

GSA ORDER

Subject: General Services Administration Acquisition Manual; GSAM Case 2022-G510, Task Order Ombudsman Clarification

1. Purpose. This order transmits a revision to the General Services Administration Acquisition Manual (GSAM) to clarify which task-order and delivery-order ombudsman should be referenced in multiple-award indefinite delivery indefinite quality (IDIQ) contracts at the contract and order level.
2. Background. On January 9, 2017, prior to the implementation of FAR Clause 52.216–32, GSA implemented its own agency-level contract clauses for use in multiple-award IDIQ contracts that provided Task-Order and Delivery-Order Ombudsman information to contractors.¹

On September 6, 2019, the Federal Acquisition Regulation (FAR) was amended to mandate the use of FAR Clause 52.216–32, *Task-Order and Delivery-Order Ombudsman*,² in solicitations and contracts when a multiple-award IDIQ contract is contemplated. The FAR Clause standardizes how agencies provide contractors the name and contact information for an ordering agency’s task-order and delivery-order ombudsman. The identified agency ombudsman would review complaints from contractors. The FAR change eliminated the need for GSA’s agency-level clauses, which led to GSA amending the GSAR to remove these clauses.³

The implementation of FAR Clause 52.216–32 has led to some confusion as to which agency’s ombudsman’s information should be included in the clause. Some agencies placing orders under GSA’s IDIQs (such as the Federal Supply Schedules) have been identifying the GSA Task-Order and Delivery-Order Ombudsman as the point of contact for receiving complaints. In accordance with paragraph (d) of Alternate I FAR Clause 52.216–32, complaints for task orders under GSA contract vehicles should be directed to the ordering agency’s task-order and delivery-order ombudsman, not GSA’s Ombudsman.

This order amends GSAM 516.505(b) to provide clear guidance to GSA contracting officers, customer agencies, and contractors as to which task-order and delivery-order ombudsman should be referenced at the contract and order level in FAR Clause 52.216-32.

3. Effective date. December 2, 2022

¹ See 82 FR 2249 and APD2800.12B, Change 81, implementing agency-level contract clauses at GSAR 552.216-74 *GSA Task-Order and Delivery-Order Ombudsman*, and 552.216-76 *Ordering Agency Task-Order and Delivery-Order Ombudsman*.

² See 84 FR 38836.

³ See 85 FR 50958 and ADM 2800.12B, Change 114.

4. Explanation of changes. 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:

Subpart 516.5 *Indefinite-Delivery Contracts*

516.505 *Ordering.*

- Paragraph (b) *Task-order and delivery-order ombudsman.* Added language to provide clear guidance to identify when GSA or the task order agency Ombudsman contact information should be included in FAR Clause 52.216-32.

5. Cancellations. None.
6. Point of contact. For clarification of content, contact Nicholas Giles, GSA Acquisition Policy Division, at gsarpolicy@gsa.gov.

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GSAM Case 2022-G510

GSAM Text, Line-In/Line-Out

GSAM Baseline: Change 155 effective 08/30/2022

- Additions to baseline made by rule are indicated by **[bold text in brackets]**
- Deletions to baseline made by 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 516—Types of Contracts

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Subpart 516.5 - Indefinite-Delivery Contracts

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516.500 Scope of section. * * *

516.505 Ordering.

(a) Use of Lowest Price Technically Acceptable. * * *

(1) Documentation requirements. * * *

(b) Task-order and delivery-order ombudsman.

[(1) *Contract Level.* For solicitations and contracts when GSA multiple-award indefinite-delivery indefinite-quantity (IDIQ) contracts are contemplated, c]Contracting officers shall reference <http://www.gsa.gov/ombudsman> when completing **[paragraph (a) of]** FAR clause [52.216-32](#), Task-Order and Delivery-Order Ombudsman.

[(2) *Order Level.*

(i) *GSA orders.* For task and delivery orders placed by GSA under multiple-award, multiple-agency IDIQ contracts, contracting officers shall reference <http://www.gsa.gov/ombudsman> when completing paragraph (d) of Alternate I FAR Clause [52.216-32](#).

(ii) *Non-GSA orders.* For task and delivery orders placed by agencies other than GSA under GSA multiple-award, multiple-agency IDIQ contracts, ordering activity contracting officers shall reference the contact information of that ordering agency's task-order and delivery-order ombudsman when completing paragraph (d) of Alternate I FAR Clause [52.216-32](#).]

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