MEMORANDUM OF AGREEMENT (MOA)
BETWEEN
DEPARTMENT OF DEFENSE
AND
GENERAL SERVICES ADMINISTRATION

BACKGROUND: The General Services Administration (GSA) is charged by statute to provide real property, personal property and services to all federal agencies. The services provided by GSA are not subject to the Economy Act, they are provided under the authority of the Federal Property and Administrative Services Act of 1949 (FPASA). Some of the services provided by GSA are mandatory sources of supply, most are not. The Department of Defense (DoD) is the single largest customer of GSA. DoD utilizes all of GSA's contract vehicles and services. There has never been an agreement between DoD and GSA on the roles and responsibilities of each respective agency in terms of providing services or in using the services provided. This MOA and Action Plan identify roles and responsibilities for both DoD and GSA. Much of what is set forth below reflects work that has already begun, this document memorializes those actions.

OBJECTIVE: DoD and GSA share a single objective of providing best value goods and services, in a timely manner, in support of the warfighter. To achieve this objective both DoD and GSA agree that we must achieve Acquisition Excellence.

AGREEMENT: In order to achieve Acquisition Excellence, DoD and GSA agree to work together to:

1. Ensure that sole source justifications are adequate when used in connection with a contract or order either issued by DoD or by GSA in support of DoD.

2. Ensure that Statements of Work (SoW) or Performance Work Statements (PWS) are complete when used in connection with a contract or order either issued by DoD or by GSA in support of DoD.

3. Ensure that Interagency Agreements (IAs) between DoD and GSA for work to be performed by GSA on behalf of DoD describe the work to be performed and any other applicable requirements.

4. Develop standardized content for IAs.

5. Ensure that price reasonableness determinations are completed on every contract or order either placed by DoD or by GSA on behalf of DoD.

6. Ensure that acquisition practices across GSA are consistent and applied consistently with GSA policy.

7. Ensure that contract surveillance and oversight requirements are defined, adequate and implemented when used in connection with a contract or order either issued by DoD or by GSA in support of DoD.

8. Ensure that funding oversight/management is adequate when used in connection with a contract or order either issued by DoD or by GSA in support of DoD.

9. Ensure that contracts or orders either issued by DoD or by GSA in support of DoD fully comply with the requirements of the Anti-Deficiency Act (ADA).

10. Ensure that acquisition planning is done before and after work is assigned to GSA.

11. Ensure that a DoD contacting officer reviews work before the work is accepted by GSA.

12. Ensure that DoD customers provide quality Military Interdepartmental Purchase Requests (MIPRs) (or other comparable documents) to GSA for assisted acquisitions.

13. Ensure that pricing on GSA contract vehicles and the services it provides represents the best value on a contract/order basis.

14. Ensure that GSA's fee structure keeps its cost recovery consistent with existing guidance and that it is the lowest possible commensurate with the service provided.

15. Ensure that adequate price competition is obtained for contracts or orders either issued by DoD or by GSA in support of DoD in accordance with statutory and regulatory requirements.

16. Ensure sufficient contractor oversight is performed to detect potential non-performance and/or non-compliance issues and ensuring that contractor past performance is documented properly and in a timely manner for contracts or orders either issued by DoD or by GSA in support of DoD.

17. Ensure requirements are stated in "performance based" terms to the maximum extent possible, consistent with statute and regulation in connection with a contract or order either issued by DoD or by GSA in support of DoD.

18. Ensure training and education opportunities are made available to GSA Client Support Centers and their DoD customers.

19. Ensure timely and accurate data is reported in the Federal Procurement Data System-Next Generation (FPDS-NG) in connection with a contract or order either issued by DoD or by GSA in support of DoD.

20. Define information requirements and then ensure DoD customers are provided with timely and accurate reports on GSA assisted acquisition support in connection with a contract or order issued by GSA in support of DoD.

21. Ensure funds provided GSA by DoD in excess of contract requirements are deobligated in a timely manner and such results are reported to DoD customers in connection with a contract or order issued by GSA in support of DoD.

22. Ensure and foster open lines of communication between DoD and GSA leadership and promoting "Acquisition Excellence," within the two organizations.

As partners, DoD and GSA recognize the need to collaborate on Interagency Acquisition requirements. As individual organizations, each have specific responsibilities in all parts of this plan to ensure that all acquisitions conducted by DoD utilizing GSA contract vehicles or on behalf of DoD by GSA contracting officers are compliant with statute, regulation and applicable policy. Collectively, the two organizations have the ability and expertise to ensure that all contracting actions are done properly, in compliance with all applicable law, regulation and policy and in the best interests of the taxpayer. GSA values greatly the support that it provides to DOD and the tremendous additional leverage that DOD adds to GSA's buying power on behalf of all agencies. DoD is committed to sound acquisition planning and to providing GSA with clear directions regarding what it wants acquired on its behalf. GSA is committed to ensuring that contracting actions done for and on behalf of DOD are of the highest quality, best value, and enhance DOD's abilities to achieve its mission while also providing for more effective and efficient acquisitions for the American people.

Attached is an Action Plan that more specifically defines DoD and GSA's respective roles and responsibilities with regard to the agreements above. This chart may be modified periodically to update those roles and responsibilities without changing the agreements herein. A quarterly meeting will be held with DoD and GSA senior leadership to evaluate and address the effectiveness of this plan and identify emerging Interagency Acquisition issues.

Emily Murphy Chief Acquisition Officer General Services Administration	Shay D. Assad Director, Defense Procurement & Acquisition Policy, OUSD(AT&L) Department of Defense
Date: 12/6/2006	Date: 12/4/2006

Action Items

Action	Date	MOA Item
1. GSA will issue Acquisition Letter(s), supplements or Acquisition Alerts, as necessary, related to the final IG findings.	Begin: January 2007 and ongoing	1-11
2. GSA will develop video tape and on-line training for all GSA 1102s. Make available and leverage existing learning and job support assets on the GSA Center for Acquisition Excellence and integrate into DAU learning and job support assets and repositories as appropriate.	Begin: August 2006 Posting completed January 1, 2007	1-11
3. GSA will use its Procurement Management Reviews (PMRs) to review and identify deficiencies and areas of weakness as identified in DoD and GSA IG reports, and the GSA CAO will issue a PMR Items of Interest memo to the FAS Commissioner, copy to the relevant GSA Regional Administrators.	Begin: January 2007 and ongoing	1-10
4. DoD will use the Intradepartmental Task Force on Interagency Acquisitions (AT&L, DUSD(C)), established in May 2006, to evaluate the IPR, MIPR process. Report findings and recommend corrective actions as necessary.	Complete: March 2007	1-12
5. DoD will revise DoD Instruction 4000.19 "Interservice and Intragovernmental Support" (August 9, 1995) as necessary.	Complete: September 2007	
6. DoD USD AT&L will issue a policy memorandum to require a DoD contracting officer review of each acquisition greater than $500,000 is to be placed on contract by a non-DoD contracting officer (effective January 2006).	Complete: December 2006	10-12
7. DoD USD AT&L will issue a policy memorandum establishing the DoD policy on contract administration roles and responsibilities when purchasing goods or services through non-DoD agencies.	Complete: February 2007	1-4, 6-9
8. DoD/DAU will evaluate and revise existing course materials as necessary on bona fide need, appropriation law, and proper acquisition planning, and contract administration for assisted acquisitions	Complete: June 2007	7, 8, 12
9. GSA and DoD will jointly issue a memorandum to emphasize proper acquisition planning when the Department utilizes contract vehicles of GSA or contract support provided by GSA to DoD.	Complete: February 2007	10
10. GSA and DoD will jointly develop standardized content for Interagency Agreements. Special emphasis areas will include: • Identified roles and responsibilities of DoD and GSA • Justification for sole source procurements • Quality assurance surveillance plans • Statements of work requirements • Fair and reasonable price determination • Funding oversight/management, including the timely deobligation of excess funds.	Begin: January 2007 Complete: March 2007	1-4, 6-9, 12, 13, 21
11. GSA and DoD will execute a Memorandum of Agreement (MOA) between DoD and GSA that establishes specific roles and responsibilities for interagency acquisitions	Complete: December 2006	
12. GSA and DoD will allow DoD access to GSA's Acquisition Planning Wizard etool	Complete: February 2007	

Attachment

Action	Date	MOA Item
13. GSA will conduct comprehensive training for the Regions.	Begin: January 2007	18
14. GSA will commence standardized quarterly data reporting to DoD (First quarter FY 2007 data), inclusive of fees paid (value added proposition) by DoD to GSA.	Begin: April 2007 and ongoing	14, 17, 19 and 20
15. GSA will perform comprehensive review of targeted GSA schedules to ensure competitive market pricing has been established.	Begin: January 2007 Complete September 2007	13
16. GSA will perform follow-on review of compliance with DoD competition requirements, including Section 803 2002 NDAA.	Begin: February 2007 and ongoing	15
17. DoD USD AT&L will issue a policy memorandum establishing the DoD policy on roles and responsibilities related to the proper capture of past performance information in the federal past performance data base (Past Performance Information Retrieval System) (PPIRS)	Complete: January 2007	16
18. DoD will issue a memorandum to: • emphasize the need to use "performance based" requirements to the maximum extent possible • emphasize holding contractors accountable for non-performance and • emphasize the need to deobligate funds in a timely manner.	Complete: January 2007	16, 17, 21
19. GSA and DoD will conduct collaborative training in all GSA Regions	Begin: June 2007	18
20. GSA and DoD will collaborate on all policy memos, Acquisition Letter, Alerts, training and related guidance as related to Interagency Acquisitions (IA)	Begin: November 2006 and ongoing	22
21. FAI and DAU will identify and make available performance-based acquisition training and education opportunities and related collaborative resources	Begin: January 2007 and ongoing	17
22. Conduct monthly DoD and GSA meetings to evaluate and address the effectiveness of this plan and identify emerging Interagency Acquisition issues	Begin: August 2006 and ongoing	22
23. Jointly develop standardized reporting requirements outside of FPDS-NG.	Begin: January 2007 Complete: March 2007	19
24. GSA commences standardized quarterly data reporting to DoD (to include OSD Comptroller) inclusive of uncommitted fund balances, amounts obligated, amounts expended, and expired funds.	February: 2007 and ongoing	20-21