DoD ESI
ORDERING GUIDE

Recorded Future

Carahsoft Technology Corp.

Blanket Purchase Agreement (BPA)

N66001-19-A-0120

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 GSA Blanket Purchase Agreement (BPA), identifies the authorized users of the BPA, summarizes the products and services available under the BPA and instructions for users to place an order, and provides Points of Contact information for support.

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1. General Information

BPA CONTRACTOR / VENDOR NAME	Recorded Future
GSA MAS CONTRACT #	47QSWA18D008F https://www.gsaelibrary.gsa.gov/ElibMain/contractorInfo.do?contractNumber=47QSWA18D008F=CARAHSOFT+TECHNOLOGY+CORP=YES
BPA NUMBER AND WEB LINK	N66001-19-A-0120 https://www.esi.mil/
BPA ISSUE DATE	2020-01-22
BPA EXPIRATION DATE	2029-07-14
BPA Contractor Address:	Carahsoft Technology Corp. 11493 Sunset Hills Rd., Suite 100 Reston, VA 20190 703-871-8500
Cage Code	1P3C5
UEI:	DT8KJHZXVJH5
TIN:	52-2189693
Business Size	Other Than Small
For Government Purchase Card Ordering Call:	Orders can be placed by calling 703-871-8505 or online at http://www.carahsoft.com
Ordering Office provide:	End User and Name End User Email Address End User Phone Number

2. Authorized Users

a. DoD or Agencies

This BPA is open for ordering by the "DoD Departments and Agencies" as defined by the Title 48 Code of Federal Regulations, Section 202.101; the Intelligence Community ; the US Coast Guard; or a DoD contractor working in support of the DoD mission is authorized to purchase on behalf of the DoD pursuant to FAR 51 (hereinafter "Licensee" or "DoD" are synonymous) . A Reseller is an authorized reseller of Licensor's products. The terms and conditions of this Agreement apply to any purchase of Licensor's products or services by the Licensee made under the Reseller's Blanket Purchase Agreement and GSA Contract underlying this Agreement, without further need for execution.

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 BPA 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 BPA 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 part 51 and/or DFARS part 251 as appropriate.

3. Scope: All PRODUCTS (SOFTWARE AND HARDWARE) AND SERVICES OFFERED BY THE SOFTWARE PUBLISHER IN THIS BPA - *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 part 51 Authorization are able to place orders against this BPA.

b. This BPA 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 subpart 8.4 and DFARS subpart 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 BPA contractors who offer the applicable product and/or service required;

iv. Ensure compliance with all fiscal laws prior to issuing an order under the BPA;

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 BPA. The FAR and DFARS clauses listed in Attachment 1 of the BPA are those in effect as of the effective date of the BPA. Ordering Officers are responsible for incorporating required new or required updated applicable FAR and DFARS clauses at the order level as appropriate that have not already been included in the BPA;

vi. Obtain the required authorization to acquire the products or services through the BPA 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 that the BPA 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 BPA 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 BPA 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 Enterprise Agreement, 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 BPA, 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 BPA, the DoD component may use an alternate method of acquisition, subject to applicable laws and policy.

b. Ordering

i. Follow the procedures at FAR 8.405-3(c) Ordering from BPAs.

ii. Use of Government-Wide Purchase Card is authorized as applicable.

1. See Table in Section 1 above for information.

iii. All orders must be competed amongst the BPA contractors unless otherwise stated in FAR 8.405-3(c) or an exception applies (see FAR 8.405-6 Limiting Sources).

iv. Use of GSA eBuy is recommended when soliciting under the DoD ESI BPA's.

1. State in the request for quotes (RFQ) you are only requesting quotes from DoD ESI BPA contractors and/or their dealers when applicable.

2. It is the responsibility of the BPA contractor to distribute the RFQ to their dealers if they so choose to.

3. **Tip:** Do not restrict RFQ responses to eBuy submissions only (i.e. allow email responses). Dealers will respond to RFQs and not all dealers have GSA schedule contracts. Those dealers without a schedule will not be able to respond through eBuy.

4. **Important Note:** When using a brand-name (FAR 8.405-6(b)), posting an RFQ and the applicable documentation at FAR 8.405-6(b)(2) to GSA eBuy is required.

v. Orders are subject to the ordering office's local policy, the underlying GSA MAS Contract, and the terms of the BPA. 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, procedures may vary depending on your respective contract writing system. Consult your local contract writing system user guide for information on issuing BPA Calls or Orders against external contracts.

   A. Contracting Officers will need to create an external award or "shell" using their respective contract writing system in order to execute delivery orders against this GSA BPA, see section 7 of this guide for an example.

   B. Create an order or BPA Call using either a SF1449 or DD1155 from the external award/shell using the applicable BPA number (e.g. N6600120A1234).

   C. If the Contracting Officer does not use an automated contract writing system, enter the BPA number in Block 2 if using a SF1449 or Block 1 if using a DD1155. Enter a locally assigned delivery order number in Block 4 if using SF1449 or Block 2 if using DD1155. Note: Ensure you complete the FPDS-NG report ensuring the Referenced IDV ID is the BPA number.

   D. Issuing an order to a dealer. The order can be issued to the BPA contractor in care of (C/O) the dealer or issued directly to the dealer. In either case, SF1449 box 2 or DD1155 box 1 will be the BPA number. Below provides information on the two methods and Section 8 below provides additional visual representations.

      i. In Care of: Consult with your contract writing system user guide or superusers. In SPS/PD2, a new vendor point of contact (POC) will be added to the BPA Contractor information in SPS/PD2. The POC will be C/O [Dealer Company Name]. Everything else remains the same (i.e. address, cage code, etc.). SF1449 box 17 or DD1155 box 9 will look like this:

BPA contractor Cage Code
BPA contractor Company Name
C/O Dealer Name
1234 Compliance Way

ii. Direct to dealer. Delete the BPA contractor from SF1449 box 17 or DD1155 box 9 then add the dealer. SF1449 box 17 or DD1155 box 9 will look like this:

Dealer Cage Code Dealer Name 1234 Compliance Way Contracting, US 12345

iii. Order distribution. Distribute the order to both BPA contractor and dealer when order is issued.

iv. FPDS-NG. Because the order is being issued under the BPA, the contract action report (CAR) will reference the BPA contractor's information, not the dealers.

v. Invoicing. When using "in care of" to issue the order, the BPA contractor will be responsible for submitting invoices, as their cage code is still associated to the order. When issuing to the dealer, the dealer will be responsible for invoicing.

2. Open Market items (i.e. not in the BPA catalog) may be added to a BPA 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 BPA 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 BPA 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).

vi. Dealers: Dealers are authorized to participate under this BPA and respond to RFQs on behalf of the BPA contractor. Dealers are not required to have their own GSA Schedule Contract. Orders against this BPA are issued against the BPA and not the dealers GSA Schedule Contract, if they have one. Refer to the BPA terms and conditions, Section 10.5 for additional terms and conditions.

1. If a dealer is listed below, the authorized dealer may act as an agent of this BPA. The responsibilities of the authorized dealer under this BPA are:

   - On behalf of BPA contractor: Respond to RFQs, issue quotes, and receive Orders.
   - Submit invoices for payment adhering to GSAR Clause 552.238-85.
   - Report all sales to BPA contractor.

2. All dealers can accept purchase cards.

A. Ensure they know it is an order under the BPA.

B. Provide notice to the BPA contractor that a Purchase Card order was placed with dealer.

Software Publisher	Authorized Dealer	Dealer POC	Phone Number	Email Address	Cage Code
Recorded Future	August Schell	Clare Donnelly Mike Baker	240-505-5449 304-906-6649	clare.donnelly@augustschell.com mike.baker@augustschell.com	1W5J9
Recorded Future	Blackwood	Chris Ebley	410-267-1904	DOD@blackwood.ai	7P918
Recorded Future	FCN	Cheryl Ashe	703-980-5580	dodesi@fcnit.com	0WU14
Recorded Future	Norseman	Liz Shear	443-540-3188	elizabeth.shear@norseman.com	0WNZ6
Recorded Future	Thundercat	Dan Little	202-701-4009	dlittle@thundercattech.com	50WM7
Recorded Future	Iron Bow	Marianne Adams	703-279-3000	marianne.adams@ironbow.com	55RC1
Recorded Future	Optiv + ClearShark	Jason Erickson	410-536-3776	recordedfuturedodesi@optivclearshark.com	4L5U9

FAQ on Authorized Dealers on DoD ESI Agreements

Question #1: If there is only one BPA contractor for a particular software publisher, may the ordering officer make a direct award to the BPA contractor 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 contractors. There is no regulatory requirement to provide fair opportunity to authorized dealers.

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

Answer: Per FAR 8.405-3(c)(2), the requirement to provide fair opportunity applies to BPA contractors, 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. This allowance is found in several General Services Acquisition Manual / Regulation (GSAM/R) provisions and clauses. GSAM/R provision 552.216-73 requires GSA Contractors to identify dealers in their proposal for their GSA contract; Clause I-FSS-600 requires the GSA schedule contract holder to list their participating dealers in the contract price lists; and 552.238-85 identifies dealer requirements for invoicing and sales reporting. 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 (or other contract writing system) if I am issuing an order to an authorized dealer?

Answer: Yes, the contract number in block 2 of a SF1449 or block 1 of a DD1155 will need to list the applicable BPA number. See Section 5(b)(v)(1)(D) of this guide for details on issuing orders with dealers.

Question #5: Can I issue an order to the dealer using their GSA schedule contract number?

Answer: No, the referenced contract number/agreement number in block 2 of a SF1449 or block 1 of a DD1155 must be the BPA number.

Question #6: Does our agency get small business credit if the dealer is a small business?

Answer: No. Dealers are quoting as agents in care of the BPA contractor and all orders issued to dealers will get credit based on the BPA contractor, not the dealer.

Question #7: Can we solicit dealers as a small business set-aside if two or more dealers are small?

Answer: No. FAR 8.405-5 does allow small business set-asides; however, the non-manufacturing rule (FAR 19.505) still applies. In order to do a small business set-aside, the BPA contractors have to be a small business and the original equipment manufacturer (OEM)/Software Publisher has to be a Small Businesses. The non-manufacturing rule does not apply to services. Follow these two links for more information.
https://www.gsa.gov/buy-through-us/purchasing-programs/multiple-award-schedule/help-with-mas-buying/buy-from-small-business-mas-contractors
https://www.sba.gov/partners/contracting-officials/small-business-procurement/nonmanufacturer-rule

vii. Ordering Period – If orders issued within the BPA Ordering Period(s) include options, the order options may be exercised after the BPA ordering date(s) provided that:

1. The initial order that includes the option was issued during the BPA ordering period(s), and does not exceed 60 months past the expiration date of the BPA;
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	Spencer Sessions	Becky Helm
Telephone	619-204-7944	619-776-7223
Email	spencer.m.sessions.civ@us.navy.mil	rebecca.l.helm2.civ@us.navy.mil

b. Software Product Manager (SPM)

	Software Product Manager (SPM)	Alternate Point of Contact
POC	Troy Taylor	Rino Ortega
Telephone	619-518-9580	619-578-4453
Email	troy.l.taylor40.civ@us.navy.mil	rino.j.ortega.civ@us.navy.mil

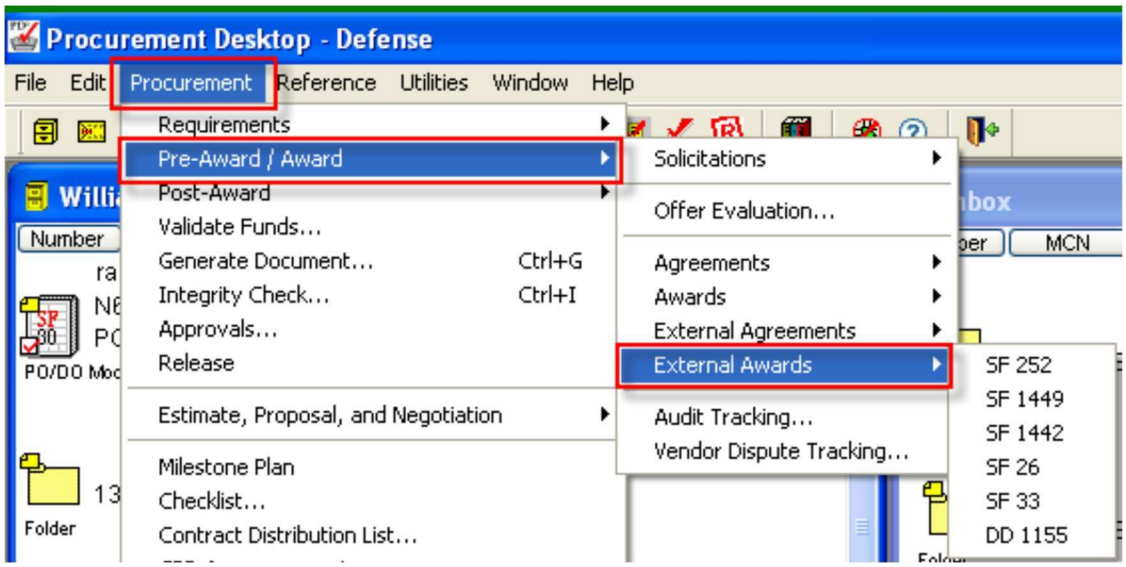
c. BPA Points of Contact

	Program Manager (PM)	PM Alternate	Contracts Management	Sales Ordering
POC	Jenna Tabatabaian	Jeb Beidleman	Rob Trimber	Jenna Tabatabaian
Phone	703-889-9726	703-581-6576	703-673-3577	703-871-8665
Email	jenna.tabatabaian@carahsoft.com	jeb.beidleman@carahsoft.com	rob.trimber@carahsoft.com	jenna.tabatabaian@carahsoft.com

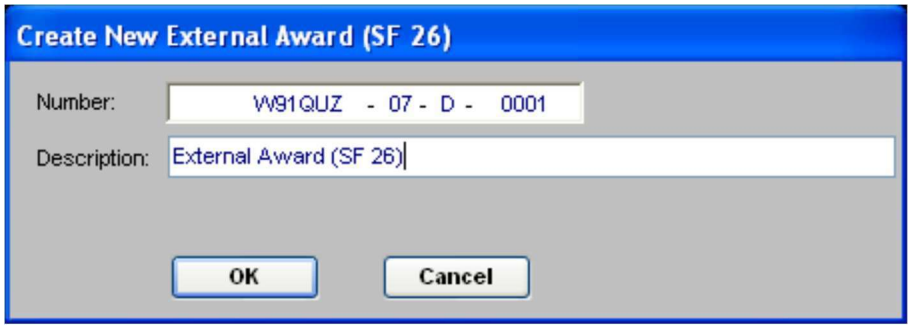
7. External Award / Agreement (for use in the Standard Procurement System (SPS))

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.

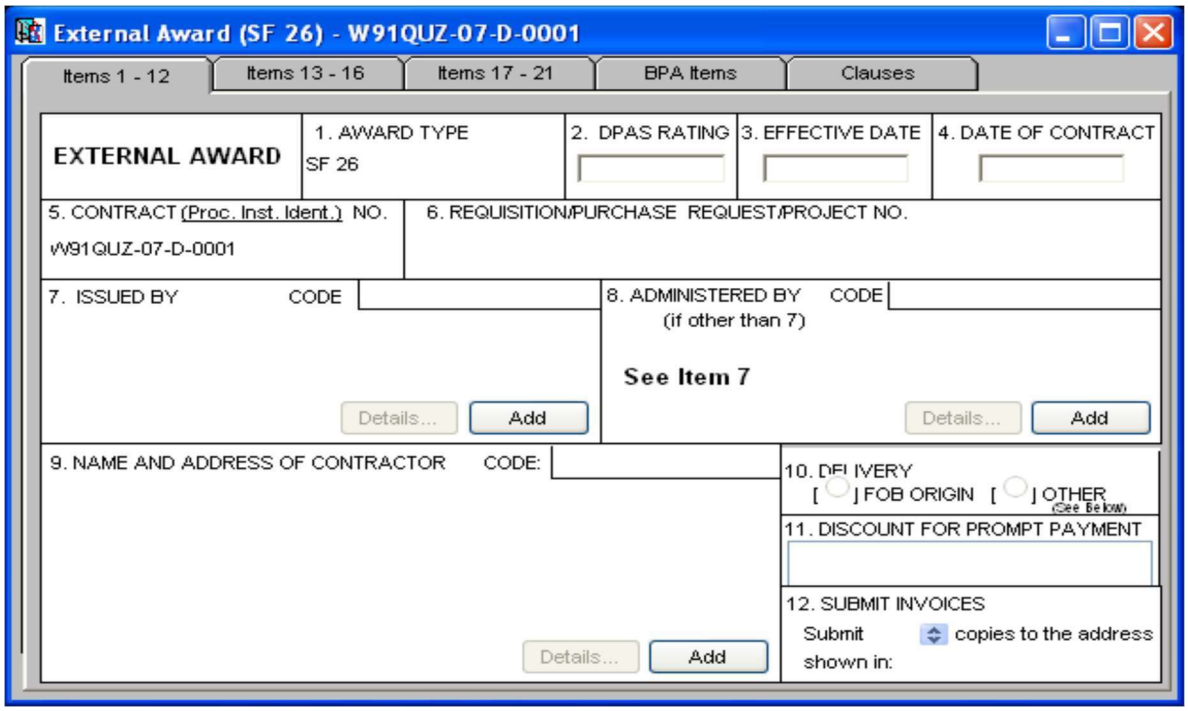
To create an external award, go to Procurement Pre-Award / Award External Awards (or Agreements) select the desired form.



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.

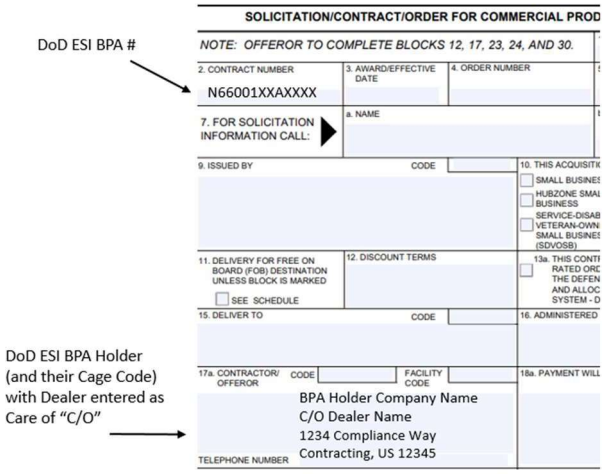
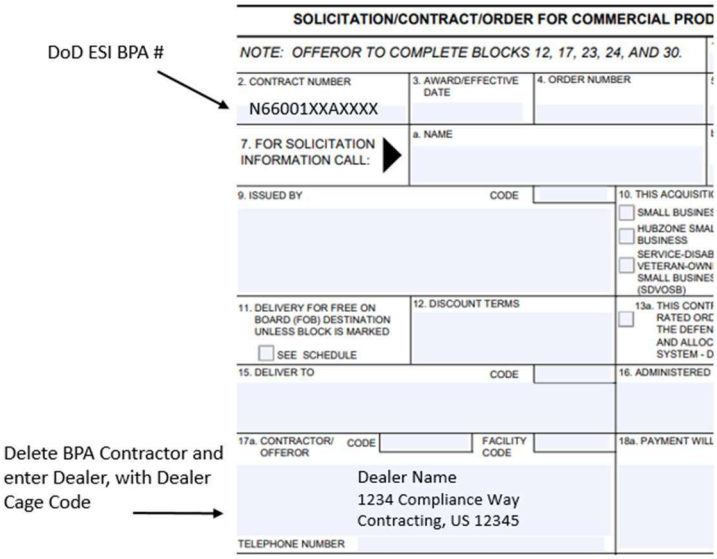


Enter all relevant information on the tabs to replicate the award that the external award is representing. You must create CLINs for external awards in order to issue orders off of those CLINs. Agreements do not utilize CLINs. It is not necessary to replicate clauses.

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

8. Additional Visual Representation for Issuing Orders to Dealers (See 5(b)(v)(1)(D) above)

To Contractor In Care Of



Direct to Dealer