

NIH Microsoft Enterprise Agreement Software and Professional Services Blanket Purchase Agreement (BPA) Ordering Guide

January 14, 2019

Important: Instructions found in this ordering guide are for those that have the procurement authority to purchase on behalf of the Government. Those without procurement authority may review the products and services, and should work with their acquisition official to issue a Request for Quote (RFQ) or make an award.

The National Institutes of Health (NIH) has established this Blanket Purchase Agreement (BPA) for Microsoft Enterprise Agreement Software and Professional Services for use by all Institutes and Centers (ICs). This BPA will provide NIH and its ICs an efficient process for ordering Microsoft products and services through an NIH specific online catalog of products with established pricing.

Detailed information on the BPA can be provided by:

BPA Contracting Officer

Robert Burdette

National Institutes of Health/OALM/OLAO

Category Management, Strategic Sourcing, and Data Analysis Branch

robert.burdette@nih.gov

(301) 594-8028

BPA Contracting Officer's Representative

Michael Stup

National Institutes of Health

Center for Information Technology

Office of Administrative Management

michael.stup@nih.gov

(301) 827-2034

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1 Introduction

The procedures outlined in this ordering guide support the ordering of Microsoft software products, subscription services and Software Assurance (SA) from the NIH Microsoft Enterprise Agreement Software and Professional Services Blanket Purchase Agreement (BPA) No. 75N98019A00012.

The BPA is effective from **January 10, 2019** through **January 9, 2023**.

This BPA provides value to NIH Institutes and Centers (IC) by:

- Improving NIH buying and negotiating power for maximum discounts
- Increasing visibility of software assets and usage to enable better planning for and management of inventory and future requirements
- Standardizing the acquisition process so NIH ICs can procure Microsoft software and associated benefits quickly at the best prices and terms & conditions
- Providing a follow-on enterprise buying strategy that leverages the NIH's buying power, while minimizing the risk of shelf waste, promoting transferability, and increasing efficient use and management of benefits.

This BPA is a recommended source for NIH procurement of Microsoft Enterprise software and related services. Buyers and requiring officials should first determine whether this BPA will meet their needs prior to using any other method of acquisition for Microsoft products and services.

This is a single award BPA is awarded to a **Contractor Teaming Arrangement (CTA)** with the following members:

- **Dell Marketing, L.P. (CTA Lead)** GSA Schedule #GS-35F-059DA
- Dell Federal LLP (CTA Team Member) GSA Schedule #GS-35F-0884P
- Deloitte Consulting LLP (CTA Team Member) GSA Schedule #GS-35F-0617Y
- Carahsoft Technology Corp. (CTA Team Member) GSA Schedule #GS-35F-0119Y

BPA Number: 75N98019A00012

Award Date: January 10, 2019

BPA Term:

Contract Line Item	Description	Period of Performance	Estimated Ceiling
0001	NIH Microsoft Enterprise Agreement – Base Year, to be provided in accordance with (IAW) Performance Work Statement (PWS) and Catalog.	January 10, 2019 – January 9, 2020	\$32,100,000
1001	OPTION YR 1: NIH Microsoft Enterprise Agreement – Option Year 1, to be provided IAW Performance Work Statement (PWS) and Catalog	January 10, 2020 – January 9, 2021	\$35,500,000

2001	OPTION YR 2: NIH Microsoft Enterprise Agreement – Option Year 2, to be provided IAW Performance Work Statement (PWS) and Catalog	January 10, 2021 – January 9, 2022	\$40,100,000
3001	OPTION YR 3: NIH Microsoft Enterprise Agreement – Option Year 3, to be provided IAW Performance Work Statement (PWS) and Catalog	January 10, 2022 – January 9, 2023	\$43,700,000
4001	OPTION YR 3: NIH Microsoft Enterprise Agreement –Option Year 4, to be provided IAW Performance Work Statement (PWS) and Catalog	January 10, 2023 – January 9, 2024	\$48,600,000

BPA Terms and Conditions: The general terms and conditions can be found on the *OLAO Multiple Vehicle Contracts/NIH Wide Contracts* website (<http://olao.od.nih.gov/Multiple-Vehicle-Contracts>) and can also be viewed in NBS/PRISM under the BPA Supporting Documents.

1.1 Catalog Pricing

The BPA holder was required to provide discounts from their published labor rates and product offerings as part of the competition which lead up to the establishment of this BPA. A best practice is to request additional discounts from the negotiated pricing at the task order level. The vendor is required to provide updated Catalog Pricing within the Portal.

1.2 Primary Products and Services

A high-level description of the functional areas, products, and packages available associated within each functional area are in the following paragraphs. Details for each area are found in NIH Microsoft Enterprise Agreement, Performance Work Statement.

BPA Functional Areas and Description
Functional Area 1 – Microsoft Software Enterprise Agreement Provides access to the Microsoft products that have been authorized for use by NIH employees including software assurance benefits on the procured products. Enables NIH employees to use the Contractor’s self-service portal to obtain the necessary software, services, and training. The NIH Microsoft Enterprise BPA includes new licenses plus Software Assurance (SA); SA only for existing licenses; subscriptions; and SA Step-Up (SASU) licenses for software products
Functional Area 2 – Microsoft Cloud Computing Services

Provides the ability to order Microsoft Cloud Computing offerings and associated services as listed at <https://www.FedRAMP.gov> for these products:

- Microsoft Azure Commercial Cloud (Infrastructure as a Service (IaaS) and Platform as a Service (PaaS)
- Microsoft Azure Government (IaaS, PaaS)
- Microsoft - Dynamics CRM Online for Government (CRMOL) (SaaS)
- Microsoft - Office 365 Multi-Tenant & Supporting Services (SaaS)

Functional Area 3 – BPA Program Management and Oversight

Allows NIH users to add program/project management services to their task orders. The BPA contains various labor categories with pre-negotiated labor rates that can be used throughout the life of the BPA.

Functional Area 4 – Packaged Services

Provides packages of Microsoft products and professional services that have been designed to provide solutions to common needs of the NIH user community. The packages were designed based on IC size, use cases, and organic IT capabilities.

Functional Area 5 – Professional Services

Provides the ability to obtain Microsoft Professional Services (Premier and Consulting) of Microsoft Partner Services that provide services not included in the services provided in Functional Areas 1 and 3. These services may be used to provide the technical experts to design, configure, and implement the cloud services ordered under Functional Area 2.

Functional Area 6 – Training

Provides for the development and presentation to NIH personnel of customized training, workshops, or seminars delivered by the Contractor, either in person or via webinars. The training can cover any Microsoft product or services acquired under this BPA.

1.3 Comprehensive Services from a Single Delivery or Task Order

Users can obtain products and services using fixed price, time and material, labor hour, or any combination of these contract types on a single delivery or task order within the scope defined in Section 1.2 above.

1.4 Funds Obligation

This BPA does not obligate any funds. Funds will be obligated on the delivery or task orders issued by authorized users. It is the responsibility of the ordering official to ensure compliance with all applicable fiscal laws, Department of Health and Human Services (DHHS) and NIH software acquisition guidance, and acquisition regulations prior to issuing an order.

1.5 Ordering Eligibility and Authorized Users

This BPA may be used by any of the ICs within NIH and the Office of the Director. Any warranted official may order against this BPA within their delegated warrant authority. All Contracting Officers seeking to place orders against this agreement consent to the terms and conditions set forth in the BPA.

Purchase Card (PC) holders may purchase pre-priced products (not services) from the BPA, provided the purchase amount is below the Micro Purchase Threshold. Pre-priced products refers to items in *Functional Area 1 – Microsoft Software Enterprise Agreement* not requiring a statement of work.

Cumulative orders against the BPA must not exceed the ordering limitations in each year. The BPA Contracting Officer will monitor the ordering limitations. Prior to executing an award or modification, the Ordering Contracting Officer must provide a copy to the BPA Contracting Officer and BPA COR two days prior to execution (see Ordering Process below). The BPA Contracting Officer has authority to make decisions regarding the scope of orders under the BPA. At the time of execution, the Ordering Contracting Officer must provide a fully executed copy of the award or modification to the BPA Contracting Officer and BPA COR.

1.6 BPA Access Fee

The Office of Logistics and Acquisition Operations (OLAO) administers this BPA. At this time, there is no fee collected at the order level to execute a delivery or task order against this BPA. OLAO assesses a fee annually to ICs as part of its NIH-wide ordering portfolio.

2 Ordering Process

This section provides the steps necessary to place an order under the BPA. It is recommended that Ordering Contracting Officers, Purchasing Agents, and Purchase Card holders work with their respective IT branch or center to follow your IC's process and obtain necessary approvals.

2.1 General

2.1.1 Scope Determination

Determine if the requirement is within the scope of the BPA and the functional areas defined above. An order can include one functional area or any combination.

2.1.2 Delivery or Task Order Strategy

Orders on this BPA can be either a Delivery Order (DO) or Task Order (TO) against the BPA.

- "Delivery order" means an order for supplies placed against the BPA
- "Task order" means an order for services placed against the BPA

A delivery order would generally be an order not requiring a statement of work for pre-priced products in *Functional Area 1 – Microsoft Software Enterprise Agreement*.

A task order will generally require a statement of work. These are orders of a more complex nature and may include a combination of any of the functional areas and professional services to meet specific requirements that are not pre-priced. These orders should include *Functional Area 3 – BPA Management and Oversight* as an element of the statement of work.

2.1.3 Create a Purchase Request

Follow your IC's processes and procedures for creating a complete purchase request.

2.2 Order Process for Delivery Orders

Authorized users will follow these steps when placing delivery orders.



2.2.1 Step 1: Login to BPA Ordering Portal

The BPA Ordering Portal is available to authorized users at: [website TBD].

Use your PIV card to log in.

2.2.2 Step 2: Review Products Available

Review plain language description of products.

(More details will be available when portal is developed, following BPA award.)

2.2.3 Step 3: Filter and Select Products

Select products needed for requirement.

(More details will be available when portal is developed, following BPA award.)

2.2.4 Step 4: Determine License Availability (Software Asset Management)

Under this BPA, NIH will be conducting software asset management. If there are available/un-utilized licenses at another IC, it may be possible to transfer those licenses to a requiring IC. License Mangers and Contracting Officers should consult with CIT ISDP (NIHISDP@mail.nih.gov) to confirm whether licenses are available, or whether the purchase of new licenses is necessary.

2.2.5 Step 5: Add to Cart

Add required number of products to the shopping cart.

(More details will be available when portal is developed, following BPA award.)

2.2.6 Step 6: Obtain Quote from BPA Holder

Use the checkout feature to obtain a quote for the licenses required. This information is to be provided to the Ordering Contracting Officer who will execute the order.

Delivery orders may include options; however, delivery orders may not extend beyond the NIH Microsoft Enterprise Agreement period of performance.

A copy of the proposed delivery order must be provided to the BPA Contracting Officer and BPA COR two days prior to execution. This is informational; approval is not required from the BPA Contracting Officer or BPA COR to proceed.

2.2.7 Step 7: Execute Delivery Order in NBS

The Ordering Contracting Officer will execute the delivery order in NBS following NBS processes and procedures.

A fully executed copy of the delivery order must be provided to the BPA Contracting Officer and BPA COR at the time of execution.

2.2.8 Step 8: Complete Transaction in BPA Ordering Portal

Once the delivery order is executed in NBS, the pertinent information will be entered in the BPA Ordering Portal transaction (e.g., Delivery Order number) and submit the order for fulfillment by the BPA holder.

2.3 Order Process for Task Orders

A TO is required to obtain services or a combination of products and services that are not pre-priced in the NIH Microsoft Enterprise Agreement Software and Professional Services Ordering Portal. Authorized users will follow these steps when placing task orders.

2.3.1 General

Authorized users may issue task orders to the BPA holder, providing specific authorization or direction to perform work within the scope of the BPA and as specified in the Performance Work Statement. Unless specifically authorized by the BPA Contracting Officer, the BPA holder shall not commence work until a fully executed task order has been awarded.

Ordering Contracting Officers must ensure that task and delivery orders are issued in accordance with the terms and conditions of this BPA.

2.3.2 Step 1: Write Performance Work Statement (PWS) or Statement of Objectives (SOO)

Generally, task orders under this BPA will be performance-based and driven by objectives; therefore, it is recommended that all task orders are conducted using Performance Based Methods as outlined in FAR Subpart 37.6, as applicable. When drafting requirements, consider the following:

- Scope of the work to be performed
- Performance objectives
- Technical requirements

- Performance period
 - The BPA ordering period is specified in Section 1, Introduction (page 1-1).
 - **Task orders may include options; however, task orders may not extend beyond the GSA contract period of performance.**
- Deliverables and schedule
- Special requirements (e.g. security clearances, travel, special knowledge, etc.)

2.3.3 Step 2: Develop Independent Government Cost Estimate (IGCE)

The IGCE is developed primarily for funding and budgeting purposes, as well as determining an estimated cost magnitude for the project. It also is not intended to be a comprehensive line item estimate, and should account for major cost elements and systems associated with each order.

2.3.4 Step 3: Develop Quality Assurance Surveillance Plan (QASP)

The QASP is developed to comply with FAR Subparts 37.6, Performance-Based Acquisition, and 46.4, Government Contract Quality Assurance. Note that the development of a formal QASP (including performance standards, acceptable quality levels, surveillance methods, and incentives and remedies) is only required for performance-based service task orders. The QASP is a government document used to specify the inspection and acceptance requirements of the Task Order statement of work. For this reason, it is necessary that the Task Order's SOW/PWS/SOO and QASP be written in conjunction with each other.

The QASP consists of four parts:

- Deliverable to be completed (what will be monitored?)
- Performance standard (what is expected?)
- Acceptable quality level (AQL)/compliance level (what constitutes acceptance?)
- Surveillance method/frequency (how will you perform your check: random sampling, customer complaint, etc.?)

The Government may either prepare the QASP or require the Contractor to submit a proposed QASP for the Government's consideration in development of the Government's plan (FAR Subpart 37.604).

A template QASP can be found on the OLAO website at: <https://olao.od.nih.gov/sites/default/files/OA-Templates/Quality-Assurance-Surveillance-Plan.docx>.

2.3.5 Step 4: Obtain Clearances

Contract Type

Orders should be placed on a firm-fixed price basis to the maximum extent practicable.

For time-and-materials and labor-hour orders, the Ordering Contracting Officer will follow the procedures at FAR Subpart 8.404(h). The Ordering Contracting Officer is responsible for executing the Determination and Findings.

Information Security, Privacy Act, and Section 508

For each order for services, the Ordering Contracting Officer should consult with the Information Systems Security Officer (ISSO), Privacy Act Coordinator, and Section 508 Coordinator to verify which clauses are applicable to the order requirements.

2.3.6 Step 5: Issue the Request for Quote (RFQ)

When issuing an RFQ under the BPA, FAR Subpart 8.405-3(c) *Ordering from BPAs* applies.

The Contracting Officer or a designated individual may solicit a written proposal for services within one or more functional area covered by the BPA. An RFQ will be prepared and issued for each task order requirement.

The RFQ should be provided directly to the BPA CTA Team Lead, and a copy to the BPA Contracting Officer.

Generally, the RFQ will include, but is not limited to, the following:

- 1) Statement of Work;
- 2) Reporting Requirements and Deliverables;
- 3) Proposal Due Date and Location to Deliver Proposals;
- 4) Period of Performance of Task Order;
- 5) Anticipated type of Task Order;
- 6) Technical Proposal Instructions;
- 7) Business proposal Instructions;
- 8) Evaluation Factors for Award

All applicable clauses contained in the BPA will be incorporated in the RFQ and the resultant task order. If conflicts exist between the BPA clauses and the information outlined in the task order, the BPA language takes precedence over the information in the task order.

2.3.7 Step 6: Evaluation

After the RFQ closes, evaluate the response against the requirements of the RFQ. Specifically, the technical evaluation factors, cost/price, and any other factor specifically identified in the RFQ will be used for evaluation. The evaluation will consider the level of effort and the mix of labor proposed to perform a specific task and for determining that the total price is reasonable. The evaluation will also determine if the Contractor's proposed delivery dates and content of the technical proposal met the Government's requirements. For time-and-materials and labor-hour orders, the Ordering Contracting Officer will follow the procedures at FAR Subpart 8.404(h).

2.3.8 Step 7: Award

Two days prior to award, a copy of the proposed task order must be provided to the BPA Contracting Officer and BPA COR. This is informational; approval is not required from the BPA Contracting Officer or BPA COR to proceed.

The Ordering Contracting Officer will issue a task order to the Contractor.

The ordering activity must include documentation in accordance with the BPA and FAR Subpart 8.405-2(f).

A fully executed copy of the task order must be provided to the BPA Contracting Officer and BPA COR at the time of execution.

2.4 Task Order Administration

The BPA requires that the Ordering Contracting Officer use all standard task order administrative processes such as:

- Surveillance and Monitoring
- Performance Assessment
- Timely Invoice Processing

Reporting requirements at the BPA level are:

- **Award and Modification Report.** The BPA holder shall provide to the BPA Contracting Officer all task or delivery order awards and modifications issued by the Government within five (5) calendar days of receipt by the Contractor. The reporting of modifications pertains to both funded modifications and administrative modifications.
- **Quarterly Activity Report.** The BPA holder shall provide to the BPA Contracting Officer and COR the Quarterly Activity Report, which is a summary of the award and modification activity reported by the BPA holder in the previous quarter.

3 Government Roles and Responsibilities

NIH Blanket Purchase Agreement (BPA) Contracting Officer (CO)

The NIH BPA Contracting Officer has the overall responsibility for managing and administering the Microsoft Enterprise Agreement Software and Professional Services BPA, as well as the following:

- Providing administrative procedure guidance for placing orders;
- Monitoring ordering limitations for orders placed under the BPA;
- Ensuring that BPA delivery or task orders are within scope of the BPA;
- Awarding and administering NIH-wide deliver or task orders;
- Executing modifications at the BPA level, including exercising options for additional ordering periods; and
- Authorizing updates to the Product Catalog according to the Technology Refresh clause of the BPA.

The Contracting Officer is the only individual with authority to act as agent of the Government for this BPA. Only the Contracting Officer has authority to:

- 1) direct or negotiate any changes in the BPA Performance Work Statement;
- 2) modify or extend the ordering period of performance;
- 3) change the delivery schedule;
- 4) otherwise change any terms and conditions of this BPA; and
- 5) sign written licensing agreements. Any signed agreement shall be incorporated by reference in Section J of the BPA.

NIH BPA Contracting Officer's Representative (COR)

The NIH BPA Contracting Officer may delegate authority to the BPA COR. The COR will be responsible for the following tasks:

- 1) monitoring the contractor's technical progress, including the surveillance and assessment of performance and recommending to the Contracting Officer changes in requirements;
- 2) interpreting the BPA Performance Work Statement and any other technical performance requirements;
- 3) performing technical evaluation as required;
- 4) performing technical inspections and acceptances as required; and
- 5) assisting in the resolution of technical problems encountered during performance.

Ordering Contracting Officer

As needed, ICs may order IC-specific products/services not included with the NIH-wide orders. The Contracting Officer executing the order on behalf of the IC is responsible for the following:

- Determining whether requirements are within scope of the BPA;
- Providing proposed awards and modifications to the BPA Contracting Officer and BPA COR two days prior to execution;

- Providing executed awards and modifications to the BPA Contracting Officer and BPA COR at the time of execution;
- Monitoring contractor performance under delivery or task orders and entering information in CPARS as necessary; and
- Authorize payment for products and services.

The Ordering Contracting Officer is the only individual with authority to act as agent of the Government for the delivery or task order. Only the Contracting Officer has authority to:

- 1) direct or negotiate any changes in the delivery or task order statement of work;
- 2) modify or extend the delivery or task order period of performance;
- 3) change the delivery schedule at the order level;
- 4) otherwise change any terms and conditions of the delivery or task order; and
- 5) sign written licensing agreements applicable to the specific order. Any signed agreement shall be incorporated by reference in Section J delivery or task order, and a copy is to be provided to the BPA Contracting Officer and COR.

Delivery or Task Order COR

The Ordering Contracting Officer may delegate authority to the delivery or task order COR. The Delivery or Task Order COR will be responsible for the following tasks:

- 1) monitoring the contractor's technical progress, including the surveillance and assessment of performance and recommending to the Ordering Contracting Officer changes in requirements;
- 2) interpreting the delivery or task order statement of work and any other technical performance requirements;
- 3) performing technical evaluation as required;
- 4) performing technical inspections and acceptances as required;
- 5) review invoices/vouchers submitted by the contractor; and
- 6) assisting in the resolution of technical problems encountered during performance.