

E Stands for (Just About) Everything

By Andrew Mohr and Kelly Kroll

About five or six years ago, we wrote about the steadily growing E-Government trend as evidenced by the numerous websites the government was using to effectuate E-Procurement such as eOffer, eBuy, and eLibrary. Back then we looked through our crystal ball and predicted that a day would come when doing business with the federal government would be done entirely through the internet. While that day is not here just yet, with each passing moment the federal government proves it still knows how to bury a vendor in paperwork if only via the web.

Following the E-Government Act of 2002, agencies have ardently continued to use electronic means, including online forms, internet training and interactive websites, to improve and enhance their interactions with vendors. These initiatives include:

USASpending.gov: The much welcomed and greatly improved successor to the Federal Procurement Data System (“FPDS”), USASpending.gov is the central repository of statistical information on federal government contracting. Just as with FPDS, USASpending.gov system maintains information on contract actions over \$25,000 but the system is one-hundred times more user friendly than its predecessor and provides much more insight into how the government buys. USASpending.gov also tracks subcontract and executive compensation data under the auspices of the Federal Funding Accountability and Transparency Act of 2006 as amended.

ORCA: ORCA is an internet database application designed to replace the paper based version of the Representations and Certifications found in Section K of almost every federal solicitation for the procurement of goods and/or services. This database is

now linked to the Central Contractor Registration database and available to the public. Anyone armed with a DUNs number can research a company's federal representations and certifications.

eOffer: eOffer is a paperless, fully electronic contract submission and award process. It allows a vendor to respond electronically to a GSA Schedule solicitation, to prepare and submit a proposal, and to interact with the GSA Contracting Specialist to negotiate the pricing, terms and conditions. While not new, eOffer is now required for the Group 03FAC (Facilities Management), 66 (Scientific Equipment), 874 (MOBIS), and 874 V (LogWorld) Schedule and hard copy proposals are no longer accepted by GSA for these Schedules. eMods, GSA's online GSA Schedule modification system is also mandatory for these Schedule holders.

More surprising than the use of these rather traditional portals, however, has been the Government's embrace of social media and other networking sites such as Facebook and Twitter. The Government apparently views these tools as an effective and efficient way to reach its vendors while providing sounding boards for vendors and government procurement officials alike. Examples include:

Twitter: Go to <http://twitter.com/usgsaschedules> for real time tweets on the latest in GSA Schedules.

Multiple Award Schedule Blog: Found at <http://interact.gsa.gov/groups/multiple-award-schedules>, the stated purpose of this blog is to enhance communication and information regarding GSA Schedules. Content on this site includes in-depth articles, audio podcasts, and videos to supplement

gsa.gov/schedules and improve education on how to maximize the effective use of GSA Schedules.

Facebook: GSA has its own page plus one just for GSA Schedules at facebook.com/usgsaschedules. Sadly this page only has 38 friends so far which is slightly less than Kelly's 74 year old aunt's count.

YouTube: GSA has over 60 videos posted at <http://www.youtube.com/user/usgsa> ranging from films on the Recovery Act progress, coverage of the GSA Expo and conferences on Green IT.

The influx of websites is not without cost, however, as some of these systems have proven just as difficult to use, if not more so, than traditional forms and applications. The systems, as is their nature, offer less flexibility, making exceptions and caveats difficult to include with a submission. Some of the information posted on networking sites is put up in haste and is not always accurate. These sites should not be relied upon in lieu of guidance from contracting personnel or legal counsel. The good news is that reported instances of paper cuts are way down.

Andrew Mohr is a partner in the law firm of Cohen Mohr LLP in Washington, D.C. Mohr specializes in government and commercial contracts, including GSA schedules, security clearance, contract administration and compliance, teaming agreements, subcontracts, dealer contracts, regulatory analysis and compliance, bid protests and claims. C. Kelly Kroll is Of Counsel to Cohen Mohr with extensive experience in GSA Schedule contract proposal preparation, negotiation and administration. Mohr's email is amohr@cohenmohr.com; Kroll's email is kkroll@cohenmohr.com; and either can be reached at (202) 342-2550, fax (202) 342-6147, and on the Internet at www.cohenmohr.com.

© Copyright Andrew Mohr & C. Kelly Kroll 2011, All Rights Reserved.