

GSA Schedule and Commercial Item Contracts

Practices and Industries

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Haynes Boone works with contractors to meet the requirements of the General Services Administration (GSA) Multiple Award Schedules program. GSA schedules constitute one of the federal government's primary means of procuring commercial goods and services. GSA schedules have long offered one of the largest contract vehicles for purchasing information technology (the former Schedule 70). For many small businesses and companies new to doing business with the federal government, schedule contracts offer an attractive entry point into the market.

The schedules program presents a number of compliance challenges for contractors. Contractors must take steps to ensure their Commercial Sales Practices (CSP) disclosures are "current, accurate, and complete." Additionally, the price reductions clause requires that contractors implement internal controls to track triggering events that entitle the government to reduced prices. Contractors also must ensure their schedule sales comply with the Trade Agreements Act (TAA). Missteps on these and other obligations under schedule contracts can not only create significant contractual liability exposure, but also potentially result in False Claims Act (FCA) allegations.

Our experience includes:

- Negotiating a favorable basis for award customers to reduce future compliance burdens
- Establishing policies and procedures to meet legal obligations
- Advising contractors who have been transitioning legacy schedules, as well as those seeking schedule contracts under a newly restructured program consolidating 24 schedules into a single schedule