



U.S. General Services Administration

Federal Acquisition Service

Understanding Interagency Acquisition and Ordering from Federal Supply Schedules



U.S. General Services Administration

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Agency Statutory and Regulatory Requirements



- All orders must be consistent with relevant local policy
- Ordering activity has ultimate responsibility for compliance
- Seek legal advice for conflicts between requirements and regulations



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Interagency Acquisition

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What Is an Interagency Acquisition?

Interagency acquisition means a procedure by which an agency needing supplies or services (the requesting agency) obtains them from another agency (the servicing agency), by an assisted acquisition or a direct acquisition.

The term includes:

- Economy Act acquisitions (31 U.S.C. 1535)
- Non-Economy Act acquisitions completed under other statutory authorities
- All GSA contracts are Non-Economy Act

Types of Interagency Acquisitions

Direct Acquisition means the agency with the requirement places an order directly against the servicing agency's Indefinite Delivery Vehicle (IDV)

Assisted Acquisition means the servicing agency and requesting agency enter into an interagency agreement pursuant to which the servicing agency performs acquisition activities on the requesting agency's behalf, such as awarding a contract, task order, or delivery order

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Presumption of Best Interest to the Government

Agencies may presume that direct acquisitions made by qualified individuals are in the best interest of the Government if the vehicle was established under the:

- Federal Strategic Sourcing Initiative (FSSI)
- Federal Supply Schedules Program (FSS)
- Governmentwide Acquisition Contracts (GWACs)

*Reference OMB Memorandum, Subject: Improving the Management and Use of Interagency Acquisitions, Dated June 6, 2008

Interagency Contract Defined

- Most interagency acquisition contracts fit one of three categories:
 - Governmentwide Acquisition Contracts (GWACs)
 - Multi-Agency Contracts (MACs)
 - Federal Supply Schedules (FSS)

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What is a GWAC?

- A Governmentwide Acquisition Contract (GWAC) is defined as a task or delivery order contract for information technology
- Authority: Section 5112(e) of the Clinger-Cohen Act (40 USC 1412[e])
- Office of Management and Budget designates one or more "executive agents" for government-wide acquisitions of information technology
- Current Executive Agents:
 - **General Services Administration**
 - **NASA**
 - **National Institutes of Health**

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What is a MAC?

- A multi-agency contract (MAC) is a task-order or delivery-order contract established by one agency for use by other Government agencies to obtain supplies and services
- MACs include contracts for information technology established pursuant to 40 U.S.C. 11314(a)(2)
- MAC contracts may be for other than information technology
- Ordering procedures prescribed by FAR 16.5
- Orders are subject to the Economy Act
 - Exception to the Economy Act requirements for MACs: GSA OASIS
 - GSA has specific statutory authority under 40 U. S. C. 501 to purchase supplies and non-personal services on behalf of other agencies. Therefore, the Economy Act does not apply to OASIS orders.

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What is a Federal Supply Schedule?

- Governmentwide contract vehicle for commercial products, services, and solutions
 - AKA: “Multiple Award Schedules (MAS),” “GSA Schedules,” or “VA Schedules”
- Standing solicitations posted on FedBizOpps
- Awarded using FAR Part 12 procedures
- Ordering procedures prescribed by FAR 8.4
 - Orders not subject to the Economy Act



What are the Proper Procedures for using Interagency Contracts?

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Interagency Acquisitions – FAR Basics

- FAR 17.5 – Interagency Acquisitions
- Applies to all interagency acquisitions except – Federal Supply Schedule orders <\$550,000
 - However, most agencies have issued local policy implementing these requirements at the SAT
 - See DFARS 217.770 for DOD rules
- Agencies shall not use Interagency Acquisition to circumvent conditions and limitations on the use of funds
- Requires Best Procurement Approach Determination
 - This is not a D&F
 - See DPAP Memo on the “Proper Use of GSA Federal Supply Schedule Contracts – A Reminder,” dated July 31, 2015.

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Interagency Acquisitions – FAR Basics (cont) For DOD...FAR 17.7 (Assisted Acquisitions)

- FAR 17.7 – Interagency Acquisitions: Acquisitions by Nondefense Agencies on Behalf of the Department of Defense
 - AKA: Assisted Acquisition or “Offloading”

- Applies to all acquisitions made by nondefense agencies on behalf of DoD in addition to FAR 17.5

- Nondefense agency certifications, waivers, and additional information are available at http://www.acq.osd.mil/dpap/cpic/cp/interagency_acquisition.html

Interagency Acquisitions – The DFARS

217.770

(a) Evaluate whether using a non-DoD contract for the acquisition is in the best interest of DoD. Factors to be considered include –

- (1) Satisfying customer requirements
- (2) Schedule
- (3) Cost effectiveness (taking into account discounts and fees)
- (4) Contract administration (including oversight)

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Interagency Acquisitions – The DFARS (cont)

217.770 –

(b) Determining that the tasks to be accomplished or supplies to be provided are within the scope of the contract to be used

(c) Reviewing funding to ensure that it is used in accordance with appropriation limitations

(d) Collecting and reporting data on the use of assisted acquisition for analysis. Follow the reporting requirements in subpart [204.6](#).

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Using Interagency Contracts Simplifies the Acquisition Process

Orders Placed against Interagency Contracts are streamlined, which creates faster, easier, more efficient orders and helps ordering activities achieve socioeconomic goals.

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Using Interagency Contracts Simplifies the Acquisition Process

Faster - Offers administrative and time savings over establishing a new contract

- Contracts are pre-competed – “Full and Open” requirements met
- Terms and Conditions already in place
- Ordering activity may add non-conflicting terms and conditions
- Orders do not require:
 - Publication on FedBizOpps
 - Sub-contracting plans

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Using Interagency Contracts Simplifies the Acquisition Process

Easier – Streamlined ordering process

- GWACs/MACs use methods described in FAR 16.505
 - The contracting officer may exercise broad discretion in developing appropriate order placement procedures
- Federal Supply Schedules use methods described in FAR 8.4
- FAR 15.3 procedures (including terminology) should not be used

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Using Interagency Contracts Simplifies the Acquisition Process

Efficient – Ordering

- GWACs / MACs generally allow all order types (see specific contract vehicle)
- Schedules allow firm-fixed-price, T&M, and labor hour
- Ordering Activity determines timelines for:
 - Submission
 - Evaluation
 - Award

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Using Interagency Contracts Simplifies the Acquisition Process

➤ Efficient - Pricing

➤ Schedules

- Fair and reasonable prices have already been negotiated
- DOD and NASA Deviations
- Discounts may be realized at order level
 - (Government must seek a discount when exceeding the SAT and may seek a discount below the SAT)

➤ GWACs / MACs

- See specific GWAC for pricing --
 - Generally use the policies and methods in FAR 15.4



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Using Interagency Contracts Simplifies the Acquisition Process

Socioeconomic Goals

- Small Business strongly supported through Interagency vehicles:
 - Ordering activity receives socioeconomic credit for orders placed
 - SBA is on the Strategic Sourcing Leadership Council

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Using Interagency Contracts Simplifies the Acquisition Process

Socioeconomic Goals (cont)

- GWAC set-aside contract vehicles:
 - GSA Alliant Small Business
 - GSA 8(a) STARS II
 - GSA VETS
 - NIH CIOSP3

- Ordering activity may conduct discretionary set asides within GWAC pool

- Federal Supply Schedules – ordering activity may conduct discretionary set-asides

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Popular Interagency Contracts

- GSA Schedules
- GSA GWACs (Alliant, VETS, 8a STARS II)
- GSA OASIS
- NIH CIO SP3
- Army CHES
- NASA SEWP
- Navy SeaPort-e

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Helpful Sites

- https://www.whitehouse.gov/omb/procurement_index_interagency_acq/
- http://www.acq.osd.mil/dpap/cpic/cp/interagency_acquisition.html
- https://www.whitehouse.gov/sites/default/files/omb/assets/procurement/iac_revised.pdf
- https://www.whitehouse.gov/sites/default/files/omb/procurement/reports/IA_Report_2010-08-24.pdf

