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GENERAL SERVICES ADMINISTRATION FEDERAL SUPPLY SERVICE

Authorized Professional Engineering Services (PES) Pricelist

Contract Number: GS-10F-0057Y

Period Covered by Contract: November 17, 2011 to November 16, 2016

Pricelist Current through Modification No. 0

A photograph of a mountain range with snow-capped peaks and a clear blue sky. The mountains are in the foreground, and the sky is a deep blue. The text is overlaid on the image.

**Products and ordering information in this Authorized FSS PES Schedule Pricelist
are also available on the GSA Advantage! System. Agencies can browse GSA
Advantage by accessing the Federal Supply Service's home page via the internet
at <http://www.fss.gsa.gov/>**

Table of Contents

1.0 INTRODUCTION 1

2.0 CONTRACT OVERVIEW..... 1

3.0 CONTRACT USE..... 1

4.0 CONTRACT SCOPE 1

5.0 DESCRIPTION OF PES SERVICES..... 2

5.1 SIN 871-1: STRATEGIC PLANNING FOR TECHNOLOGY PROGRAMS/ACTIVITIES 2

5.2 SIN 871-2: CONCEPT DEVELOPMENT AND REQUIREMENTS ANALYSIS 2

5.3 SIN 871-3: SYSTEM DESIGN, ENGINEERING, AND INTEGRATION 2

5.4 SIN 871-4: TEST & EVALUATION 2

5.5 SIN 871-5: INTEGRATED LOGISTICS SUPPORT..... 2

5.6 SIN 871-6: ACQUISITION & LIFE CYCLE MANAGEMENT 2

5.7 DESCRIPTIONS OF LABOR CATEGORIES AND PRICING 3

5.7.3 SERVICE CONTRACT ACT (SCA) MATRIX 7

6.0 SMALL BUSINESS PARTICIPATION 8

7.0 ORDERING INSTRUCTIONS..... 8

7.1 ORDERING ADDRESS AND PAYMENT INFORMATION..... 8

7.1 CONTRACT TYPE 8

7.2 MAXIMUM ORDER 9

7.3 MINIMUM ORDER 9

7.4 ACCEPTANCE OF GOVERNMENT COMMERCIAL CREDIT CARD 9

7.5 DISCOUNT FOR PAYMENT BY GOVERNMENT COMMERCIAL CREDIT CARD 10

7.6 F.O.B. POINT(S)..... 10

7.7 FUNDING FEE..... 10

7.8 TERMS AND CONDITIONS..... 10

7.9 ELECTRONIC DATA INTERCHANGE (EDI) ORDERING 11

7.10 CONTRACTOR TASKS/SPECIAL REQUIREMENTS (C-FSS-370) (NOV 2001)..... 11

8.0 DELIVERY SCHEDULE 12

9.0 GSA ADVANTAGE 12

10.0 CONTRACTOR COMMITMENTS, WARRANTIES, AND REPRESENTATIONS..... 13

11.0 OVERSEAS ACTIVITIES 13

11.1 OUTSIDE OF THE SCOPE OF THE CONTRACT..... 13

CUSTOMER INFORMATION

1.0 INTRODUCTION

Delta Solutions & Strategies, LLC, (Delta Solutions) located in Colorado Springs, Colorado, provides a full spectrum of professional engineering services, including engineering disciplines of mechanical, electrical, chemical, components of civil engineering, and sub-disciplines such as aerospace, nuclear, bioengineering, fire protection, and marine architecture. Delta Solutions has considerable experience with various engineering requirements within the federal government and state and local agencies. The highly skilled staff of professionals is qualified to assist across the broad life cycle of engineering projects. With tailored solutions to unique business planning problems, Delta Solutions can analyze and support complex business organizations and decision points. With quality management through performance measurement and clear communications, significant transitions such as downsizing, outsourcing, and privatizing can be accomplished with minimum business disruption. For the Government customer, Delta Solutions can provide the expertise required for developing strategic planning and strategies that fully support reform and maximize organizational performance.

2.0 CONTRACT OVERVIEW

GSA awarded Delta Solutions a GSA Federal Supply Schedule contract for Professional Engineering Services (PES), Contract No. GS-10F-0057Y. The current contract period of performance is from 11/17/2011 to 11/16/2016. GSA may exercise additional option periods at the end of this period. The contract allows for the placement of firm-fixed price or Time & Materials delivery orders using the labor categories and ceiling rates defined in the contract and for the following Special Item Numbers (SINs):

Services for all Federal Agencies

SIN	Description
871-1	Strategic Planning for Technology Programs/Activities
871-2	Concept Development & Requirements Analysis
871-3	System Design, Engineering & Integration
871-4	Test & Evaluation
871-5	Integrated Logistics Support
871-6	Acquisition & Life Cycle Management

3.0 CONTRACT USE

This contract is available for use by all federal government agencies as a source for Professional Engineering Services, for worldwide use. Additionally, contractors are encouraged to accept orders received from activities within the Executive Branch of the federal government.

4.0 CONTRACT SCOPE

Delta Solutions shall provide all resources including personnel, management, supplies, services, materials, equipment, facilities, and transportation necessary to provide a wide range of professional services as specified in each delivery order.

Services specified in a delivery order may be performed at the contractor's facilities or the ordering agencies' facilities. The Government will determine the contractor's compensation by any of several different methods, (to be specified at the delivery order level) e.g., a firm-fixed price for services with or without incentives, labor hours, or time-and-material.

When delivery orders are placed, they must identify the SIN or SINs under which the task is being executed. Delta Solutions has been awarded a contract by GSA to provide services under SINs listed in paragraph 5.0 below:

5.0 DESCRIPTION OF PES SERVICES

5.1 SIN 871-1: Strategic Planning for Technology Programs/Activities

Delta Solutions services involve the definition and interpretation of high-level organizational engineering performance requirements such as projects, systems, missions, etc., and the objectives and approaches to their achievement. Typical associated tasks include, but are not limited to, an analysis of mission, program goals and objectives, program evaluations, analysis of program effectiveness, requirements analysis, organizational performance assessment, special studies and analysis, training, and consulting.

5.2 SIN 871-2: Concept Development and Requirements Analysis

Delta Solutions provides abstract or concept studies and analysis, requirements definition, preliminary planning, the evaluation of alternative technical approaches and associated costs for the development of enhancement of high-level general performance specifications of a system, project, mission, or activity. Typical associated tasks include, but are not limited to, requirements analysis, cost/cost performance trade-off analysis, feasibility analysis, fire safety evaluation worksheets development and completion as they relate to professional engineering services, regulator compliance support, technology/system conceptual designs, training, and consulting.

5.3 SIN 871-3: System Design, Engineering, and Integration

Delta Solutions provides the translation of a system (or subsystem, program, project, activity) concept into a preliminary and detailed design (engineering plans and specifications), performing risk identification/analysis, mitigation, and traceability, and then integrating the various components to produce a working prototype or model of the system. Typical associated tasks include, but are not limited to, computer-aided design, design studies and analysis, design review services, shop drawing review services, submittal review services, conducting fire protection facility surveys, developing risk reduction strategies and recommendations to mitigate identified risk conditions, fire modeling, performance-based design reviews, high-level detailed specification preparation, configuration management and document control, fabrication, assembly and simulation, modeling, training, and consulting.

5.4 SIN 871-4: Test & Evaluation

Delta Solutions provides services for the application of various techniques demonstrating that a prototype system (subsystem, program, project or activity) performs in accordance with the objectives outlined in the original design. Typical associated tasks include, but are not limited to, testing of a prototype and first article(s) testing, environmental testing, performing inspections and witnessing acceptance testing of fire protection and life safety systems as they relate to professional engineering services, independent verification and validation, reverse engineering, simulation and modeling (to test the feasibility of a concept), system, quality assurance, physical testing of the product system, training, and consulting.

5.5 SIN 871-5: Integrated Logistics Support

Delta Solutions provides services for the analysis, planning, and detailed design of all engineering specific logistics support including material goods, personnel, and operational maintenance and repair of systems throughout their lifecycles, excluding those systems associated with real property. Typical associated tasks include, but are not limited to, ergonomic/human performance analysis, feasibility analysis, logistics planning, requirements determination, policy standards/procedures development, conducting research studies, long-term reliability and maintainability, training, and consulting.

5.6 SIN 871-6: Acquisition & Life Cycle Management

Delta Solutions provides services for planning, budgetary, contract, and systems/program management functions required to procure and or/produce, render operational, and provide life-cycle support (maintenance, repair, supplies, engineering specific logistics) to (technology based) systems, activities, subsystems, projects, etc. Typical associated tasks include, but are not limited to, operation and

maintenance, construction site inspection services, evaluation of inspection, testing, and maintenance program for fire protection and life safety systems, program/project management, technology transfer/insertion, training, and consulting.

5.7 Descriptions of Labor Categories and Pricing

5.7.1 Labor categories

No.1	Subject Matter Expert\Scientist 5
Description:	Independently provides senior-level expert management and technical direction for problem definition, analysis, and requirements development and implementation for complex situations within a specific subject matter area. Provides recommendations and advice on system development, improvements, optimization, and maintenance; requirements definition and justification; policy development; planning; programming; budgeting; resource allocation and analysis; operations; training; and other mission areas as required.
Minimum Experience:	Minimum of 20 years progressive experience (or equivalent combination of education and experience).
Education:	PhD or equivalent and 20 years of experience
No. 2	Engineering 5
Description:	Independently conceives and develops solutions to engineering programs through the application of professionally accepted engineering techniques, practices, and procedures. Applies an expert level of knowledge on engineering standards to ensure that engineering work conforms to high technical and organization standards and meets or exceeds all contract requirements. Compiles and evaluates design and data to determine adequacy of the product or software and the engineering effectiveness of the results compared to the defined requirements and specifications. Supports stress and performance testing; research, design, and development; and testing, evaluation, and implementation. Works closely with software engineers, scientists, and other engineers in development, design, and testing. Provides leadership and direction to junior engineers while conducting analysis, development, test, and integration activities.
Minimum Experience:	Minimum of 14 years of progressive experience (or equivalent combination of education and experience).
Education:	Master's degree or equivalent and 14 years of experience
No. 3	Engineering 3
Description:	Independently conceives and develops solutions to engineering programs through the application of professionally accepted engineering techniques, practices, and procedures. Applies a proficient level of knowledge on engineering standards to ensure that engineering work conforms to high technical and organization standards and meets or exceeds all contract requirements. Compiles and evaluates design and data to determine adequacy of the product or software and the engineering effectiveness of the results compared to the defined requirements and specifications. Supports stress and performance testing; research, design, and development; and testing, evaluation, and implementation. Works closely with software engineers, scientists, and other engineers in development, design, and testing.
Minimum Experience:	Minimum of 8 years of progressive experience (or equivalent combination of education and experience).
Education:	Bachelor's degree or equivalent and 8 years of experience
No. 4	Analyst 5
Description:	Independently conducts analysis and documentation of software, hardware, and system requirements to be included in the development, implementation, and production of integrated technology systems. Possesses an expert level of knowledge and leads Systems Analysts in conducting planning and execution of integration and acceptance testing; creation of system documentation and user training materials; analysis and design of business applications, complex large-scale systems, database management, and use of programming languages; and current storage and retrieval methodologies. Ability to work application problems involving all phases of the systems development life

PES Authorized Pricelist

	<p>cycle. Coordinates with the Project and/or Program Manager to ensure problem resolution and user satisfaction. Make recommendations, if needed, for approval of major systems installations. Prepares milestone status reports and deliverables/presentations on the system concept to colleagues, subordinates, and end-user representatives. Supports analysis and research for industry, infrastructure, technology, country, geographic area, and biographic and targeted vulnerability. Supports assessments of current events based on the sophisticated collection, research, and analysis of classified and open source information. Develops and maintains analytical procedures to meet changing requirements and ensure maximum operations. Collects data using a combination of standard intelligence methods and business processes. Supports technical input to the production of documents necessary to conduct demonstrations or tasks and supports direct services for the execution of a specified demonstration or task. Supports acquisition, costing, logistics, programmatic, mission planning, configuration management, software development, operational architecture development and maintenance, quality assurance, test and evaluation, simulation model development, and independent verification and validation. Validates documentation for compliance with treaties, laws, and higher-level direction. Provides recommendations for solutions to policy problems and conflicts.</p>
Minimum Experience:	Minimum of 12 years of progressive experience (or equivalent combination of education and experience)
Education:	Master's degree and 12 years of experience
No. 5	Analyst 4
Description:	<p>Independently conducts analysis and documentation of software, hardware, and system requirements to be included in the development, implementation, and production of integrated technology systems. Possesses an advanced level of knowledge and may lead junior Systems Analysts in conducting planning and execution of integration and acceptance testing; creation of system documentation and user training materials; analysis and design of business applications, complex large-scale systems, database management, and use of programming languages; and current storage and retrieval methodologies. Ability to work application problems involving all phases of the systems development life cycle. Coordinates with the project and/or program manager to ensure problem resolution and user satisfaction. Make recommendations, if needed, for approval of major systems installations. Prepares milestone status reports and deliverables/presentations on the system concept to colleagues, subordinates, and end-user representatives. Supports analysis and research for industry, infrastructure, technology, country, geographic area, and biographic and targeted vulnerability. Supports assessments of current events based on the sophisticated collection, research, and analysis of classified and open source information. Develops and maintains analytical procedures to meet changing requirements and ensure maximum operations. Collects data using a combination of standard intelligence methods and business processes. Supports technical input to the production of documents necessary to conduct demonstrations or tasks and supports direct services for the execution of a specified demonstration or task. Supports acquisition, costing, logistics, programmatic, mission planning, configuration management, software development, operational architecture development and maintenance, quality assurance, test and evaluation, simulation model development, and independent verification and validation. Validates documentation for compliance with treaties, laws, and higher-level direction. Provides recommendations for solutions to policy problems and conflicts.</p>
Minimum Experience:	Minimum of 8 years of progressive experience (or equivalent combination of education and experience)
Education:	Master's degree and 8 years of experience
No. 6	Analyst 3
Description:	<p>Independently conducts analysis and documentation of software, hardware, and system requirements to be included in the development, implementation, and production of integrated technology systems. Possesses a proficient level of knowledge in conducting</p>

PES Authorized Pricelist

Delta Solutions & Strategies, LLC

GS-10F-0057Y

	<p>planning and execution of integration and acceptance testing; creation of system documentation and user training materials; analysis and design of business applications, complex large-scale systems, database management, and use of programming languages; and current storage and retrieval methodologies. Ability to work application problems involving all phases of the systems development life cycle. Coordinates with the project and/or program manager to ensure problem resolution and user satisfaction. Make recommendations, if needed, for approval of major systems installations. Prepares milestone status reports and deliverables/presentations on the system concept to colleagues, subordinates, and end-user representatives. Supports analysis and research for industry, infrastructure, technology, country, geographic area, and biographic and targeted vulnerability. Supports assessments of current events based on the sophisticated collection, research, and analysis of classified and open source information. Develops and maintains analytical procedures to meet changing requirements and ensure maximum operations. Collects data using a combination of standard intelligence methods and business processes. Supports technical input to the production of documents necessary to conduct demonstrations or tasks and supports direct services for the execution of a specified demonstration or task. Supports acquisition, costing, logistics, programmatics, mission planning, configuration management, software development, operational architecture development and maintenance, quality assurance, test and evaluation, simulation model development, and independent verification and validation. Validates documentation for compliance with treaties, laws, and higher-level direction. Provides recommendations for solutions to policy problems and conflicts.</p>
Minimum Experience:	Minimum of 10 years of progressive experience (or equivalent combination of education and experience)
Education:	Bachelor's degree and 10 years of experience
No. 7	Analyst 2
Description:	<p>Under minimal supervision, assists in the analysis and documentation of software, hardware, and system requirements to be included in the development, implementation, and production of integrated technology systems. Possesses a general level of knowledge in conducting planning and execution of integration and acceptance testing; creation of system documentation and user training materials; analysis and design of business applications, complex large-scale systems, database management, and use of programming languages; and current storage and retrieval methodologies. Ability to work application problems involving all phases of the systems development life cycle. Coordinates with the project and/or program manager to ensure problem resolution and user satisfaction. Make recommendations, if needed, for approval of major systems installations. Prepares milestone status reports and deliverables/presentations on the system concept to colleagues, subordinates, and end-user representatives. Supports analysis and research for industry, infrastructure, technology, country, geographic area, and biographic and targeted vulnerability. Supports assessments of current events based on the sophisticated collection, research, and analysis of classified and open source information. Develops and maintains analytical procedures to meet changing requirements and ensure maximum operations. Collects data using a combination of standard intelligence methods and business processes. Supports technical input to the production of documents necessary to conduct demonstrations or tasks and supports direct services for the execution of a specified demonstration or task. Supports acquisition, costing, logistics, programmatics, mission planning, configuration management, software development, operational architecture development and maintenance, quality assurance, test and evaluation, simulation model development, and independent verification and validation. Validates documentation for compliance with treaties, laws, and higher-level direction. Provides recommendations for solutions to policy problems and conflicts.</p>
Minimum Experience:	Minimum of 6 years of progressive experience (or equivalent combination of education and experience)
Education:	Bachelor's degree and 6 years of experience

PES Authorized Pricelist

No. 8	Administration Support 3
Description:	Provides administrative support to technical and management-level personnel. This includes documentation planning and support, project administration and controls, general office support, executive secretarial support, human resource planning and support, event planning, office relocation planning, mail services, records management, and data input.
Minimum Experience:	Minimum of 4 years of progressive experience (or equivalent combination of education and experience)
Education:	Bachelor's degree and 4 years of experience
No. 9	Administration Support 2
Description:	Provides administrative support to technical and management-level personnel. This includes documentation planning and support, project administration and controls, general office support, executive secretarial support, human resource planning and support, event planning, office relocation planning, mail services, records management, and data input.
Minimum Experience:	Minimum of 2 years of progressive experience (or equivalent combination of education and experience)
Education:	Associate's degree and 2 years of experience
No. 10	Technician 5
Description:	Independently performs specialized work of substantial variety and complexity. Receives objectives and technical advice while assisting in the design of new systems, processes, products, or equipment. Works on segments of developmental projects, constructing experimental or prototype models to meet technical requirements, conducts tests or experiments, evaluates, and records data. Leads junior technicians in providing technical support to engineers/analysts through an expert level of knowledge in research, design, development, testing, and/or manufacturing process improvement. May work from schematics, diagrams, written and verbal descriptions, or defined plans to perform testing and troubleshooting functions on electronic or mechanical components, equipment, or systems. Leads engineering tests and detailed experimental testing to collect data or assist in research work. Leads evaluation tests or experiments requiring selection adaptation, and/or modification of test equipment and test procedures; sets up and operates equipment; records and analyzes data; gathers data from multiple sources to determine trends and diagnose testing needs; and prepares reports.
Minimum Experience:	Minimum of 12 years of progressive experience (or equivalent combination of education and experience)
Education:	Master's degree and 12 years of experience
No. 11	Technician 3
Description:	Independently performs specialized work of substantial variety and complexity. Receives objectives and technical advice while assisting in the design of new systems, processes, products, or equipment. Works on segments of developmental projects, constructing experimental or prototype models to meet technical requirements, conducts tests or experiments, evaluates and records data. Provides technical support to engineers/analysts through a proficient level of knowledge in research, design, development, testing, and/or manufacturing process improvement. May work from schematics, diagrams, written and verbal descriptions, or defined plans to perform testing and troubleshooting functions on electronic or mechanical components, equipment, or systems. May conduct engineering tests and detailed experimental testing to collect data or assist in research work. Conducts evaluation tests or experiments requiring selection adaptation, and/or modification of test equipment and test procedures; sets up and operates equipment; records and analyzes data; gathers data from multiple sources to determine trends and diagnose testing needs; and prepares reports.
Minimum Experience:	Minimum of 8 years of progressive experience (or equivalent combination of education and experience)

PES Authorized Pricelist

Education:	Bachelor's degree and 8 years of experience
No. 12	Technician 2
Description:	Under minimal supervision, performs specialized work of substantial variety and complexity. Receives objectives and technical advice while assisting in the design of new systems, processes, products, or equipment. Works on segments of developmental projects, constructing experimental or prototype models to meet technical requirements, conducts tests or experiments, evaluates, and records data. Provides technical support to engineers/analysts through a general level of knowledge in research, design, development, testing, and/or manufacturing process improvement. May work from schematics, diagrams, written and verbal descriptions, or defined plans to perform testing and troubleshooting functions on electronic or mechanical components, equipment, or systems. May conduct engineering tests and detailed experimental testing to collect data or assist in research work. Supports evaluation tests or experiments requiring selection adaptation, and/or modification of test equipment and test procedures; sets up and operates equipment; records and analyzes data; gathers data from multiple sources to determine trends and diagnose testing needs; and prepares reports.
Minimum Experience:	Minimum of 6 years of progressive experience (or equivalent combination of education and experience)
Education:	High School Diploma (GED) and 6 years of experience

NOTE: Education equivalents are: 14 years of related experience equates to a PhD; 8 years of related experience equates to a Master's Degree; 5 years of related experience equates to a Bachelor's Degree; 3 years of related experience equates to an Associate's Degree.

5.7.2 Labor Category Pricing

Rates are current as of November 17, 2011.

No.	Labor Category	Price
1	Subject Matter Expert\Scientist 5	\$187.16
2	Engineering 5	\$163.44
3	Engineering 3	\$100.75
4	Analyst 5	\$113.02
5	Analyst 4	\$81.82
6	Analyst 3	\$74.12
7	Analyst 2	\$81.82
8	Administration Support 3	\$43.97
9	Administration Support 2	\$49.18
10	Technician 5	\$97.75
11	Technician 3	\$71.59
12	Technician 2	\$51.20

5.7.3 Service Contract Act (SCA) Matrix

The Service Contract Act (SCA) is applicable to this contract, and it includes SCA applicable labor categories. The prices for the cited SCA labor categories are based on the US Department of Labor Wage Determination Numbers identified in the SCA matrix and below. The prices offered are based on the preponderance of the location of the work and if the contractor performs in an area with lower SCA rates, resulting in lower wages being paid, the delivery order prices will be discounted accordingly.

SCA Eligible Labor Category	SCA Equivalent Code Title	Wage Determination No.
Administration Support 1	01020-Administrative Assistant	05-2079
Technician 3	30085-Engineering Technician V	05-2079
Technician 1	30083-Engineering Technician III	05-2079

6.0 SMALL BUSINESS PARTICIPATION

SBA strongly supports the participation of small business concerns in the Federal Supply Schedules Program. To enhance Small Business Participation SBA policy allows agencies to include in their procurement base and goals, the dollar value of orders expected to be placed against the Federal Supply Schedules and to report accomplishments against these goals.

For orders exceeding the micro-purchase threshold, FAR 8.404 requires agencies to consider the catalogs/pricelists of at least three schedule contractors or consider reasonably available information by using the GSA Advantage!™ online shopping service (www.fss.gsa.gov). The catalogs/pricelists, GSA Advantage!, and the Federal Supply Service home page (www.fss.gsa.gov) contain information on a broad array of products and services offered by small business concerns.

This information should be used as a tool to assist ordering activities in meeting or exceeding established small business goals. It should also be used as a tool to assist in including small, small disadvantaged, and women-owned small businesses among those considered when selecting pricelists for a best value determination.

For orders exceeding the micro-purchase threshold, customers are to give preference to small business concerns when two or more items at the same delivered price will satisfy their requirements.

7.0 ORDERING INSTRUCTIONS

7.1 Ordering Address and Payment Information

Delta Solutions & Strategies, LLC is a Service-Disabled Veteran-Owned Business

Delta Solutions & Strategies, LLC
565 Space Center Drive, Suite 330
Colorado Springs, CO 80915

Telephone: (719) 475-0605 Fax: (719) 475-8005
Data Universal Numbering System (DUNS) Number: 124651964
Contractor's Taxpayer Identification Number (TIN): 84-1554002
CAGE Code: 1RUU6

7.1 Contract Type

GSA provides a streamlined, efficient process for ordering the services you need. GSA has already determined that Delta Solutions & Strategies, LLC, meets the technical requirements and that our prices offered are fair and reasonable. Agencies may use written orders, facsimile orders, credit card orders, blanket purchase agreement orders, or individual purchase orders under this contract.

If it is determined that your agency needs an outside source to provide PES services, follow these simple steps:

Step 1: Develop a Statement of Work (SOW) or Performance Work Statement (PWS)

In the SOW/PWS, include the following information:

- Work to be performed
- Location of work
- Period of performance
- Deliverable schedule
- Special standards and any special requirements, where applicable

Step 2: Select contractor and place order

- If the order is at or below the micro-purchase threshold, select the contractor best suited for your needs and place the order

- If the order exceeds but is less than the maximum order threshold (MOT), prepare a request for quote (RFQ)
- If the order is in excess of the MOT, prepare an RFQ. Consider expansion of competition and seek price reductions

Step 3: Prepare an RFQ

- Include the SOW and evaluation criteria
- Request fixed price, ceiling price, or, if not possible, labor hour or time and materials order
- If preferred, request a performance plan from contractors and information on past experience and include information on the basis for selection
- May be posted on GSA’s electronic RFQ system, e-Buy

Step 4: Provide RFQ to at least three firms

Step 5: Evaluate offers, select best value firm, and place order

7.2 Maximum Order

\$1,000,000.00

Ordering activities may seek a price reduction for orders placed over the maximum order amount. A delivery order that exceeds the maximum order may be placed with Delta Solutions in accordance with FAR 8.404. Before placing an order that exceeds the maximum order threshold, ordering offices shall:

- Review additional schedule contractors’ catalogs/price lists or use the “GSA Advantage!” online shopping service
- Based upon the initial evaluation, generally seek price reductions from the schedule contractor(s) appearing to provide the best value (considering price and other factors)
- After price reductions have been sought, place the order with the schedule contractor that provides the best value and results in the lowest overall cost alternative (see FAR 8.404(a)). If further price reductions are not offered, an order may still be placed, if the ordering office determines that it is appropriate

Vendors may:

Offer a new lower price for this requirement (the Price Reduction clause is not applicable to orders placed over the maximum order in FAR 52.216-19 Order Limitations.)

- Offer the lowest price available under the contract
- Decline the order (orders must be returned in accordance with FAR 52.216-19)

A delivery order that exceeds the maximum order may be placed with the Contractor selected in accordance with FAR 8.404. The order will be placed under the contract.

Sales for orders that exceed the maximum order shall be reported in accordance with GSAR 552.238-74.

7.3 Minimum Order

\$100.00

7.4 Acceptance of Government Commercial Credit Card

- (a) At the option of the Government and if agreeable to Delta Solutions, payments of \$25,000 or less for oral or written delivery orders may be made using the Government commercial credit card.
- (b) Delta Solutions will not process a transaction for payment through the credit card clearinghouse until the purchased supplies have been shipped or services performed. Unless the cardholder requests correction or replacement of a defective or faulty item in accordance with other contract requirements, Delta Solutions will immediately credit a cardholder’s account for items returned as defective or faulty.

7.5 Discount for Payment by Government Commercial Credit Card

None

7.6 F.O.B. Point(s)

All support products, training materials, etc. will be properly packed and packaged so as to avoid damage in transit. All pricing for deliveries is based on the terms of F.O.B. destination applicable to delivery within the continental United States (CONUS). The contract only covers routine shipping (normally UPS ground shipment), and any agency requiring expedited shipment is responsible for the difference between normal UPS and expedited shipping rates. Payment for shipment of deliveries outside of CONUS will be at the expense of the ordering agency.

7.7 Funding Fee

Delta Solutions will comply with the requirement to pay the GSA Industrial Funding Fee of three-quarters of one percent (.75%).

7.8 Terms and Conditions

- (a) Inspection/Acceptance. Delta Solutions will only tender for acceptance those items that conform to the requirements of this contract. The Government reserves the right to inspect or test any supplies or services that have been tendered for acceptance. The Government will require repair or replacement of nonconforming supplies or performance of nonconforming services at no increase in contract price. The Government will exercise its post acceptance rights (1) within a reasonable time after the defect was discovered or should have been discovered; and (2) before any substantial change occurs in the condition of the item, unless the change is due to the defect in the item.
- (b) Assignment. Delta Solutions' or its assignee's right to be paid amounts due as a result of performance of this contract may be assigned to a bank, trust company, or other financing institution, including any federal lending agency in accordance with the Assignment of Claims Act (31 U.S.C. 3727).
- (c) Changes. Changes in the terms and conditions of this contract may be made only by written agreement of the parties.
- (d) Disputes. This contract is subject to the Contract Disputes Act of 1978, as amended (41 U.S.C. 601-613). Failure of the parties to this contract to reach agreement on any request for equitable adjustment, claim, appeal, or action arising under or relating to this contract shall be a dispute to be resolved in accordance with FAR 52.233-1, Disputes, which is incorporated herein by reference. Delta Solutions will proceed diligently with performance of this contract, pending final resolution of any dispute arising under the contract.
- (e) Definitions. FAR 52.202-1, Definitions, is incorporated in the Addendum to this clause.
- (f) Excusable Delays. Delta Solutions will be liable for default unless nonperformance is caused by an occurrence beyond Delta Solutions' reasonable control and without its fault or negligence such as acts of God or the public enemy, acts of the Government in either its sovereign or contractual capacity, fires, floods, epidemics, quarantine restrictions, strikes, unusually severe weather, and delays of common carriers. Delta Solutions will notify the Contracting Officer in writing as soon as reasonably possible after the commencement of any excusable delay, setting forth the full particulars in connection therewith, shall remedy such occurrence with all reasonable dispatch, and shall promptly give written notice to the Contracting Officer of the cessation of such occurrence. Delta Solutions also will notify the Contracting Officer of the ordering activity agency in writing as set forth above when service is expected to be delayed.
- (g) Invoice Requirements. The number of invoices required is an original and three copies (or electronic invoice, if authorized) to the address designated in the contract to receive invoices. Invoices must be handled in accordance with the Prompt Payment Act (31 U.S.C. 3903) and Office of Management and Budget (OMB) Circular A-125, Prompt Payment.
- (h) Patent Indemnity. Delta Solutions will indemnify the Government and its officers, employees, and agents against liability, including costs, for actual or alleged direct or contributory infringement of, or inducement to infringe, any U.S. or foreign patent, trademark, or copyright arising out of the

performance of this contract, provided Delta Solutions is reasonably notified of such claims and proceedings.

- (i) **Payment.** Payment will be made for items accepted by the Government that have been delivered to the delivery destinations set forth in this contract. The Government will make payment in accordance with the Prompt Payment Act (31 U.S.C. 3903) and Office of Management and Budget (OMB) Circular A-125, Prompt Payment. Unless otherwise provided by an addendum to this contract, the Government will make payment in accordance with FAR 52.232-33, Mandatory Information for Electronic Funds Transfer Payment, which is incorporated herein by reference. In connection with any discount offered for early payment, time will be computed from the date of the invoice. For the purpose of computing the discount earned, payment is considered to have been made on the date that appears on the payment check or the specified payment date if an electronic funds transfer payment is made.
- (j) **Risk of Loss.** Unless the contract specifically provides otherwise, risk of loss or damage to the supplies provided under this contract will remain with Delta Solutions until, and will pass to the Government upon:
 - (1) Delivery of the supplies to a carrier, if transportation is F.O.B. origin
 - (2) Delivery of the supplies to the Government at the destination specified in the contract, if transportation is F.O.B. destination
- (k) **Taxes.** The contract price includes all applicable federal, state, and local taxes and duties.
- (l) **Warranty.** Delta Solutions warrants and implies that the items delivered hereunder are merchantable and fit for use for the particular purpose described in this contract.

7.9 Electronic Data Interchange (EDI) Ordering

Orders may be placed through Electronic Data Interchange (EDI) or mailed in paper form. EDI orders will be placed using the American National Standards Institute (ANSI) X12 Standard for EDI format.

7.10 Contractor Tasks/Special Requirements (C-FSS-370) (NOV 2001)

- (a) **Security Clearances:** The Contractor may be required to obtain/possess varying levels of security clearances in the performance of orders issued under this contract. All costs associated with obtaining/possessing such security clearances should be factored into the price offered under the Multiple Award Schedule.
- (b) **Travel:** The Contractor may be required to travel in performance of orders issued under this contract. Allowable travel and per diem charges are governed by Pub. L. 99-234 and FAR Part 31, and are reimbursable by the ordering agency or can be priced as a fixed price item on orders placed under the Multiple Award Schedule. The Industrial Funding Fee does NOT apply to travel and per diem charges.

NOTE: Refer to FAR Part 31.205-46 Travel Costs, for allowable costs that pertain to official company business travel in regards to this contract.

- (c) **Certifications, Licenses and Accreditations:** As a commercial practice, the Contractor may be required to obtain/possess any variety of certifications, licenses, and accreditations for specific FSC/service code classifications offered. All costs associated with obtaining/possessing such certifications, licenses, and accreditations should be factored into the price offered under the Multiple Award Schedule program.
- (d) **Insurance:** As a commercial practice, the Contractor may be required to obtain/possess insurance coverage for specific FSC/service code classifications offered. All costs associated with obtaining/possessing such insurance should be factored into the price offered under the Multiple Award Schedule program.

- (e) Personnel: The Contractor may be required to provide key personnel, resumes or skill category descriptions in the performance of orders issued under this contract. Ordering activities may require agency approval of additions or replacements to key personnel.
- (f) Organizational Conflicts of Interest: Where there may be an organizational conflict of interest as determined by the ordering agency, the Contractor's participation in such order may be restricted in accordance with FAR Part 9.5.
- (g) Documentation/Standards: The Contractor may be requested to provide products or services in accordance with rules, regulations, OMB orders, standards and documentation as specified by the agency's order.
- (h) Data/Deliverable Requirements: Any required data/deliverables at the ordering level will be as specified or negotiated in the agency's order.
- (i) Government-Furnished Property: As specified by the agency's order, the Government may provide property, equipment, materials, or resources as necessary.
- (j) Availability of Funds: Many Government agencies' operating funds are appropriated for a specific fiscal year. Funds may not be presently available for any orders placed under the contract or any option year. The Government's obligation on orders placed under this contract is contingent upon the availability of appropriated funds from which payment for ordering purposes can be made. No legal liability on the part of the Government for any payment may arise until funds are available to the ordering Contracting Officer.

8.0 DELIVERY SCHEDULE

Time of Delivery: The Contractor shall deliver to destination within the number of calendar days after receipt of order (ARO), as set forth below:

SIN Delivery Time (Days ARO):

871-1 through 6: 30 Days

Urgent Requirements: When the Federal Supply Schedule contract delivery period does not meet the bona fide urgent delivery requirements of an ordering activity, ordering activities are encouraged, if time permits, to contact the Contractor for the purpose of obtaining accelerated delivery. The Contractor shall reply to the inquiry within 3 workdays after receipt. (Telephonic replies shall be confirmed by the Contractor in writing.) If the Contractor offers an accelerated delivery time acceptable to the ordering activity, any order(s) placed pursuant to the agreed upon accelerated delivery time frame shall be delivered within this shorter delivery time and in accordance with all other terms and conditions of the contract.

Discounts: Prices shown are Net Prices and basic discounts have been deducted. Delta Solutions & Strategies, LLC under this contract does not offer any prompt payment discounts, quantity discounts, dollar discounts, Government Education Institutions discounts, or Government Credit Card Discounts.

9.0 GSA ADVANTAGE

GSA Advantage! is an online, interactive electronic information and ordering system that provides online access to vendors' schedule prices with ordering information. GSA Advantage! will allow the user to perform various searches across all contracts including, but not limited to:

- (1) Manufacturer; (2) Manufacturer's Part Number; and (3) Product categories.

Agencies can browse GSA Advantage! by accessing the internet utilizing a browser; the internet address is <http://www.fss.gsa.gov/>.

10.0 CONTRACTOR COMMITMENTS, WARRANTIES, AND REPRESENTATIONS

For the purpose of this contract, commitments, warranties, and representations include, in addition to those agreed to for the entire schedule contract:

- (a) Time of delivery/installation quotations for individual orders
- (b) Technical representations and/or warranties of products concerning performance, total system performance and/or configuration, physical, design and/or functional characteristics and capabilities of a product/equipment/ service/software package submitted in response to requirements which result in orders under this schedule contract
- (c) Any representations and/or warranties concerning the products made in any literature, description, drawings and/or specifications furnished by the Contractor

The above is not intended to encompass items not currently covered by the GSA Schedule contract.

11.0 OVERSEAS ACTIVITIES

The terms and conditions of this contract shall apply to all orders for installation, maintenance, and repair of equipment in areas listed in the pricelist outside the 48 contiguous states and the District of Columbia, except as indicated below.

11.1 Outside of the Scope of the Contract

Upon request of the Contractor, the ordering activity may provide the Contractor with logistics support, as available, in accordance with all applicable ordering activity regulations. Such ordering activity support will be provided on a reimbursable basis and will only be provided to the Contractor's technical personnel whose services are exclusively required for the fulfillment of the terms and conditions of this contract.