

DoD ESI ORDERING GUIDE



OPSWAT, Inc.

FedResults

Blanket Purchase Agreement (BPA)

N66001-23-A-0051



Department of Defense Enterprise Software Initiative (DoD ESI) Ordering Guide

This Ordering Guide has been developed by the DoD ESI Team to assist IT buyers and contracting officials to order technology products and/or services from the DoD ESI Agreement holder. This Guide contains essential information about the DoD ESI Enterprise Agreement (EA), identifies the authorized users of the EA, summarizes the products and services available under the EA and instructions for users to place an order, and provides Points of Contact information for support.

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1. General Information

CONTRACTOR / GSA AUTHORIZED RESELLER	FedResults
GOVERNMENT WIDE ACQUISITION CONTRACT (GWAC) NUMBER (e.g., GSA, SEWP) AND WEB LINK	GS-47QTCA20D0019 https://www.gsaadvantage.gov/advantage/ws/search/advantage_search?db=0=1=19:547QTCA20D0019=10:5OPSWAT,%20INC.=elib
EA NUMBER AND WEB LINK	N66001-23-A-0051 www.esi.mil
EA ISSUE DATE	7/14/2023
EA EXPIRATION DATE	9/4/2032



2. Authorized Users

a. DoD or Agencies

The EA is open for ordering by the “DoD Departments and Agencies” on a world-wide basis. “Departments and Agencies” are defined by the 48 Code of Federal Regulations, Section 202.101. In addition, “DoD or Agencies” includes the Intelligence Community (IC) and the U.S. Coast Guard. For the purposes of this EA, a DoD component is defined as follows: The Office of the Secretary of Defense (OSD), the Military Departments, the Chairman of the Joint Chiefs of Staff, the Unified Combatant Commands, the Inspector General of the Department of Defense (DoD IG), the Defense Agencies, the DoD Field Activities, the U. S. Coast Guard, *Intelligence Communities (IC) and Foreign Military Sales (FMS) with a Letter of Authorization. If this EA is co-branded with GSA and is an OMB Designated Best in Class vehicle, it is open to all United States Federal Agencies.

*The Intelligence Community is a federation of Executive branch intelligence agencies and Organizations that are comprised of 17 member organizations (<https://www.dni.gov/index.php/what-we-do/members-of-the-ic>). Office of the Director of National Intelligence (ODNI) is authorized to procure IT through the DOD ESI per the Memorandum of Agreement, dated 15 May 2008: <https://dodcio.defense.gov/portals/0/documents/net-centric-moa.pdf>.

b. GSA, Other Ordering Organizations, and Organizations

GSA or other applicable ordering agencies /organizations, ordering on behalf of the DOD and/or FMS, are authorized to place Orders under this EA and must comply with DFARS 208.74.

c. Contractors and Integrators

Government contractors performing work for a DoD Component (as defined above) may place Orders under this EA on behalf of and for the benefit of the DoD entity if authorized by their cognizant Contracting Officer in accordance with the requirements of FAR 51 and/or DFARS 251 as appropriate.

3. Products and Services Overview

All perpetual and subscription software licenses, SaaS licenses, software maintenance, hardware and professional services offered by the software publisher in this BPA.

PUBLISHER	CATEGORY	PRODUCT LINE

*See full listing at www.esi.mil.

4. Ordering Officer Responsibilities

- a. Ordering is decentralized. Only U.S. Government Contracting Officers, Government Purchase Card Holders, or Contractors given FAR 51 Authorization are able to place orders against this EA.
- b. This EA was established competitively using the procedures under FAR 8.405-3. Refer to the DoD ESI website at www.esi.mil for the listing of the multiple award vendors.
- c. The Ordering office must:
 - i. Comply with the ordering procedures of FAR 8.4 and DFARS 208.4;
 - ii. Obtain competition and/or execute and publish a brand name or limited source justification as applicable;
 - iii. Provide fair opportunity to all EA holders who offer the applicable product and/or service required;
 - iv. Ensure compliance with all fiscal laws prior to issuing an order under the EA;
 - v. Incorporate into the order any regulatory and statutory requirements that are applicable to the agency for which the order is placed, if pertinent requirements are not already included in the EA (Note: The FAR and DFARS clauses listed in Attachment 1 of the EA are those in effect as of the effective date of the EA. Ordering Officers are responsible for incorporating the most current version of the applicable FAR and DFARS clauses, at the ordering level, in the Delivery Order as appropriate);
 - vi. Obtain the required authorization to acquire the products or services through the DoD ESI EA in accordance with FAR Part 51 when a contractor is ordering on behalf of a DoD component;
 - vii. Ensure the vendor selected for the order represents the best value. (Note: The EA terms encourage spot discounting.);
 - viii. Review the Master License Agreement, including any Addendums and Exhibits (BPA Attachment 3) when ordering products and services provided in the EA Attachments. If required, ordering offices may secure additional terms and conditions at the Order level if those terms and conditions do not conflict with those at the EA level and represent best value to the Government.

5. Ordering Process

- a. DFARS Regulation 208.74
 - i. DFARS 208.74 requires authorized software buyers and requiring officials to review the DoD ESI website for availability of an existing DoD ESI agreement before pursuing another acquisition method. DFARS procedures are:
 1. If the required commercial products or services are available from a DOD ESI EA, buyers must follow the procedures in the DFARS Section 208.74 and DFARS PGI 208.7403.
 2. If a DoD component must obtain the commercial products or services outside the DoD ESI EA, the component must seek a waiver from a management official designated by the DoD Component. After the steps in paragraphs (5)(i) and (5)(ii)(A) of the DFARS PGI 208.7403, Acquisition procedures have been completed.

3. If the required commercial products or services are not available from a DOD ESI EA, the DoD component may use an alternate method of acquisition, subject to applicable laws and policy.
- b. Ordering:
- i. All orders must be competed amongst the EA Holders unless an exception applies (see FAR 8.405-6 Limiting Sources).
 - ii. Orders are subject to the ordering office's local policy, the underlying Government-Wide Acquisition Contract (GWAC), if used, and the terms of the EA. The order may be placed directly with the vendor after ensuring compliance with the Ordering Officer Responsibilities specified in Section 4. The following is needed to place an order:
 1. Execution of a delivery order by the respective local contracting office:
 - a. Contracting Officers will need to create an EA shell using their respective contract writing system in order to execute delivery orders against this EA (see Section 7).
 - b. If the Contracting Officer does not use an automated contract writing system, enter the EA number N66001-23-A-0051 in Block 2 and a locally assigned delivery order number in Block 4 (Note: Ensure you complete the FPDS-NG report).
 2. Open Market items (i.e., not in the EA catalog) may be added to an EA call/delivery order for quoting purposes and shall be clearly labeled on the Quote as "Open Market." The following actions apply for Open Market items:
 - a. For Open Market items under the Micro-purchase threshold, an ordering officer may add this item to an individual EA call/delivery order without following the procedures in FAR 8.402(f). The items must be clearly labeled "OPEN MARKET" on the order.
 - b. For Open Market items over the Micro-purchase threshold, the ordering officer will need to purchase the item(s) outside of the EA as a separate order using FAR and DFARS procedures as applicable to their purchase. The ordering activity will need to abide by FAR Parts 5 (Publicizing), Part 6 (Competition Requirements), Part 12, (acquisition of commercial items), Parts 13, 14, and 15 (contracting methods), and Part 19 (Small Business Program).
 - c. Dealers: Dealers are authorized to participate on this EA. Refer to the BPA terms and conditions, Section 10.5 for additional terms and conditions. If a dealer is named and listed below, the authorized dealer may act as an agent of this BPA. The responsibilities of the authorized dealer under this BPA are:
 - Respond to RFQs on behalf of BPA holder, issue quotes, and receive Orders;
 - Submit invoices for payment adhering to GSAR Clause 552.238-85; and
 - Report all sales to BPA holder.



*To ensure the highest level of competition, it is recommended that all Dealers be afforded the opportunity to respond to your RFQ. All Dealers accept purchase cards.

BPA	Authorized Dealer	Dealer POC	Phone Number	Email Address	Cage Code	Business Size

FAQ on Authorized Dealers on DoD ESI Agreements

Question #1: If there is only one BPA holder for a particular software publisher, may the ordering officer make a direct award to the BPA holder without giving fair opportunity to each of the participating dealers?

Answer: Per FAR 8.405-3(c)(2), the requirement to provide fair opportunity applies to BPA holders. There is no regulatory requirement to provide fair opportunity to authorized dealers.

Question #2: If there are two or more BPA holders for a particular software publisher, are ordering officers required to provide fair opportunity to all the dealers for each BPA holder?

Answer: Per FAR 8.405-3(c)(2), the requirement to provide fair opportunity applies to BPA holders, not dealers.

Question #3: What is the regulatory authority that allows schedule holders to use dealers to fulfill orders?

Answer: GSA allows companies with and without a GSA schedule contract to submit quotes to a procuring agency on behalf of a GSA schedule holder. GSAR clauses 552.216-73 and Clause I-FSS-600 allow a GSA schedule contract holder to authorize a separate company to act as a “participating dealer” under their schedule contract. As long as the participating dealer complies with the applicable provisions of the GSAR, it can submit, receive, and accept payment for orders under the schedule holder’s contract.

Question #4: May I use the BPA “shell” in SPS/PD2 if I am issuing an order to an authorized dealer?

Answer: No, the contract in Block 2 of an SF1449 or block 1 of a DD1155 will need to list the FSS contract number rather than the BPA # in order to avoid payment and reporting errors in FPDS-NG. We encourage you to insert “ESI BPA N66001-XX-A-XXXX” in Block 14 of an SF1449 or on in Block 19 of a DD1155.

- d. The completed delivery order will be forwarded to the contractor with the following information:

Contractor / Vendor Information	
Address	11493 Sunset Hills Rd, Suite 100 Reston, VA 20190
Remit to:	11493 Sunset Hills Rd, Suite 100 Reston, VA 20190
Cage	1P3C5



DUNS	52-2189693
TIN	52-2189693
Business Size	Other than small

- e. A copy of the delivery order must be sent to the servicing DFAS center.
- 3. Government-Wide Purchase Card orders can be submitted via telephone or the vendor’s website.
 - a. Orders can be placed by calling 571-662-4653 or via nathaniel.levinson@carahsoft.com
 - b. Information Required from the Ordering Office:
 - End User and Name
 - End User Email Address
 - End User Phone Number
- iii. Ordering Period: If orders issued within the EA Ordering Period(s) include options, the order options may be exercised after the EA ordering date(s) provided that:
 - 1. The initial order that includes the option was issued during the EA ordering period(s), and does not exceed 60 months past the expiration date of the EA;
 - 2. The Ordering Office determines that the underlying GWAC is still valid at the time the order option is exercised and still includes the applicable products, and
 - 3. The Ordering Office satisfies all other applicable regulations for exercise of the option.



6. Points of Contact

a. Contracting Office:

	Procuring Contracting Officer (PCO)	Alternate Point of Contact
POC	Dennis Fellin	Jorge Ocegueda
Telephone	717-329-6588	619-553-7504
Email	dennis.j.fellin.civ@us.navy.mil	jorge.l.ocegueda.civ@us.navy.mil

b. Software Product Manager (SPM):

	Software Product Manager (SPM)	Alternate Point of Contact
POC	Wilma Marquez	Chris Perry
Telephone	619-705-9017	N/A
Email	wilma.e.marquez2.civ@us.navy.mil	christopher.p.perry8.ctr@us.navy.mil

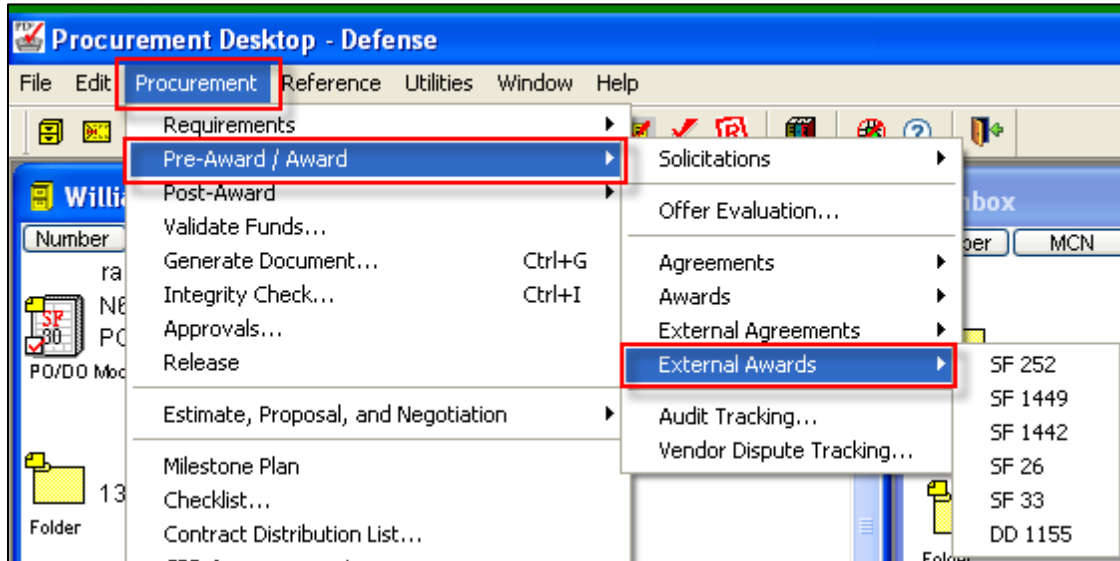
c. EA Points of Contact:

	Program Manager (PM)	PM Alternate	Contracts Management	Sales and Ordering
POC	Nathaniel Levinson	David Chergosky	Rob Trimber	Nathaniel Levinson
Telephone	571-662-4653	703-673-3602	703-673-3577	571-662-4653
Email	NATHANIEL.LEVINSON@CAR AHSOFT.COM	DAVID.CHERGOSKY@CAR AHSOFT.COM	Rob.Trimber@cara hsoft.com	OPSWAT@carah soft.com

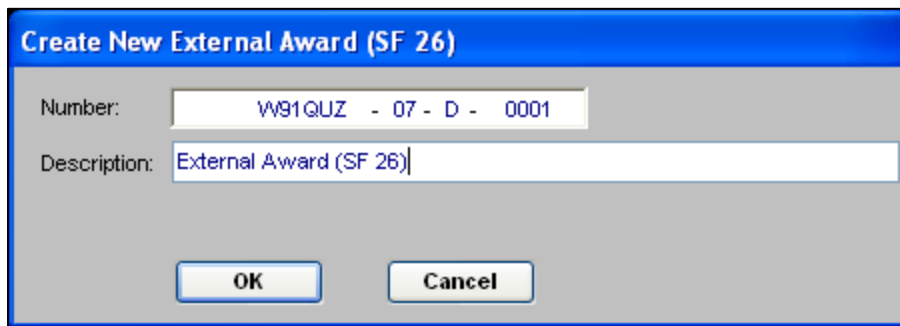
7. External Award / Agreement (for use in the Standard Procurement System (SPS))

Blanket Purchase Agreements awarded by other contracting offices can be entered in the system as external awards. External awards allow users to enter line-item information and establish order constraints consistent with the original award. Once an external award is loaded in the system, it can be used as a reference when creating orders.

To create an external award, go to: Procurement -- Pre-Award / Award -- External Awards (or Agreements) -- select the desired form.



The **Create New External Award** window displays.



Enter the Agreement number for which the external award is being created. Click **OK**. The external award document is opened and displayed.

External Award (SF 26) - W91QUZ-07-D-0001				
Items 1 - 12		Items 13 - 16		BPA Items
EXTERNAL AWARD	1. AWARD TYPE SF 26	2. DPAS RATING []	3. EFFECTIVE DATE []	4. DATE OF CONTRACT []
5. CONTRACT (Proc. Inst. Ident.) NO. W91QUZ-07-D-0001		6. REQUISITION/PURCHASE REQUEST/PROJECT NO.		
7. ISSUED BY CODE []		8. ADMINISTERED BY CODE [] (if other than 7) See Item 7		
9. NAME AND ADDRESS OF CONTRACTOR CODE: []		10. DELIVERY [<input type="radio"/>] FOB ORIGIN [<input type="radio"/>] OTHER <small>(See Below)</small>	11. DISCOUNT FOR PROMPT PAYMENT []	
		12. SUBMIT INVOICES Submit [] copies to the address shown in:		

Enter all relevant information on the tabs to replicate the award that the external award is representing. You must create CLINs for external awards in order to issue orders off of those CLINs. Agreements do not utilize CLINs. It is not necessary to replicate clauses.

When complete, simply approve the external award. This document type is not run through funds validation, not generated, and not released.