

**U.S. DEPARTMENT OF AGRICULTURE
BLANKET PURCHASE AGREEMENT (BPA) 45-3142-1-05262**

Introduction

The U.S. Department of Agriculture (USDA) seeks a combination of consulting services and educational services to assist in its goal to make existing and future internal and external web applications Section 508 of the Rehabilitation Act compliant. The Department of Agriculture Section 508 compliance solution will be done through a combination of commercial-off-the-shelf software tools and those services procured via this BPA. A procurement of the software tools was accomplished through a separate acquisition vehicle. If additional licenses of the tool are required, agencies may use this vehicle to acquire them. A host of tools are available for management and tracking, timely verification or efficiency, and a plug-in for FrontPage users, as identified herein. The professional services acquired through this BPA will help agencies and staff offices ensure successful conversion and migration of existing web applications through remediation support and training, and assist agencies and staff offices to establish compliance processes to ensure that future web applications will be Section 508 compliant.

Background

On August 7, 1998, the President signed into law the Workforce Investment Act of 1998, which includes the Rehabilitation Act Amendments of 1998. Section 508 was originally added to the Rehabilitation Act in 1986. The 1998 amendments significantly expand and strengthen the technology access requirements in Section 508. Section 508 is also a part of the Rehabilitation Act of 1973, which requires that electronic and information technology developed, procured, maintained or used by the Federal government be accessible to people with disabilities.

The current version of Section 508 requires that when Federal agencies develop, procure, maintain or use electronic and information technology, they must ensure accessible to people with disabilities. Comparable access is not required if it would impose an undue burden. This is consistent with language used in the Americans with Disability Act (ADA) and other civil rights legislation, where the term 'undue burden' has been defined as "significant difficulty or expense." However, the agency must document and explain why meeting the standards would pose an undue burden for a given procurement action, and must still provide individuals with disabilities access to the information or data that is affected in an alternative method.

The old version of Section 508 established non-binding guidelines for technology accessibility, while the current version creates binding, enforceable standards, and incorporates these standards into Federal regulations. Not only do government-wide standards make it easier for Federal agencies to meet their obligations to make technology systems accessible to people with disabilities, these standards also promote competition in the technology industry, which should improve accessibility products and cost. The Department of Agriculture's goal through this contract is to achieve 508 compliance for existing and future web-based electronic and information technology (EIT).

USDA Section 508 Goals

Section 508 of the Rehabilitation Act mandates that any electronic and information technology developed, procured, maintained, and used by the Federal government be accessible to people with disabilities. This includes web-based applications and other Internet and Intranet services. In addition, web pages are required to meet the accessibility standards established by the Access Board in order to comply with Section 504 of the Rehabilitation Act that prohibits discrimination based on disability in federally funded and conducted programs or activities.

USDA seeks to assist agencies and staff offices in the conversion of existing Internet and Intranet sites and the development of new pages and sites in compliance with requirements of Section 508 guidelines. The USDA OCIO has made software tool licenses available to the agencies and staff offices to assist in this effort. This BPA will allow agencies and staff offices to acquire support services and training to make use of the software tools to assist in remediation activities and compliance process development, and to acquire additional tools, if required at a price equal to or less than previously USDA purchased tools.

USDA's goal is to make all of its web pages accessible to all Federal employees and all members of the public. If a new web page is now under development, or will be brought on-line or has a "major" update or refresh after June 21, 2001, then it must adhere to the Access Board's Section 508 web accessibility provisions, 36 C.F.R. Pt. 1194.22, unless doing so imposes a fundamental alteration or undue burden (defined above). In addition, all USDA programs and information contained on existing web pages, i.e., those in existence before June 21, 2001, also shall be made available to members of the public and federal employees in a way that does not discriminate against people with disabilities, consistent with our obligations under section 504 of the Rehabilitation Act. Organizations should make the best use of their resources to ensure that all USDA programs contained on these existing pages are available in a nondiscriminatory manner, and to test for and comply with the Access Board's web accessibility provisions to the extent that resources allow (beginning with the most popular web sites).

BPA Provisions

Estimated Amount: USDA estimates, but does not guarantee, that the volume of purchases of products, services and training through this BPA will be \$1,000,000.

Funds: This BPA does not obligate any funds.

Term and Renewal: This BPA shall take effect from September 24, 2001, and shall continue as long as the underlying Schedule terms held by Crunchy Technologies remain valid, or for a period of three years, whichever comes first. Either party may terminate this BPA without cause and without penalty upon 30 days written notice.

Authorized Buyers: The products, services and training offered to the Government under this BPA shall be available to all offices of USDA, including its cooperator and partner organizations and offices. Orders can be placed by any Contracting Officer in USDA or by any authorized purchase cardholder within their authority.

Principal Points of Contact: USDA has named Sherri Davis as the Contracting Officer (CO) for any issues concerning the meaning or scope of this BPA, order execution, tracking, and pricing; she may be contacted at (202) 720-8309. Tracey Ambeau is the USDA Contracting Officer's Representative (COR) for service and training task scheduling and management and may be contacted at (202) 720-6275. The CO and COR will function as the primary points of contact with Crunchy Technologies.

Covered Services: USDA seeks a range of both on-site and telephone professional services and training to assist the Department and its agencies and staff offices in meeting the requirements of Section 508 of the Rehabilitation Act as applicable to its wide variety of internet, intranet, and extranet web-based information pages and underlying applications. The professional services require include, but are not limited to:

- Project Planning — The development of detailed project tasks, milestones, schedules, and resource requirements for design and/or remediation activities.

- Requirements Analysis — The development of criteria and alternatives to conduct or assist agencies and staff offices in conducting remediation actions for existing web pages and applications, and in developing criteria and alternatives for the design and implementation of new web pages and applications.
- Application Design and Analysis — The development of design criteria, assessment methods, and compliancy processes to ensure successful implementation of new or remediated web pages and applications.
- Coding and Testing — The development of software programs and/or scripts to remediate or develop web pages and applications.
- Quality Assurance — The development of processes and/or methods to maintain on an on-going basis Section 508 compliancy of remediated or developed web pages and applications.
- Documentation — The development of procedures and/or guides in various media formats to assist web managers and content providers in ensuring Section 508 compliance of remediated or developed web pages and applications.
- Installation and Training — Install or assist in installing Section 508 compliancy software, and provide training on these software tools, developed scripts, and methods for accomplishing and maintaining Section 508 compliancy of web pages and applications.
- Helpdesk Support — Provide a minimum of 12x5 (6:00 a.m. to 6:00 p.m., Eastern Time) telephone access support to various points of contact by agency and staff office, to address problems, issues, and concerns relating to the software tools, developed scripts, and methods for accomplishing and maintaining Section 508 compliancy of web pages and applications. The Helpdesk support shall include a mechanism(s) or process for categorizing the severity of a problem, and an escalation process to handle problems of high severity and criticality to on-going, daily business functions.

Covered Products: USDA seeks a range of products to assist in the Section 508 management of its web sites as well as interoperability and efficiency. The covered products include, but are not limited to:

- PageScreamer
- PageScreamer Spider (efficiency tool)
- PageScreamer Central (management tool)
- PageScreamer Plug-In for Front Page (users of Microsoft FrontPage)

Deliverables: For each of the Covered Services, including support and training, and Covered Products identified above, deliverables appropriate to the service requested by an agency or staff office shall be provided. The scope, type, number, depth, schedule, format, and media of each deliverable shall be negotiated separately with each agency or staff office seeking support under this BPA and reflect the business needs, skill levels, and state and extent of remediation activities needed or new web pages and applications to be developed.

Terms: The terms and conditions included in this BPA apply to all purchases pursuant to it. In the event of an inconsistency between the provisions of this BPA and Crunchy Technologies' invoice, or any terms found on any USDA Purchase Order or Delivery Order, the provisions of this BPA shall govern.

Order Placement Information: Orders will be placed against this BPA via fax, credit card, or paper:

Pursuant to GSA Federal Supply Schedule Contract Number 45-3142-1-05262, Blanket Purchase Agreements, the Contractor agrees to the following terms of Blanket Purchase Agreement (BPA) EXCLUSIVELY WITH USDA:

The following contract services/products can be ordered under this BPA. All others placed against BPA are subject to the terms and conditions of the contract, except, except as noted below:

<u>ITEM (Model/Part Number or Type of Service)</u>	<u>SPECIAL BPA DISCOUNT/PRICE</u>
PageScreamer	\$218.25 (Credit Card) \$261.90 (Purchase Order)
PageScreamer Spider (efficiency tool)	\$1,911 (Credit Card) \$2,293 (Purchase Order)
PageScreamer Plug-In for Front Page	\$30.95 (Credit Card) \$33.95 (Purchase Order)

Professional Services – Special Pricing

Internet Project Manager - \$154.61 per hour
 Internet Senior Consultant - \$136.94 per hour
 Internet Consultant - \$119.27 per hour

Training

\$75 Per Person for 1 hour of Training (1-5 training classes)
 \$70 Per Person for 1 hour of Training (5-10 training classes)
 \$65 Per Person for 1 hour of Training (10+ training classes)

Support

Standard Support (included with all licenses)
 - 30 day installation support, 9am-5pm EST

Platinum Support

Platinum Pricing: \$50,000 for six months
 8 hours training for internal Help Desk personnel
 24x7 direct support for 3 users
 Priority 1 response within 2 hours
 Priority 2 response within 8 hours

Delivery:	
<u>DESTINATION</u>	<u>DELIVERY/SCHEDULE/DATES</u>
<u>SEE INDIVIDUAL ORDERS</u>	<u>SEE INDIVIDUAL ORDERS</u>

Unless otherwise agreed to, all deliveries under this BPA must be accompanied by delivery tickets or sales slips that must contain the following information as a minimum:

- (a) Name of Contractor;
- (b) Contract Number;
- (c) BPA Number;
- (d) Model Number or National Stock Number (NSN);
- (e) Task/Delivery Order Number
- (f) Date of Purchase
- (g) Quantity, Unit Price, and Extension of Each Item (unit prices and extensions need not be shown when incompatible with the use of automated systems; provided, that the invoice is itemized to show the information); and
- (h) Date of Shipment.

Invoicing and Payments: The requirements for a proper invoice are as specified in the Federal Supply Schedule Contract. Invoicing and credit card payments are both authorized. Invoices should be addressed to the contact person listed on the Delivery Order, and payment will be the responsibility of that office.

***IMPORTANT – A new feature to the Federal Supply Schedules Programs permits contractors to offer price reductions in accordance with commercial practice. Contractor Team Arrangements are permitted with Federal Supply Schedule contractors in accordance with FAR Subpart 9.6.**