MEMORANDUM FOR ALL GSA CONTRACTING ACTIVITIES

FROM: JOSEPH A. NEURAUTER
SENIOR PROCUREMENT EXECUTIVE (MV)

SUBJECT: Use of Non-GSA Contracts and Assisted Acquisition Services

1. Purpose. This Acquisition Letter provides guidance in the limited circumstances when GSA seeks to use other agencies' contract vehicles or assisted acquisition services. GSA primarily services requesting agencies' needs through GSA contracts and GSA-assisted services but there are times when it is in GSA's best interest to use other agencies' contracts or assisted acquisition services.

2. Effective Date. This Acquisition Letter is in effect upon signature and remains in effect until incorporated into the GSAM.

3. Applicability. This Acquisition Letter applies to the acquisition workforce and approving officials when GSA:

   1. Places an order against another agency's indefinite delivery contract vehicle (direct acquisitions); or,
   2. Requests another agency to conduct an acquisition on its behalf (assisted acquisitions).

FAR Subpart 17.5 sets forth the requirements for non-Economy Act (FAR 17.502-1), Economy Act (FAR 17.502-2) and ordering procedures (FAR 17.502-3) for interagency transactions. GSA primarily operates under the authority of the Federal Property and Administrative Services Act of 1949. However, in rare circumstances, the Economy Act is the proper authority.
4. **Instruction.** FAR 17.502-1 requires Contracting Officers (CO) to make a
determination of the best procurement approach when using other agency contract
vehicles or assisted acquisition services to meet its requirements. The best
procurement approach determination must meet the minimum requirements outlined
in FAR 17.502-1 with sufficient rationale to support the decision.

If a direct acquisition or an assisted acquisition of an agency other than GSA has
been determined to be the best procurement approach, the determination shall be
documented in the acquisition plan under FAR 7.105(b)(1), Sources. FAR requires
concurrence by the responsible contracting office. The approving officials and
thresholds for acquisition plans listed in GSAM 507.105 (c) meets the concurrence
requirements of FAR 17.502-1. Approving officials shall scrutinize the plans to
ensure the decision is sound and consistent with all rules governing interagency
acquisitions.

Prior to conducting a direct acquisition:
- Ensure the scope, ordering procedures and administration duties connected
  with the non-GSA contract vehicle are fully understood; and,
- Take any necessary training required by the agency responsible for the
  contract.

For assisted acquisitions, a properly executed Interagency Agreement (IA) must be
executed between GSA and the servicing agency in accordance with FAR 17.502-
1(b)(1)(i) and the Office of Federal Procurement Policy Memorandum (OFPP),
*Guidance for Improving the Management and Use of Interagency Acquisition*
(June 6, 2008).

While FAR 17.502-1 applies to non-Economy Act authorities, FAR 17.502-2 requires
a formal Determination and Finding (D&F) for interagency acquisitions pursuant to
the authority of the Economy Act. For those rare circumstances when Economy Act
applies, the acquisition workforce should work with legal counsel in preparing the
D&F. Note: FAR 17.503(a) requires following the procedures listed in both FAR
17.502-1 and FAR 17.502-2 for Economy Act acquisitions, including the best
procurement approach determination. If the servicing agency is not covered by the
Federal Acquisition Regulation, FAR 17.502-2 (c)(2) requires Senior Procurement
Executive (SPE) approval of the D&F. For Economy Act transactions, the D&F shall
be attached to the Acquisition Plan (AP).

5. **Training.** Contracting and program personnel involved in interagency acquisitions
should take the half-hour, non CLP training (FAC 034) offered by the Federal
Acquisition Institute ([www.fai.gov](http://www.fai.gov)).
6. **Further Information.** Interagency acquisitions are discussed in detail under FAR Part 17.5. Requirements for both servicing and requesting agencies can be found in the OFPP Memorandum dated June 6, 2008, *Improving the Management and Use of Interagency Acquisitions.*

7. **Point of Contact:** Please contact Ms. Deborah Eble of the General Services Acquisition Policy Division at 215-446-5823 or at deborah.eble@gsa.gov.

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