

Advanced Compliance Issues and Changes in the GSA Multiple Award Schedule Program

Joint Webinar – Venable LLP and GCO Consulting Group

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Diz Locaria assists government contractors and grant recipients in all aspects of doing business with the federal government. Diz has extensive knowledge of government contract and grant regulations, enabling him to help organizations qualify to become federal contractors or grantees. He represents clients in compliance with various federal procurement and grant requirements, including ethics and integrity; mandatory disclosures; False Claims Act; responsibility matters, such as suspension and debarment; small business matters; and General Services Administration (GSA) Federal Supply Schedule contracting. Diz also represents and counsels clients regarding the Homeland Security Act, including obtaining and maintaining SAFETY Act protections.



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Scott M. Davidson CPT. USA, Retired, has more than 14 years of professional consulting and contracts management experience supporting federal government contractors. Scott is the managing principal at The GCO Consulting Group (GCO), a growing Service Disabled Veteran Owned Business that is focused on GSA Schedule Consulting, Federal Business Development Strategy, and Federal Contract Compliance Support for small and large businesses.

Agenda

- Transactional Data Reporting Updates
 - Federal Acquisition Service Catalog Platform System Issues, Delays, and Transition Risks
 - Mandatory Transition to TDR by End of Fiscal Year
 - What TDR Actually Is and How It Works
 - Removal of the Price Reductions Clause (PRC)
 - IOA and Auditor Focus After PRC Removal (Macro View)
 - IOA and Auditor Focus After PRC Removal (Specific Risks)
- Small Business Regulation Update
- Refresh 29 Updates
- Refresh 30 Updates

FCP — What It Means and How GSA Now Uses It

What changed:

- The Federal Acquisition Service Catalog Platform (FCP) is now GSA's authoritative system for all MAS pricing, catalog content, SIN assignments, labor descriptions, and TAA attributes.
- FCP gives GSA normalized, comparable, cross-contract pricing data and automates compliance validation.
- Contracting officers, IOAs, and OIG now rely on FCP as the primary source for catalog integrity checks.

Regulatory citation:

- MAS Refresh 29 FCP adoption.
- GSAR 552.238-103.

Vendor actions:

- Align all pricing, catalog entries, and SIN assignments with FCP schema.
- Validate every FCP upload before submission.
- Ensure catalog data *matches exactly* what is awarded in mods and EPAs.

Impact:

- Catalog accuracy is now a compliance requirement.
- Expect GSA to compare FCP data against invoices and TDR submissions.

FCP System Issues, Delays, and Transition Risks

What changed:

- Rollout of FCP has caused widespread validation failures and delays.
- Many contractors face 6–8-week processing times for catalog mods.
- Frequent rejection triggers:
 - Incorrect SIN mapping
 - TAA coding errors
 - Unit-of-measure mismatches
 - Price-without-IFF vs. price-with-IFF rounding gaps
 - Template version mismatches

Regulatory citation:

- Refresh 29 Significant Changes – FCP transition.
- GSAR 552.238-103.

FCP System Issues, Delays, and Transition Risks (cont.)

Vendor actions:

- Implement internal pre-validation tools for all FCP files.
- Control template versions aggressively.
- Plan all pricing changes and EPA actions around 6–8-week potential delays.
- Monitor for system rounding discrepancies and adjust proactively.

Impact:

- Catalog delays directly slow pricing mods, EPA actions, and compliance corrections.
- Incorrect FCP submissions will halt all progress until corrected.

Mandatory Transition to TDR by End of Fiscal Year

What changed:

- GSA will require all MAS contracts to adopt TDR reporting by fiscal year end.
- GSAR 552.238-80 Alternate I becomes mandatory for all SINs.
- This completes GSA's phase-out of the TDR pilot.

Regulatory citation:

- GSAR 552.238-80 Alternate I
- GSAR Deviation CD-2024-04

Vendor actions:

- Transition systems to capture and submit monthly transactional data.
- Train accounting, pricing, and compliance teams on TDR requirements.
- Establish monthly certification and reconciliation workflows.

Impact:

- TDR then becomes GSA's primary oversight mechanism.
- Pricing integrity will be evaluated based on reported data—not BOA tracking.

What TDR Actually Is and How It Works

What changed:

- TDR requires reporting every MAS transaction monthly, replacing BOA/PRC oversight.
- GSA uses TDR to evaluate real-world pricing and competitiveness.
- Data is compared with catalogs, mods, invoices, and category-wide benchmarks.

Regulatory citation:

- GSAR 552.238-80(d)
- GSAR Deviation CD-2024-04

Vendor actions:

- Capture all mandatory data elements: SIN, part number, description, unit price, quantity, total price, ordering agency.
- Implement a structured monthly review and sign-off process.
- Reconcile invoice data with TDR and IFF records.

Impact:

- TDR accuracy is now a direct indicator of pricing credibility.
- Errors can be treated as contract debt or misreporting.

Removal of the Price Reductions Clause (PRC)

What changed:

- Acceptance of TDR removes GSAR 552.238-81 (PRC) from the contract.
- Contractors no longer monitor a Basis of Award customer.
- Commercial discounts no longer risk PRC violations.

Regulatory citation:

- GSAR 552.238-81 (removed when TDR applies)
- GSAR 552.238-80 Alternate I

Vendor actions:

- Eliminate all PRC controls, BOA monitoring spreadsheets, and discount-tracking procedures.
- Update pricing policies to rely on EPA and TDR visibility instead.
- Communicate internally that discounting flexibility increases but reporting scrutiny intensifies.

Impact:

- PRC risk disappears.
- TDR becomes the governing oversight tool for pricing reasonableness.

Operational Impact of PRC Removal

What changed:

- Commercial flexibility increases: you may discount freely with no PRC penalty.
- GSA monitors actual pricing through monthly TDR data—not BOA comparisons.
- Pricing disputes will be based on actual transactions.

Regulatory citation:

- GSAR 552.238-80 Alt I

Vendor actions:

- Rebuild pricing governance structures to emphasize ongoing market alignment.
- Reconcile invoices, catalogs, and TDR monthly.
- Track outliers and explain pricing changes proactively.

Impact:

- Greater flexibility—paired with greater transparency.
- GSA will focus on *how* you price orders, not who receives the discount.

IOA and Auditor Focus After PRC Removal (Macro View)

What changed:

- IOAs and auditors now shift from discount monitoring to evidence-based data and compliance integrity.
- Key focus areas:
 - TDR accuracy and timeliness
 - IFF reconciliation
 - Labor qualification compliance
 - TAA and supply chain compliance
 - Catalog/FCP accuracy and SIN mapping

Regulatory citation:

- GSAR 552.238-80 Alt I
- FAR 8.405-2(d)
- FAR 52.225-5
- GSAR 552.238-103

IOA and Auditor Focus After PRC Removal (Macro View) (cont.)

Vendor actions:

- Build audit-ready documentation for all TDR and IFF submissions.
- Maintain labor qualification evidence files for all billed personnel.
- Conduct scheduled TAA compliance checks.

Impact:

- Compliance is now measurably testable.
- Errors in any one area can cascade into audit findings or negative CPARS.

IOA and Auditor Focus After PRC Removal (Specific Risks)

What changed:

- Primary enforcement triggers now include:
 - Invoice/TDR mismatch
 - TDR/IFF mismatch
 - Unqualified labor assignments
 - Non-TAA products appearing in catalogs
 - FCP catalog value not matching awarded pricing
 - Invalid SIN mapping

Regulatory citation:

- GSAR 552.238-80(d)
- FAR 8.405-2(d)
- FAR 52.225-5

IOA and Auditor Focus After PRC Removal (Specific Risks) (cont.)

Vendor actions:

- Implement monthly reconciliation across invoices, GL, catalog, FCP, and TDR.
- Audit qualifications before assigning labor to MAS task orders.
- Remove or correct any questionable TAA or catalog entries immediately.

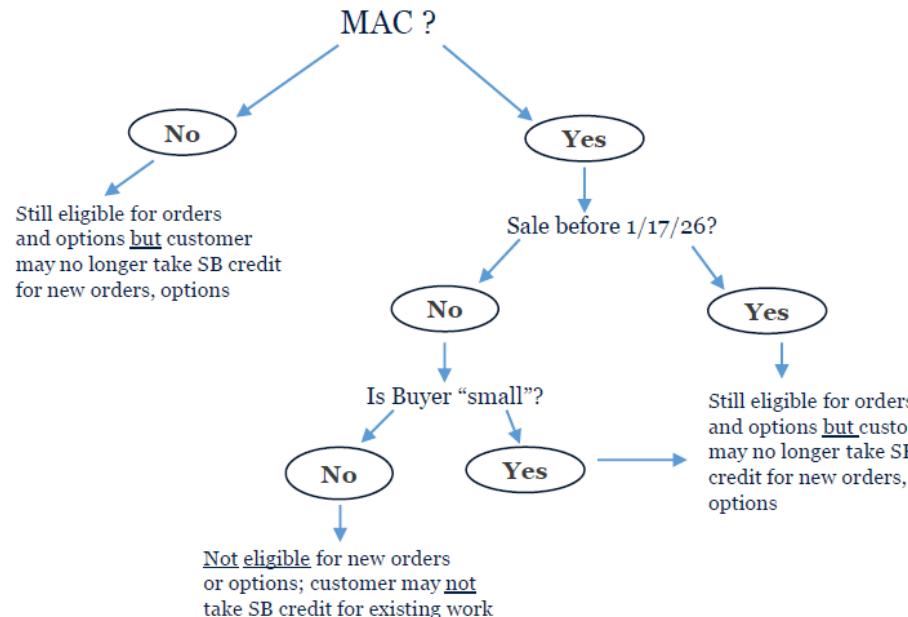
Impact:

- Audits are now data-driven and fast-moving.
- Weak internal controls will be exposed quickly.

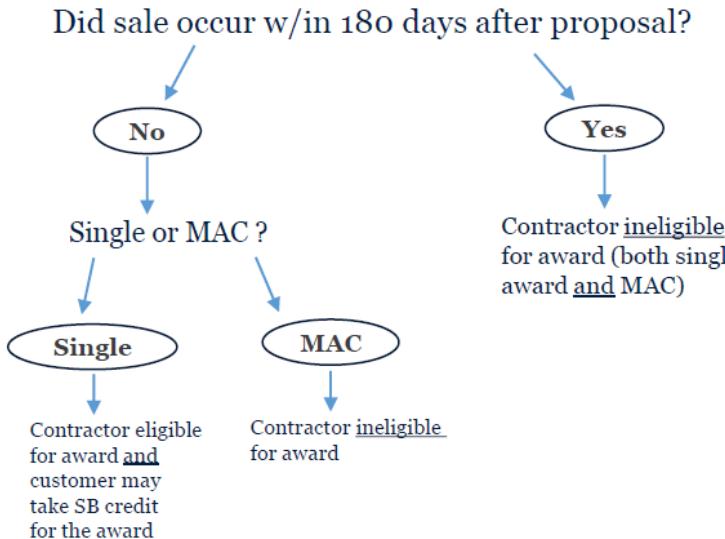
Small Business Regulation Update

M&A Sales¹: Effect of “Disqualifying Recertifications”² on SB set-aside (“Restricted”) Contracts and Pending Awards

Restricted Contracts³



Pending Awards



¹Sales are now defined as sales of a controlling interest pursuant to a closed transaction. “Agreements in principle” to sell – unlike in the affiliation context – are not sufficient to trigger recertification.

²Contractors are required to recertify status within 30 days following a sale. Recertifications as “other than small” are known as “disqualifying recertifications.” Other MAC award holders may now protest these recertifications.

³Actual contract terms may override these rules.

Refresh 29 — FCP Adoption Overview

What changed:

- FCP becomes the required platform for product and service catalog submissions.
- Product PPT → FCP Product File
- Services PPT → FCP Services Plus File
- Mods must use the exact template version used at award.

Regulatory citation:

- Refresh 29 Significant Changes — FCP requirements.

Vendor actions:

- Transition fully from PPT to FCP.
- Validate submissions to avoid rejection loops.
- Synchronize FCP catalog with every awarded mod.

Impact:

- Creates a standardized, inspectable catalog environment.
- Increases visibility of pricing inconsistencies.

Refresh 29 — GSAR 552.238-103 Catalog Maintenance Requirements

What changed:

- Clarifies that maintaining an accurate FCP catalog is a contractual duty.
- FCP content must always match the contract award.

Regulatory citation:

- GSAR 552.238-103

Vendor actions:

- Update catalog immediately following every pricing mod, deletion, or EPA action.
- Audit catalog quarterly for accuracy.

Impact:

- Catalog discrepancies become compliance issues—no longer administrative oversights.

Refresh 29 — Consolidated EPA Clause GSAR 552.238-120

What changed:

- Introduces a single EPA clause for new awards.
- Allows fixed escalation, index-based adjustments, and commercial pricing alignment.
- Legacy clauses remain until triggered.

Regulatory citation:

- GSAR 552.238-120

Vendor actions:

- Identify which EPA method applies to your contract.
- Update EPA modeling tools and supporting documentation.
- Plan for more structured CO review of pricing changes.

Impact:

- Greater flexibility but greater documentation burden.

Refresh 29 — Elimination of Small Business Set-Aside SINs

What changed:

- Removes 19 SBSA SINs from MAS.
- Moves all small business competition to order-level set-asides.

Regulatory citation:

- Refresh 29 SIN updates
- FAR 8.405-5

Vendor actions:

- Realign contract SINs, catalog entries, and business development strategy.
- Verify size status in SAM.

Impact:

- More order-level competition.
- SBA rules now drive compliance more than SIN structure.

Refresh 29 — Category Updates (Cyber, Cloud, UAS)

What changed:

- Updated SIN definitions across cyber, cloud, and UAS categories.
- Cloud SIN aligns with NIST SP 800-145.
- Expanded UAS functional scope.

Regulatory citation:

- Refresh 29 Category Updates
- NIST SP 800-145

Vendor actions:

- Validate each offering against updated category language.
- Reposition or reclassify solutions if needed.

Impact:

- Higher scrutiny on technical accuracy of SIN placement.

Refresh 30 — FAR/GSAR Overhaul Integration

What changed:

- MAS clauses aligned with the Revolutionary FAR Overhaul.
- Numerous renumbered, replaced, and retired clauses.
- Mass Mod acceptance required when published.

Regulatory citation:

- Refresh 30 Significant Changes.

Vendor actions:

- Redline existing clause sets to identify deltas.
- Update subcontract terms, internal policies, and proposal templates.

Impact:

- Outdated clause references become compliance liabilities.

Refresh 30 — Ordering Procedure Revisions (GSAM 538.71)

What changed:

- New ordering procedures must follow GSAM 538.71.
- Impacts how agencies issue and evaluate MAS task orders and BPAs.

Regulatory citation:

- GSAM 538.71

Vendor actions:

- Train capture and proposal teams on updated ordering rules.
- Adjust protest strategies and pre-award communications accordingly.

Impact:

- More predictable evaluations and clearer ordering expectations.

Refresh 30 — Removed Requirements (Compensation Plan, Supply Evidence)

What changed:

- Professional Compensation Plan requirement removed.
- Supply chain continuity evidence no longer required for offers.

Regulatory citation:

- Updated SCP-FSS-001
- Updated I-FSS-644

Vendor actions:

- Remove outdated attachments from submission templates.
- Maintain internal compensation and supply compliance under other regulations.

Impact

- Streamlined offer process but continued need for internal documentation discipline.

Refresh 30 — UAS and Supply Chain Security

What changed:

- Integrates new FASC and DoD prohibitions on certain foreign UAS.
- FAR 52.240-1 and 52.240-91(c) restrict acquisition of prohibited platforms starting Dec 22, 2025.

Regulatory citation:

- FAR 52.240-1
- FAR 52.240-91(c)

Vendor actions:

- Audit UAS product lines immediately.
- Remove or re-source any restricted platforms.

Impact:

- Noncompliant UAS offerings create termination and FCA risk.

Refresh 30 — Updated OLM SIN Framework

What changed:

- Aligns OLM SIN with GSAM 538.7104-2.
- Clarifies eligible categories and removes redundant solicitation text.

Regulatory citation:

- GSAM 538.7104-2

Vendor actions:

- Train PMs and finance teams on updated OLM guidance.
- Enforce tight internal controls on OLM use.

Impact:

- Reduced ambiguity but increased detection of improper OLM use.

Questions?

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