

Contract Formation

Activity 13: Interagency Acquisitions

Procedures by which an agency needing supplies or services (the requesting agency) obtains them through another federal government agency (the servicing agency).

Related Flow Charts: [Flow Chart 13](#)

Related Courses: [FAC 034 - Interagency Acquisition: Realizing the Value](#)

Related Tools: [GSA Assisted Acquisition Services \(AAS\)](#)

Part A: Interagency Acquisitions Overview

Tasks	FAR Reference(s)	Additional Information
1. Determine the appropriate interagency acquisition method to use for the requirement—a direct acquisition or an assisted acquisition.	FAR 17.502-1(a) Determination of the best procurement approach [general].	<p>An agency must make a determination that the use of an interagency acquisition represents the best procurement approach.</p> <p>For an assisted acquisition, prior to requesting that another agency conduct an acquisition on their behalf, the requesting agency's contracting office must make a determination that using the acquisition services of another agency meets the following criteria:</p> <ul style="list-style-type: none">• Ensures that the products or services are procured on schedule;• Performance, and delivery requirements are met;• The cost is reasonable (considering the reasonableness of the servicing agency's fees); and• The funds will be used in accordance with appropriation limitations and requesting agency's laws and policies. <p>For a direct acquisition, prior to placing an order directly against another agency's indefinite-delivery vehicle (IDV), the requesting agency must make a determination that use of another agency's contract vehicle is the best procurement approach based on the</p>

Tasks	FAR Reference(s)	Additional Information
		<p>following factors:</p> <ul style="list-style-type: none"> • Is the contract vehicle's suitability; • Is there a cost savings to using this contract vehicle; • What are the number of vendors; • Are the access fees for using this contract vehicle reasonable; and • Does the requesting agency's have expertise in placing orders and administering them against the selected contract vehicle? <p>Interagency acquisitions will result in a FAR contract action, either as a direct or an assisted acquisition.</p>
<p>1a. Determine if an assisted acquisition is the appropriate interagency acquisition method for the requirement.</p>	<p>FAR 17.502-1(a)(1) Assisted acquisitions [determination of best procurement approach].</p>	<p>The assisted acquisition method entails one agency (the requesting agency) requesting another agency (the servicing agency) conduct an acquisition on its behalf. In an assisted acquisition, the servicing agency and requesting agency enter into an interagency agreement.</p> <p>The servicing agency may charge a "fee for service" which may be a percentage of the contract value or itemized charges from a menu of services.</p>
<p>1b. Determine if a direct acquisition is the appropriate interagency acquisition method for the requirement.</p>	<p>FAR 17.502- 1(a)(2) Direct acquisition [determination of best procurement approach].</p>	<p>A direct acquisition entails one agency (the requesting agency) placing an order against another agency's indefinite-delivery vehicle.</p> <p>Direct acquisitions allow for the requesting agency to order against existing contract vehicles created for government-wide use. The servicing agency may charge a vehicle access fee, sometimes referred to as the industrial funding fee. Industrial funding fees may be incorporated into the contractor's rates.</p>

Part B: Assisted Acquisitions

Tasks	FAR Reference(s)	Additional Information
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Tasks	FAR Reference(s)	Additional Information
<p>1. As the requesting agency, determine whether or not the assisted acquisition is subject to the policies and procedures in FAR Subpart 17.5—Interagency Acquisitions.</p>	<p>FAR 17.500 Scope of subpart [interagency acquisitions].</p>	<p>The policies and procedures in FAR Subpart 17.5—Interagency Acquisitions are applicable to all interagency acquisitions <i>under any authority</i> except for:</p> <ul style="list-style-type: none"> • Interagency reimbursable work performed by federal employees (other than acquisition assistance), or interagency activities where contracting is incidental to the purpose of the transaction; or • Orders of \$500,000 or less issued against Federal Supply Schedules.
<p>2a. If the assisted acquisition is subject to the policies and procedures in FAR Subpart 17.5—Interagency Acquisitions, as the requesting agency, determine if the assisted acquisition is subject to the Economy Act.</p>	<p>31 U.S.C. §1535 Agency agreements. FAR 17.502-2 The Economy Act [procedures].</p>	<p>The Economy Act is based upon the U.S Code that authorizes agencies to enter into agreements to obtain supplies or services from another agency. The FAR applies when one agency uses another agency’s contract to obtain supplies or services. If the interagency business transaction does not result in a contract or an order, then the FAR does not apply. The Economy Act also provides authority for placement of orders between major organizational unites within an agency. The Economy Act applies when more specific statutory authority does not exist.</p> <p>Use the Economy Act when doing so would be more economical than contracting directly with a private source. An example of an Economy Act order is when FAI provides funds to the Department of Interior’s National Business Center at Fort Huachuca to utilize an existing contract for security fencing.</p>

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<p>2a(i). As the requesting agency, if the assisted acquisition is subject to the Economy Act, prepare a determination and findings (D&F).</p>	<p>FAR 17.502-2(c) Requirements for determinations and findings [The Economy Act].</p>	<p>A D&F for an Economy Act order to obtain supplies or services by interagency acquisition must:</p> <ul style="list-style-type: none"> • State that use of an interagency acquisition is in the best interest of the Government; • State that the supplies or services cannot be obtained conveniently or economically by contracting directly with a private source; and • Include a statement that at least one of the following circumstances applies: <ul style="list-style-type: none"> ○ The acquisition will appropriately be made under an existing contract of the servicing agency, entered into before placement of the order, to meet the requirements of the servicing agency for the same or similar supplies or services. ○ The servicing agency has the capability or expertise to enter into a contract for such supplies or services that is not available within the requesting agency. ○ The servicing agency is specifically authorized by law or regulation to purchase such supplies or services on behalf of other agencies.
<p>2a(ii). As the requesting agency, obtain approval of the D&F from the authorized requesting agency official.</p>	<p>FAR 17.502-2(c)(2) Requirements for determinations and findings [The Economy Act].</p>	<p>The D&F must be approved by a contracting officer of the requesting agency or by another official designated by the agency head. If the servicing agency is not covered by the FAR, approval of the D&F may not be delegated below the senior procurement executive of the requesting agency.</p>
<p>2a(iii). As the requesting agency, furnish a copy of the approved D&F to the servicing agency.</p>	<p>FAR 17.502-2(c)(3) Requirements for determinations and findings [The Economy Act].</p>	<p>The requesting agency must furnish a copy of the D&F to the servicing agency with the request for order.</p>

Tasks	FAR Reference(s)	Additional Information
<p>2a(iv). As the requesting and servicing agencies, determine how payment for the goods and services will be handled.</p>	<p>FAR 17.502-2(d) Payment [The Economy Act].</p>	<p>The servicing agency may request in writing that the requesting agency provide advance payment for all or part of the estimated cost for the supplies or services.</p> <p>If approved by the servicing agency, payment for actual costs may be made by the requesting agency after the supplies or services have been furnished.</p> <p>Requests for advance payment will not be subject to audit or certification.</p> <p>Under no circumstances should the servicing agency require, or the requesting agency pay, any fee or charge in excess of the actual cost (or estimated cost if the actual cost is not known) of entering into and administering the contract or other agreement under which the order is filled.</p>
<p>2b. As the requesting agency, if the assisted acquisition is subject to the policies and procedures in FAR Subpart 17.5—Interagency Acquisitions, prepare a D&F that supports the assisted acquisition method as the best procurement approach.</p>	<p>FAR 15.02-1(a)(1) Assisted acquisitions [determination of the best procurement approach].</p>	<p>At a minimum, the D&F must include an analysis of procurement approaches, including an evaluation by the requesting agency that using the acquisition services of another agency:</p> <ul style="list-style-type: none"> • Satisfies the requesting agency’s schedule, performance, and delivery requirements (taking into account factors such as the servicing agency’s authority, experience, and expertise as well as customer satisfaction with the servicing agency’s past performance); • Is cost effective (taking into account the reasonableness of the servicing agency’s fees); and • Will result in the use of funds in accordance with appropriation limitations and compliance with the requesting agency’s laws and policies.
<p>2c. As the requesting agency, obtain concurrence for the D&F from the responsible requesting agency contracting office in accordance with internal agency procedures.</p>	<p>FAR 15.02-1(a)(1) Assisted acquisitions [determination of the best procurement approach].</p>	

Tasks	FAR Reference(s)	Additional Information
2d. In the case where the servicing agency is required to award a contract, as the servicing agency, determine if a justification and approval (J&A) or any other D&F is required by law or regulation.	FAR 17.503(d)(1) Ordering procedures [interagency acquisitions].	If a justification and approval or a D&F (other than the requesting agency's D&F required in FAR 17.502-2(c)) is required by law or regulation, the servicing agency must execute and issue the J&A or D&F. The requesting agency must furnish the servicing agency any information needed to make the J&A or D&F.
2e. Develop the interagency agreement (IA) for the assisted acquisition.	FAR 17.502-1(b)(1)(i) Assisted acquisitions [written agreement on responsibility for management and administration].	<p>All assisted acquisitions must be supported by an interagency agreement. An interagency agreement has two purposes:</p> <ul style="list-style-type: none"> • Establishes the general terms and conditions, fees, administration, management, ordering requirements; and • Provides required information to demonstrate a bona fide need and authorize the transfer and obligation of funds. <p>This written interagency agreement should be signed prior to the release of the solicitation.</p>
3a(i). Prepare the general terms and conditions of the IA in partnership with the selected servicing agency.	<p>FAR 17.502-1(b)(1)(i) Assisted acquisitions [written agreement on responsibility for management and administration].</p> <p><i>Memorandum for Chief Acquisition Officers, Senior Procurement Executives, Improving the Management and Use of Interagency Acquisitions, Office of Federal Procurement Policy, June 6, 2008.</i></p>	<p>All assisted acquisitions must be supported by an IA. An IA consists of two key parts—Part A: general terms and conditions, and Part B: requirements and funding information.</p> <ul style="list-style-type: none"> • The general terms and conditions govern the relationship between the requesting agency and the servicing agency, including roles and responsibilities for acquisition planning, contract execution, and administration and management of the contract(s) or order(s). <p>Part A becomes effective when it is signed by authorizing officials of both the requesting and servicing agencies or such alternate date as specified in the agreement.</p> <p>However, a fiscal obligation is not created until the parties execute Part B, which requires the requesting agency to describe a bona fide need and to prepare funding documentation, which must then be accepted by the servicing agency.</p>

Tasks	FAR Reference(s)	Additional Information
3a(ii). The servicing and requesting agencies must complete Part A (general terms and conditions) of the interagency agreement.	<i>Memorandum for Chief Acquisition Officers, Senior Procurement Executives, Improving the Management and Use of Interagency Acquisitions</i> , Office of Federal Procurement Policy, June 6, 2008.	<p>Listed below are the elements in Part A of the agreement with a brief explanation.</p> <ul style="list-style-type: none"> • The Purpose section of the interagency agreement describes the terms and conditions that govern the provision of acquisition assistance between the requesting and servicing agencies. • The Authority section of the interagency agreement allows the agencies to select the appropriate statutory laws to follows such as the Economy Act, Franchise Fund or Other. • The Identifier section of the interagency agreement list relevant documents, such as funding documents, to provide acquisition assistance. • The scope section of the interagency agreement identifies the organizations that may request assistance, the organizations that may provide assistance, general types of services and/or products, and list any restrictions. • The period of performance section of the interagency agreement identifies the period during which assistance may be provided. • The roles & responsibilities establish the responsibilities and roles of the requesting and servicing agencies. • The billing and payment section of the interagency agreement classifies the billing and payment terms. • The small business credit section ascertains that the requesting agency will receive socio-economic credit where applicable. • The contract termination, disputes, and protest section of the agreement defines party's responsibilities associated with aforementioned subject. • The receiving and servicing agencies must acknowledge to review Part A of the agreement at least annually if it exceeds one year. • The Amendment section of the agreement describes the process for modifying the terms or conditions in Part A. • The Termination section of the agreement addresses the rights of the servicing and requesting agencies to terminate.

Tasks	FAR Reference(s)	Additional Information
<p>3a(iii). Provide to the servicing agency any unique terms, conditions, and applicable agency-specific statutes, regulations, directives, and other applicable requirements for incorporation into the statement of work (SOW), statement of objectives (SOO), performance work statement (PWS), or specifications for products.</p>	<p>FAR 17.502-1(b)(1)(i) Assisted acquisitions [written agreement on responsibility for management and administration].</p> <p><i>Memorandum for Chief Acquisition Officers, Senior Procurement Executives, Improving the Management and Use of Interagency Acquisitions</i>, Office of Federal Procurement Policy, June 6, 2008.</p>	<p>In the event there are no agency-unique requirements beyond the FAR, the requesting agency must inform the servicing agency contracting officer in writing.</p>
<p>3a(iv). Develop quality assurance requirements for the contract where required,</p>	<p><i>Memorandum for Chief Acquisition Officers, Senior Procurement Executives, Improving the Management and Use of Interagency Acquisitions</i>, Office of Federal Procurement Policy, June 6, 2008.</p>	<p>Assist the servicing agency in developing the quality assurance surveillance plan (QASP), where required, including identification of the work requiring surveillance and the method of surveillance.</p>

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<p>3b. The servicing and requesting agencies must complete Part B (requirements and funding) of the interagency agreement.</p>	<p><i>Memorandum for Chief Acquisition Officers, Senior Procurement Executives, Improving the Management and Use of Interagency Acquisitions, Office of Federal Procurement Policy, June 6, 2008.</i></p>	<p>Listed below are the elements in Part B of the agreement with a brief explanation.</p> <ul style="list-style-type: none"> • The Purpose section of Part B of the interagency agreement explains that the purpose of Part B is to provide requirements and funding information. • The Authority section of Part B of the interagency agreement identifies the legal authority that the servicing agency is using to conduct the acquisition on behalf of the requesting agency. • The Part B Identifier section of the interagency agreement provides common agreement number on relevant documents. • The general terms and conditions section of Part B of the interagency agreement describes the terms & conditions applicable to the actions taken under Part B. Terms & conditions either should be incorporated by reference to Part A or attached. • The project title section of Part B of the interagency agreement discusses the project and the Requesting Agency requirements to ensure that both are met through the assisted acquisition. • The description of the products or services section in Part B of the interagency agreement describes the goods or services being procured. • The projected milestones section of Part B of the interagency agreement lists the project and acquisition milestones. • The payment and billing section of the agreement explains the obligations for payment of contractor invoices and servicing agency fees. • The description of the acquisition assistance section of the agreement provides a brief summary of the services that the servicing agency will be providing to the requesting agency in connection with planning, executing, and/or managing the acquisition and/or contract oversight and close-out. • The fee section of the agreement describes the fees that will be assessed by the servicing agency. • The obligation amount of the agreement list the obligated amount for specified bona fide needs.

Tasks	FAR Reference(s)	Additional Information
3c. As the requesting and servicing agencies, review the draft requirements and the funding information for the IA.	<i>Memorandum for Chief Acquisition Officers, Senior Procurement Executives, Improving the Management and Use of Interagency Acquisitions</i> , Office of Federal Procurement Policy, June 6, 2008.	<p>The requesting agency provides:</p> <ul style="list-style-type: none"> • A description of the products or services required and the acquisition activities to be performed by the servicing agency that is adequate to demonstrate a bona fide need and can be recorded as an obligation; • Information on performance or delivery requirements along with projected milestones; • Data required for the proper transfer and obligation of funds; and • Information on any agency-unique acquisition restrictions or limitations applicable to the funding being provided.
3d. As the servicing agency, finalize the SOW, SOO, PWS, or specifications for products in partnership with the requesting agency.	<i>Memorandum for Chief Acquisition Officers, Senior Procurement Executives, Improving the Management and Use of Interagency Acquisitions</i> , Office of Federal Procurement Policy, June 6, 2008.	
4. As the requesting and servicing agencies, obtain concurrence on the interagency agreement.	<i>Memorandum for Chief Acquisition Officers, Senior Procurement Executives, Improving the Management and Use of Interagency Acquisitions</i> , Office of Federal Procurement Policy, June 6, 2008.	When required information has been provided, including certification by requesting agency official, signature by the requesting agency establishes that funds are legally available, that all unique procurement and funding requirements have been disclosed and internal reviews have been completed. Signature by both the requesting agency and the servicing Agency creates an obligation for the requesting agency.
5. As the requesting and servicing agencies, agree to procedures for the resolution of disagreements that may arise.	FAR 17.503(c) Ordering procedures [interagency acquisitions].	If a third party is proposed, consent of the third party should be obtained in writing.

Tasks	FAR Reference(s)	Additional Information
6. As the requesting agency, place the order on any form or document that is acceptable to both agencies.	FAR 17.503(b) Ordering procedures [interagency acquisitions].	<p>The order may be placed on any form or document that is acceptable to both agencies. The order should include-</p> <ul style="list-style-type: none"> • A description of the supplies or services required; • Delivery requirements; • A funds citation; • A payment provision; and • Acquisition authority as may be appropriate. <p>The standard IAA consists of two forms issued by FMS – Form 7600A, which sets forth General Terms and Conditions (GT&C), and Form 7600B, which sets forth specific Order Requirements and Funding Information (Order).</p>

Tasks	FAR Reference(s)	Additional Information
<p>7. As the requesting and servicing agencies, determine that prices to be paid for contracted goods or services are fair and reasonable.</p>	<p><i>Memorandum for Chief Acquisition Officers, Senior Procurement Executives, Improving the Management and Use of Interagency Acquisitions, Office of Federal Procurement Policy, June 6, 2008.</i></p>	<p>Appoint source selection authority and source evaluation board; ensure proposals are evaluated in an impartial manner based solely on the factors in the solicitation. Ensure award decisions are properly documented and represent the best value to the government.</p> <p>For the technical evaluation, the requesting agency may:</p> <ul style="list-style-type: none"> • Attend oral presentation and technical evaluation discussions. • Conduct or assist with technical evaluations of proposals. • Review the evaluation plan and generally have representation on the source evaluation board. • Provide the correct funding agency code needed for accurate reporting to the Federal Procurement Data System-Next Generation (FPDS-NG). <p>For the technical evaluation, the servicing agency may:</p> <ul style="list-style-type: none"> • Appoint the source selection authority and the source evaluation board. • Ensure source evaluations are conducted fairly and proposals are evaluated solely on the factors and subfactors in the solicitation. • Ensure award decisions are properly documented, including the rationale for any tradeoffs made or relied on by the source selection authority. • Consult with the Requesting Agency prior to making a final decision. • Execute the award decision and debrief offerors as necessary. • Ensure the funding agency code provided by the Requesting Agency is entered into FPDS-NG.

Tasks	FAR Reference(s)	Additional Information
8. As the requesting agency, provide necessary resources for technical evaluation of proposals or quotes.	<i>Memorandum for Chief Acquisition Officers, Senior Procurement Executives, Improving the Management and Use of Interagency Acquisitions</i> , Office of Federal Procurement Policy, June 6, 2008.	<p>The requesting agency responsibility is to provide input to the servicing agency to assist in determination of whether proposed contract prices are fair and reasonable.</p> <p>The servicing agency responsibility is to ensure that price reasonableness and best value determination is conducted and documented at time of award. Request and consider any input from the requesting agency, including its independent cost estimate, if one was prepared.</p>

Part C: Direct Acquisitions

Tasks	FAR Reference(s)	Additional Information
1. As the requesting agency, determine whether or not the direct acquisition is subject to the policies and procedures in FAR Subpart 17.5—Interagency Acquisitions.	FAR 17.500 Scope of subpart [interagency acquisitions].	<p>The policies and procedures in FAR Subpart 17.5—Interagency Acquisitions are applicable to all interagency acquisitions under any authority except for:</p> <ul style="list-style-type: none"> • Interagency reimbursable work performed by federal employees (other than acquisition assistance), or interagency activities where contracting is incidental to the purpose of the transaction; or • Orders of \$500,000 or less issued against Federal Supply Schedules.
2. If the direct acquisition is subject to the policies and procedures in FAR Subpart 17.5—Interagency Acquisitions, as the requesting agency, determine if the direct acquisition is subject to the Economy Act.	31 U.S.C. §1535 Agency agreements. FAR 17.502-2 The Economy Act [procedures].	<p>The Economy Act is based upon the U.S Code that authorizes agencies to enter into agreements to obtain supplies or services from another agency. The FAR applies when one agency uses another agency’s contract to obtain supplies or services. If the interagency business transaction does not result in a contract or an order, then the FAR does not apply. The Economy Act also provides authority for placement of orders between major organizational units within an agency. The Economy Act applies when more specific statutory authority does not exist.</p> <p>Use the Economy Act when doing so would be more economical than contracting directly with a private source. An example of an Economy Act order is when FAI provides funds to the Department of Interior’s National Business Center at Fort Huachuca to utilize an existing contract for security fencing.</p>

Tasks	FAR Reference(s)	Additional Information
<p>2a(i). As the requesting agency, if the direct acquisition is subject to the Economy Act, prepare a determination and findings (D&F).</p>	<p>FAR 17.502-2(c) Requirements for determinations and findings [The Economy Act].</p>	<p>A D&F for an Economy Act order to obtain supplies or services by interagency acquisition must:</p> <ul style="list-style-type: none"> • State that use of an interagency acquisition is in the best interest of the Government; • State that the supplies or services cannot be obtained conveniently or economically by contracting directly with a private source; and • Include a statement that at least one of the following circumstances applies: <ul style="list-style-type: none"> ○ The acquisition will appropriately be made under an existing contract of the servicing agency, entered into before placement of the order, to meet the requirements of the servicing agency for the same or similar supplies or services. ○ The servicing agency is specifically authorized by law or regulation to purchase such supplies or services on behalf of other agencies.
<p>2a(ii). As the requesting agency, obtain approval of the D&F from the authorized requesting agency official.</p>	<p>FAR 17.502-2(c)(2) Requirements for determinations and findings [The Economy Act].</p>	<p>The D&F must be approved by a contracting officer of the requesting agency or by another official designated by the agency head. If the servicing agency is not covered by the FAR, approval of the D&F may not be delegated below the senior procurement executive of the requesting agency.</p>
<p>2a(iii). As the requesting agency, furnish a copy of the approved D&F to the servicing agency.</p>	<p>FAR 17.502-2(c)(3) Requirements for determinations and findings [The Economy Act].</p>	<p>The requesting agency must furnish a copy of the D&F to the servicing agency with the request for order.</p>

Tasks	FAR Reference(s)	Additional Information
<p>2a(iv). As the requesting and servicing agencies, determine how payment for the goods and services will be handled.</p>	<p>FAR 17.502-2(d) Payment [The Economy Act].</p>	<p>The servicing agency may request in writing that the requesting agency provide advance payment for all or part of the estimated cost for the supplies or services.</p> <p>If approved by the servicing agency, payment for actual costs may be made by the requesting agency after the supplies or services have been furnished.</p> <p>Requests for advance payment will not be subject to audit or certification.</p> <p>Under no circumstances should the servicing agency require, or the requesting agency pay, any fee or charge in excess of the actual cost (or estimated cost if the actual cost is not known) of entering into and administering the contract or other agreement under which the order is filled.</p>
<p>2b(i). As the requesting agency, if the direct acquisition is subject to the policies and procedures in FAR Subpart 17.5—Interagency Acquisitions, prepare a D&F that supports the use of another agency's contract vehicle as the best procurement approach.</p>	<p>FAR 17.502-1(a)(2) Direct acquisitions [determination of the best procurement approach].</p>	<p>A D&F for direct acquisitions, at a minimum, must include an analysis, including factors such as:</p> <ul style="list-style-type: none"> • The suitability of the contract vehicle; • The value of using the contract vehicle, including lower prices, greater number of vendors, and reasonable vehicle access fees; and • The expertise of the requesting agency to place orders and administers them against the selected contract vehicle throughout the acquisition lifecycle.
<p>2b(ii). As the requesting agency, obtain concurrence from the requesting agency's responsible contracting office.</p>	<p>FAR 17.502-1(a)(2) Direct acquisitions [determination of the best procurement approach].</p>	<p>The D&F must be approved by a contracting officer of the requesting agency or by another official designated by the agency head.</p>
<p>3. As the requesting and servicing agencies, agree to procedures for the resolution of disagreements that may arise.</p>	<p>FAR 17.503(c) Ordering procedures [interagency acquisitions].</p>	<p>If a third party is proposed, consent of the third party should be obtained in writing.</p>

Tasks	FAR Reference(s)	Additional Information
<p>4. Place the order on any form or document that is acceptable to both agencies.</p>	<p>FAR 17.503(b) Ordering procedures [interagency acquisitions].</p>	<p>The order may be placed on any form or document that is acceptable to both agencies. The order should include—</p> <p>A description of the supplies or services required;</p> <ul style="list-style-type: none"> • Delivery requirements; • A funds citation; • A payment provision for Economy Act orders; and • Acquisition authority.