\_\_ The order must be issued on a sole-source basis in the interest of economy and efficiency as a logical follow-on to an order already issued under the contract, provided that all awardees were given a fair opportunity to be considered for the original order; or *(needs reference to original order)*

\_\_\_\_\_ It is necessary to place an order to satisfy a minimum guarantee. *(N/A)*

**CONTRACT SPECIALIST:**

**DATE:**

# Fair Opportunity

**Since SEWP contracts are pre-competed, can I go directly to a single SEWP Contract Holder for all my needs?**

SEWP contracts are pre-competed and therefore formal competition (including synopsis, formal RFPs, etc.) is not required. However, as with all multi-award contracts (including GSA), **fair opportunity** must be provided to all associated multi-award Contract Holders. The SEWP website contains information on Fair Opportunity requirements and the SEWP RFQ tool automatically prompts you with the set of Contract Holders for which Fair Opportunity should be provided. For more information see FAR 16.505 (b) (1).

**How does one satisfy Fair Opportunity / Competition Requirements when using a SEWP contract?**

[FAR 16.505\(b\) \(1\)](#) provides that each contractor shall be given fair opportunity to be considered for each order exceeding \$3,000 and issued under multiple award contracts. At a minimum, to provide Fair Opportunity, all Contract Holders within any one of the four individual competed Groups must be provided Opportunity. For maximum competition one, two, three or all four Groups can be selected. The SEWP online RFQ tool is the recommended method to assist in this activity and to augment the required decision documentation.

**Only one company has the item I need on their SEWP contract. Can I just directly award to them?**

While at a given moment, there may be only one company with a product solution you require on a SEWP contract, Fair Opportunity is still required to all Contract Holders at least in the same Group as the suggested source. It is possible for other Contract Holders to add the product solution in time to also provide a quote.

**Do I need to obtain 3 quotes?**

No, Fair Opportunity, not the “3 quote” rule applies to the SEWP contracts. You must provide Fair Opportunity to all Contract Holders within at least one of the 4 Contract Groups. If after providing the Fair Opportunity (preferably using the SEWP on-line RFQ tool), only one company provides a quote you may proceed with the award and order. Note that this is not a sole source since you provided opportunity to the other Contract Holders.

It is recommended that if only one Contract Group is queried and only one quote is obtained, the RFQ should be re-issued, including all 4 Contract Groups in order to maximize competition.

**Can I limit my RFQ to 3 suggested sources?**

No. At a minimum, Fair Opportunity to all Contract Holders in a suggested source’s Group must be provided.