

COMMERCIAL SALES PRACTICES FORMAT

Name of Offeror: Douglass, McCarthy & McWhinney, Inc.  
(aka) McWhinney and Associates

SIN(s) 874-1, 874-2, 874-3, 874-7 and 874-1RC, 874-2RC, 874-3RC, 874-7RC

Date of Submission: October 24, 2008

Note: Provide the following information for each SIN (or group of SINs or SubSIN for which information is the same).

- (1) Provide the dollar value of sales to the general public/state or local government at or based on market prices, cost build up or an established catalog or market price during the previous 12-month period or the offerors last fiscal year:

SIN 874-1, SIN 874-2, SIN 874-3 and SIN 874-7 Management Consulting services to private firms totaled \$55,000 for the period beginning January 1, 2007 and ending December 31, 2007. There were no sales to state or local government during this period. These sales were based on market based prices.

- (2) Show your total projected annual sales to the Government under this contract for this contract term, excluding options, for each SIN offered. If you currently hold a Federal Supply Schedule contract for the SIN the total projected annual sales should be based on your most recent 12 months of sales under that contract.

SIN	\$	SIN	\$	SIN	\$
874-1	94,000*	874-7	0	874-3RC	0
874-2	0	874-1RC	0	874-7RC	0
874-3	0	874-2RC	0		

\*Total sales over the 5 year term of the contract are estimated to \$470,000.

- (3) Based on your written discounting policies (standard commercial sales practices in the event you do not have written discounting policies), are the prices (discounts, concessions, terms and conditions in any combination) which you offered the Government equal to or better than that offered to any customer acquiring the same items regardless of quantity or terms and conditions? YES ☐ X NO ☐

- (4) (a) Based on your written pricing policies, provide information as requested for each SIN (or group of SINs for which the information is the same).

Attached is a copy of the DM&M 2009 Commercial Price List (Douglass McCarthy & McWhinney, Inc. Reimbursement Schedule).

Column 1 – Customer	Column 2 –Price	Column 3 – Quantity/Volume	Column 4 – Discounts, Concessions, Terms and Conditions
Servidyne, Inc	See attached commercial pricing spreadsheet	No minimum number of hours required	No concessions are offered from the Commercial Price List
Jacques Whitford, Ltd	See attached commercial pricing spreadsheet	No minimum number of hours required	Rate discount of 20% applied to the Commercial Price

- (b) Identify GSA contract awarded prices for services using the table below:

Column 5 – Price Awarded to GSA	Column 6 – Unit of Issue (e.g., per hour, per day) per hour	Column 7 – Quantity/Volume No minimum number of hours worked	Column 8 – Discount, Concessions, Terms and Conditions Awarded to GSA
See attached pricing comparison spreadsheet	See attached pricing comparison spreadsheet	See attached pricing comparison spreadsheet	See attached pricing comparison spreadsheet Discounts range from 35% to 50%

- (c) Do any deviations from your written policies or standard commercial sales practices disclosed in the chart in paragraph 4(a) ever

result in better prices than indicated? YES \_\_\_\_ NO X. If YES, explain deviations in accordance with the instructions at Figure 515.4-2

Answer is No, thus no explanation is needed.

Figure 515.4-2—Instructions for Commercial Sales Practices Format

If you responded “YES” to question (3), on the COMMERCIAL SALES PRACTICES FORMAT, complete the chart in question (4)(a) for the customer(s) who receive your best price. If you responded “NO” complete the chart in question (4)(a) showing your written policies or standard sales practices for all customers or customer categories to whom you sell at a price that is equal to or better than the price(s) offered to the Government under this solicitation or with which the Offeror has a current agreement to sell at a price which equals or exceeds the price(s) offered under this solicitation. Such agreement shall be in effect on the date the offer is submitted or contain an effective date during the proposed multiple award schedule contract period. If your offer is lower than your price to other customers or customer categories, you will be aligned with the customer or category of customer that receives your best price for purposes of the Price Reduction clause at 552.238-75. The Government expects you to provide information required by the format in accordance with these instructions that is, to the best of your knowledge and belief, current, accurate, and complete as of 14 calendar days prior to its submission. You must also disclose any changes in your price list(s), discounts, prices and/or policies that occur after the offer is submitted, but before the close of negotiations. If your pricing practices vary, the variations should be explained clearly to include a description of the circumstance, frequency, and selling terms and conditions. You may limit the information reported to those services that exceed 75% of actual historical Government sales (commercial sales may be substituted if Government sales are unavailable) value of the special item number (SIN).

**Column 1—Identify the applicable customer or category of customer.** A "customer" is any entity which acquires supplies or services from the Offeror. The term customer includes, but is not limited to state and local governments, educational institutions (an elementary, junior high, or degree granting school which maintains a regular faculty and established curriculum and an organized body of students), national accounts, and end users. In any instance where the Offeror is asked to disclose information for a customer, the Offeror may disclose information by category of customer if the offeror's pricing policies or practices are the same for all customers in the category. (Use a separate line for each customer or category of customer.)

**Column 2—Identify the price.** Indicate the best price (based on your written pricing policies or standard commercial pricing practices if you do not have written pricing policies) at which you sell to the customer or category of customer identified in column 1, without regard to quantity; terms and conditions of the

agreements; and whether the agreements are written or oral. If the price is a combination of various discounts (prompt payment, quantity, etc.), each type of discount should be fully identified and explained. If the price lists which are the basis of the discounts given to the customers identified in the chart are different than the price list submitted upon which your offer is based, identify the type or title and date of each price list. The contracting officer may require submission of these price lists. To expedite evaluation, offerors may provide these price lists at the time of submission. If market prices are used, provide documentation to substantiate pricing (e.g., agreements with corporate customers, internal policies, market prices, quote sheets, pricing agreements and invoices, etc.) and identify the effective period, pricing and any other terms and conditions clearly. If prices are based on cost, provide information other than certified cost or pricing data to show how the offeror arrived at the proposed price. A price certification is not required. If rates are audited by a Federal Agency, include this information in the narrative. Disclosures should be made on a separate sheet.

**Column 3—Identify the quantity or volume of sales.** Insert the minimum quantity or sales volume which the identified customer or category of customer must either purchase/order, per order or within a specified period for the best price. When purchases/orders must be placed within a specified period to get the best price, indicate the time period.

**Column 4—Indicate concessions regardless of quantity granted to the identified customer or category of customer.** Concessions are defined in solicitation clause 552.212-70, Preparation of Offers (Multiple Award Schedule). If the space provided is inadequate, the disclosure should be made on a separate sheet by reference.

**Columns 5-8—Fill in the requested information.**

If you respond “YES” to question 4 (c) in the Commercial Sales Practices Format, provide an explanation of the circumstances under which you deviate from your written policies or standard commercial sales practices disclosed in the chart on the Commercial Sales Practices Format and explain how often they occur. Your explanation should include a discussion of situations that lead to deviations from standard practice, an explanation of how often they occur, and the controls you employ to assure the integrity of your pricing. If deviations from your written policies or standard commercial sales practices disclosed in the chart on the Commercial Sales Practices Format are so significant and/or frequent that the Contracting Officer cannot establish whether the price(s) offered is fair and reasonable, then you may be asked to provide additional information. The Contracting Officer may ask for information to demonstrate that you have made substantial sales of the item(s) in the commercial market consistent with the information reflected on the chart on the Commercial Sales Practice Format, a description of the conditions surrounding those sales deviations, or other information that may be necessary in order for the Contracting Officer to determine whether your offered price(s) is fair and reasonable. In cases where additional information is requested, the Contracting Officer will target the request in order to limit the submission of data to that needed to establish the reasonableness of the offered price.

## COMMERCIAL PRICE LIST MFC PRICE COMPARISON

### SPREADSHEET FOR A CONTRACT AWARD BASED ON A COMMERCIAL PRICE LIST FOR LABOR, SUPPORT ITEMS AND TRAINING

Commercial Labor Category	Commercial Rates per hour	Most Favored Customer (s)	Most Favored Customer(s) Labor category	Most Favored Customer(s) Rates per hour	MFC Discount off Commercial Rates	GSA awarded contract Rates per hour	GSA Discount off Commercial Rates <sup>1</sup>
Managing Director	\$ 430	Jacques Whitford	Managing Director	\$ 345	19.77%	\$ 279.31	35.04%
Director	\$ 365	Jacques Whitford	Director	\$ 290	20.55%	\$ 209.48	42.61%
Senior Consultant	\$ 280	Jacques Whitford	Senior Consultant	\$ 225	19.64%	\$ 169.58	39.44%
Consultant	\$ 200	Jacques Whitford	Consultant	\$ 160	20.00%	\$ 127.68	36.16%
Analyst	\$ 130	Jacques Whitford	Analyst	\$ 105	19.23%	\$ 79.80	38.62%
Graphics Illustrator	\$ 130	Jacques Whitford	Graphics Illustrator	\$ 105	19.23%	\$ 64.84	50.12%
Administrative Support	\$ 70	Jacques Whitford	Administrative Support	\$ 55	21.43%	\$ 39.90	43.00%
Commercial Support Items	Unit Measure	Commercial Price per unit measure	Most Favored Customer	MFC(s) Items	MFC(s) Price per unit measure	GSA awarded contract items	GSA awarded contract price per unit measure
None							
Commercial Training Courses	Commercial Course Price	Most Favored Customer	MFC Training Courses	MFC Course Price	MFC Discount off Commercial Price	GSA awarded contract Course Price	GSA Discount off Commercial price
None							

<sup>1</sup> The discounts at the time of the initial contract (March 23, 2004) were substantially less than the amounts shown here. The Commercial Rates presented here were implemented September 1, 2008 for the year September 2008 through August 2009 while the MOBIS rates have not been changed from their 2004 levels.

**Douglass McCarthy & McWhinney, Incorporated**  
**Reimbursement Schedule**  
**September 1, 2008 –August 31, 2009**

<b>Professional Category</b>	<b>Hourly Fees (US \$ per hour)</b>
<b>Managing Director</b>	<b>430</b>
<b>Director</b>	<b>365</b>
<b>Senior Consultant</b>	<b>280</b>
<b>Consultant</b>	<b>200</b>
<b>Analyst</b>	<b>130</b>
<b>Graphic Illustrator</b>	<b>130</b>
<b>Administrative Support</b>	<b>70</b>

- In addition to the fees listed above, direct expenses (travel, living, communications, delivery services, postage, reproduction, online data services, research materials, laboratory testing, etc.) will be invoiced at cost.
- All fees are net of taxes, which shall be the sole responsibility of the client.
- Clients are invoiced once per month for work completed during the previous month. Payment is due upon receipt of invoice. A 1.5 percent finance charge is applied each month to all invoices 30 days past due.
- Douglass McCarthy & McWhinney reserves the right to revise fees without notice.

Issued September 1, 2008  
Robert T. McWhinney, Jr.