

**INTERIM SMARTBUY PROCEDURES**  
**JULY 2003 – JULY 2004**

**OVERVIEW**

SmartBUY is the Federal governmentwide software enterprise licensing program initiated by OMB and being executed by GSA. Although the OMB letter of June 2, 2003 directed all Federal agencies to use the program, it will take some time to put SmartBUY agreements in place. SmartBUY will eventually provide many enterprise agreements, however, interim procedures are needed since OMB does NOT want to shut down necessary software purchases.

Customer agencies should:

1. Use the SmartBUY agreements for all software requirements covered by that specific agreement. Where there is no SmartBUY agreement, agencies may satisfy their software requirements through other acquisition vehicles. Continue to identify upcoming large (volume and/or dollar value) software requirements to GSA (Emory Miller, 202-501-4675 or [emory.miller@gsa.gov](mailto:emory.miller@gsa.gov))
2. Not enter into agreements exceeding one year involving software initially targeted by SmartBUY without checking with GSA (Emory Miller). The list of software initially targeted by SmartBUY can be found at [www.cfoc.gov](http://www.cfoc.gov). To access the list, log into the “MembersLogin” and then look for “SmartBUY.”
3. For small buys, or buys of software not initially targeted by SmartBUY, use GSA Schedules or other authorized sources.
4. Agencies should NOT shut down normal operations since SmartBUY will not have wide coverage of software titles for some time.
5. GSA is holding regular customer and vendor feedback sessions. All agencies with requirements for the software initially targeted by SmartBUY should be involved in this process. To ascertain whether your agency is participating, go to [www.cfoc.gov](http://www.cfoc.gov), log into the “MembersLogin” and then look for “SmartBUY.”
6. For any future agency software agreements, consider using a clause stating something like the following example:

“If during the term of this contract, Company X or its resellers enters into an agreement for software under the SmartBUY Initiative -- which includes products or services -- with pricing less than under this contract, Company X will lower its prices in this contract, or to its reseller(s) and thus to the Government, so that the prices under this contract are consistent with the prices and similar terms and conditions of the SmartBUY agreement, or at the option of the Government, agree to move this requirement to the SmartBUY agreement, and in either case, with full credit for all funds paid under this contract.”

## QUESTIONS AND ANSWERS

Q1: Is there a software purchase “freeze”?

A1: No. The OMB memo suggested agencies “refrain” from entering into software agreements which would hinder the SmartBUY process. It would be impractical to levy a “freeze” since it will take time to put agreements in place.

Q2: What are some thoughts regarding migration plans for existing agency licenses?

A2: Migrations to SmartBUY agreements will occur as quickly as feasible, but will not be accomplished by forced breaking of existing agreements.

Q3: Will the agencies have to take whatever software you give them?

A3: If there is a SmartBUY agreement for a particular software product and an agency determines that product meets its needs, then the agency must use the SmartBUY agreement. SmartBUY is NOT an attempt to enforce the use of certain titles of software as opposed to others. If an agency is going to buy software that is covered by SmartBUY, they must buy that software through the SmartBUY contract vehicle. It is up to the agencies to determine which software best meets their needs.

Q4: Does SmartBUY apply to all software?

A4: No, the program applies only to commercially available, commodity-type software covered by SmartBUY. By commodity software, we mean software that is widely used. Typically, the software that SmartBUY will focus on initially are those products in which the Government invests the most money. Most software will NOT be covered by SmartBUY, at least not initially. The list of software initially targeted by SmartBUY can be found at [www.cio.gov](http://www.cio.gov). To access the list, log into the “MembersLogin” and then look for “SmartBUY.”

Q5: What is your timetable? OMB has indicated that the GSA team will negotiate licenses by July 2004.

A5: We expect to have several agreements in place by July 2004. We understand the money-savings which SmartBUY can provide, and want to achieve our goals as quickly as possible so taxpayers, agencies and businesses will start reaping the benefits as soon as possible.

Contact: [emory.miller@gsa.gov](mailto:emory.miller@gsa.gov)  
202-501-4675