General Services Administration
Washington, DC 20405

GSA ORDER

Subject: GSAM Case 2017-G501, New Requirements for GSA IT Procurements

1. Purpose. This U.S General Services Administration (GSA) order transmits a revision to the General Services Acquisition Manual (GSAM) to implement the Internet Protocol Version 6 (IPv6) requirements within FAR 11.002(g) as well as the software alternatives analysis and open source software[1] requirements mandated by OMB M-16-21[2] when procuring information technology[3] (IT). The GSAM now provides guidance for how contracting officers must include IPv6 requirements in all contracts and orders for IT that will have the capability to access the Internet or any network utilizing Internet Protocol. The GSAM also specifies how an alternatives analysis must be completed to leverage existing Federal or commercial software prior to buying custom-developed software code. See section 4 for a detailed explanation of the changes.

2. Background.

Internet Protocol Version 6
Internet protocols enable IT products and systems to communicate over the Internet and local networks. IPv6 is the latest version of Internet Protocol. IPv6 provides valuable benefits over IPv4 by improving:
*   Addressing and Routing;
*   Authentication, encryption and integrity protection; and
*   Peer-to-Peer Communication Tools.

GSA must ensure all IT products and systems purchased are IPv6 compliant in accordance with FAR 11.002(g). Examples of IPv6 procurements include printers, cellular phones, networking equipment, laptops, in-vehicle computers, televisions, cameras, building sensors, and numerous other IT products. The GSA Acquisition Policy

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[1] Open source software is software that can be accessed, used, modified, and shared by anyone. It is often distributed under licenses that comply with the definition of "Open Source" provided by the Open Source Initiative (https://opensource.org/osd) and/or that meet the definition of "Free Software" provided by the Free Software Foundation (https://www.gnu.org/philosophy/free-sw.html).

[2] M-16-21; Federal Source Code Policy: Achieving Efficiency, Transparency, and Innovation through Reusable and Open Source Software; Office of Management and Budget; August 8, 2016

[3] Information technology is defined in FAR Part 2

Division worked with GSA IT to develop standard SOW language to ensure GSA procurements comply with IPv6 requirements.

Open Source Software Requirements
For software, a significant proportion used by the Government is comprised of either preexisting Federal solutions or commercial solutions. These solutions include proprietary, open source, and mixed source code and often do not require additional custom code development. OMB M-16-21 requires agencies to leverage existing solutions and suitable commercial solutions, while mitigating duplicative spending on custom-developed software solutions. Contracts for custom development of code must acquire and enforce rights sufficient to enable Government-wide reuse. Further, agencies' custom code must be published into a publicly accessible repository managed by the Government in accordance with GSA CIO IL-16-03, Open Source Software Policy[4].

3. <u>Effective date</u>. October 9, 2018.

4. <u>Explanation of changes</u>. This amendment includes non-regulatory changes. For full text changes of the amendment see Attachment A, GSAM Text Line-In/Line-Out. This amendment revises the language of the following GSAM subparts, changes summarized below:
   - 507.1 (Acquisition Plans)
     - 507.105 - This section is revised to remind acquisition teams to document their acquisition plans with the results of alternatives analysis for software acquisition described in 511.170(e).
   - 511.1 (Selecting and Developing Requirements Documents)
     - 511.170(d) - This subsection adds guidance to the acquisition team for including IPv6 requirements in IT procurements that will have the capability to access the Internet or any network. The process for waiving IPv6 requirements is also added to this subpart. This incorporates guidance in Acquisition Alert AA-2016-04, Supplement 1.
     - 511.170(e) - This subsection adds guidance on how to conduct an alternatives analysis when buying software to implement OMB Memo M-16-21.
     - 511.170(f) - This subsection is added to provide guidance for procuring custom-developed code in accordance with OMB Memo M-16-21 and GSA CIO IL-16-03.
   - Subpart 517.5 (Interagency Acquisitions)

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[4] CIO IL-16-03; https://www.gsa.gov/portal/directive/d0/content/536641; November, 3, 2016

- 517.502 - This section is revised to specify that the requesting agency is responsible for identifying any special or higher level requirements for network connectivity (e.g. security, basic connectivity and communications) beyond the minimum IPv6 requirements mandated in FAR 11.002(g).
- Subpart 539.1 (General)
  - 539.101 - This section is revised to add guidance on how the contracting officer or contracting officer's representative must validate contractor compliance with IPv6 requirements after IT products and systems are delivered.

5. Cancellations and Rescissions. Acquisition Alert 2016-04, Requiring Internet Protocol Version 6 for IT Acquisitions

6. Point of Contact. Any questions regarding this Order should be directed to Kevin Funk, General Services Acquisition Policy Division, via phone at (202) 357-5805, or via email at kevin.funk@gsa.gov.

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Attachment A

GSAM Case 2017-G501
"New Requirements for GSA IT Procurements"

GSAM Text, Line-In/Line-Out

GSAM Baseline: Change 91 effective 09/04/2018
• Additions to baseline are indicated by **[bold text in brackets]**
• Deletions to baseline made by final rule are indicated by ~~strikethroughs~~
• Five asterisks (* * * * *) indicate that there are no revisions between the preceding and following sections
• Three asterisks (* * *) indicate that there are no revisions between the material shown within a subsection

Part 507—Acquisition Planning

Subpart 507.1—Acquisition Plans
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507.105 Contents of acquisition plans.

(a) Written.

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[(5) *Software.* If procuring software, specify the result of any software requirement alternatives analysis that has been completed in accordance with 511.002(d).]

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Part 511—Describing Agency Needs

Subpart 511.1—Selecting and Developing Requirements Documents

511.170 Information Technology Coordination and Standards.[5]

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[(d) Internet Protocol Version 6 (IPv6).

(1) *Developing Requirements.*

(A) In accordance with FAR 11.002(g), contracting officers must include IPv6 requirements in all contracts and orders for information technology (IT) that will have the capability to access the Internet or any network utilizing Internet Protocol (IPv4 or IPv6).

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[5] GSAM Case 2016-G513 (Procedures for Coordinating IT Acquisitions) will be published prior to this case and will add 511.170(a), (b), and (c) that outlines the requirements for FITARA and GSA IT Standards Approval Process.

(B) Sample statement of work language to require IPv6 compliance can be found on the Acquisition Portal at https://insite.gsa.gov/itprocurement.

(C) See 539.101(d) for guidance on verifying contractor compliance with IPv6 requirements.

(2) *Waivers.*

(A) The GSA Chief Information Officer (CIO) must approve any waiver from IPv6 requirements.

(B) The waiver request must provide the following information-

(i) The product or service description;

(ii) The purpose of the procurement;

(iii) The requested duration of waiver; and

(iv) Sufficient justification for why IPv6 should be waived.

(C) A sample waiver request is located on the Acquisition Portal at https://insite.gsa.gov/itprocurement.

(D) Waivers must be documented in the contract file.

(e) Software Code Development. An alternatives analysis must be completed to leverage existing Federal or commercial software prior to buying custom-developed software code. To comply with this process, software requirements must be developed using the following order of preference-

(1) Software that the Government already owns. For software that will be used by GSA, this requires review of the GSA IT Standards List within the GSA Enterprise Architecture Analytics & Reporting Database that can be accessed from the Acquisition Portal at https://insite.gsa.gov/itprocurement. The GSA IT Standards List shows software that has been approved for use within GSA by the Chief Technology Officer.

(2) Existing commercially-available software.

(3) Custom-developed software code in conjunction with existing Government or commercial software. See 511.170(f) for requirements with procuring custom-developed code.

(4) Custom-developed software code only. See 511.170(f) for requirements with procuring custom-developed code.

(f) Custom-Developed Software Code

(1) *Developing Requirements.* Requirements for custom development of software code must include the establishment of enforceable rights sufficient to enable GSA to directly publish and publicly host all custom-developed code in accordance with GSA CIO IL-16-03, GSA Open Source Software Policy. To acquire open source software, the contracting officer must include the following-

(A) Any applicable FAR data rights clause; and

(B) Sufficient data rights language in the statement of work. GSA Standard Open Source Code Statement of Work language can be found on the Acquisition Portal at https://insite.gsa.gov/itprocurement.

(2) *Waivers.*

(A) The GSA Chief Information Officer (CIO) must approve any waiver from the open source code requirements mandated in 511.170(f)(1). If a waiver is approved, GSA must still acquire and enforce rights sufficient to enable GSA or Government-wide reuse of custom-developed code. FAR clause 52.227-17 -- Rights in Data -- Special Works may be used to acquire Government-wide reuse of custom-developed code.

(B) The waiver request must provide the following information-

(i) The product or service description;

(ii) The purpose of the procurement; and

(iii) Sufficient justification for why open source code requirements should be waived.

(C) A sample waiver form is located on the Acquisition Portal at https://insite.gsa.gov/itprocurement.

(D) Waivers must be documented in the contract file.]

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Part 517—Special Contracting Methods

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Subpart 517.5—Interagency Acquisitions
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517.502 Procedures
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517.502-70 Information Technology Procurements[6]

[(a)] The requesting agency is responsible for the required information technology coordination and approval outlined in Federal Information and Technology Acquisition Reform Act (FITARA) (Pub L. No. 113-291) if the procurement involves information technology for the use of the requesting agency and not for GSA use. This requirement for CIO coordination by the requesting agency should be confirmed by GSA as the servicing agency by ensuring this CIO coordination requirement is documented in the interagency agreement.

[(b) The requesting agency is responsible for identifying any special or higher level requirements for network connectivity (e.g. security, basic connectivity and communications) beyond the minimum Internet Protocol Version 6 (IPv6) requirements in FAR 11.002(g) for information technology that will have the capability to access the Internet or any network utilizing Internet protocol (IPv4 or

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[6] GSAM Case 2016-G513 (Procedures for Coordinating IT Acquisitions) will be published prior to this case and will add 517.5, 517.502, and 517.502-70.

IPv6). The special or higher level requirements as well as any deviation from the requirement in FAR 11.002(g) shall be documented in the interagency agreement.]
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Part 539—Acquisition of Information Technology
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Subpart 539.1—General
539.101 Policy.[7]
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[(d) Internet Protocol Version 6 (IPv6).

(1) See 511.170(d) for guidance on developing requirements to ensure information technology that will have the capability to access the Internet or any network complies with Internet Protocol Version 6 (IPv6).

(2) The Contracting Officer or Contracting Officer's Representative must validate contractor compliance with IPv6 contract requirements as part of the review and acceptance process when products or systems are delivered. Evidence may include any of the following:

(A) The Supplier's Declaration of Conformity (SDOC). The template for the SDOC can be found on the National Institute of Standards and Technology (NIST) Information Technology Lab website that is included on the Acquisition Portal at https://insite.gsa.gov/itprocurement;

(B) Laboratory Certification. The product being acquired has been tested and shown to be IPv6 compliant by an accredited laboratory. A listing of tested/certified products can be found on the NIST Information Technology Lab website that is included on the Acquisition Portal at https://insite.gsa.gov/itprocurement; or

(C) Practical Demonstration. The product can be shown to the GSA Contracting Officer or Contracting Officer's Representative to be IPv6 compliant via practical demonstration, or by an otherwise credible validation of technical support.

(e) Software Code. See 511.170(e) and 511.170(f) for guidance on procuring software code.]
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[7] GSAM Case 2016-G513 (Procedures for Coordinating IT Acquisitions) will be published prior to this case and will add 539.1 and 539.101(a), (b), and (c).