LAWS, REGULATIONS, POLICY, & AGENCY LETTERS - INTERAGENCY WORKING GROUP OF THE SARA ACQUISITION ADVISORY PANEL

(As of 05/05/05)

LAWS/CODE/TITLE	Short Title, If Applicable	Year	Description	Impact/More Detail
31 USC 1535 & 1536	The Economy Act of 1932	1932	Authorized agencies to enter into mutual agreements for sup/svcs	
			by inter&intra-agency acquisition. Stipulated requrmnts & limitations	
			for task and delivers orders	
40 USC 501 & 502			GSA's General Procurement Authority (recodified from 40 USC 481)	
41 USC 253(c)	Federal Property & Administrative Services Act	1949	Required SOW in each task/delivery order clearly specifying all tasks	Also applies to property to delivered under an order
41 USC 259(b)(3)			Schedule Program Authority	
PL 98-369	Competition in Contracting Act of 1984	1984	Under CICA, procedures established by GSA for FSS are competitive	
			if participation has been open to all responsible sources and	
			orders result in lowest overall cost alternative to meet Govt' needs	
PL 103-62	Govt Performance & Results Act	1993	Requires Agencies:Set Goals, Measure Performance, Report Accplmts	GAO comments that GSA measures for procurement should include quality, competitiveness & savings
PL 103-355	Federal Acquisition Streamlining Act "FASA"	1994		Statutory authority for federal agencies to enter into multiple award, task & DO contracts
Section 1074			Use of Multiple Agency Contracts	to promote competition and streamlining; Established general preferences for use of MACS;
Section 1074 (b)			Economy Act Requirements	Required Contractors on MACs have fair opportunity to compete for orders>$2500; Made use of
Section 1503			DoD Delegation Authority	MACs for Adv&Ass services >$10M/3Yrs
Section 1552			Civilian Agency Delegation Authority	
Sections 8104 & 8203			Preference for Acquisition of Commercial Items	
PL 103-356	Government Management Reform Act	1994		Six franchise fund pilots established (DoI, Commerce, HHS, Treasury, VA & EPA)
Section 403			Franchise Fund Authority	Pilots to be self-supporting bsn entities to compete for delivery of common admin support svcs
				Examples of services: contracting, sys ops, payroll processing
				DOI's GovWorks- contracts for wider range of goods & services
PL 104-106	Clinger-Cohen Act	1996		Authorized multi-agency, GWACs to acquire IT products and services; reduce OH, increase leverage
				Agencies must identify all funds planned to be used for workforce training in acquisition
				Eliminated GSA's governmentwide responsibilities over IT acquisitions
			Documentation Required for Placing Orders	Must consider why order benefits govt
			Add'l Requirements PCOs Must Consider when Placing Order	PCO must consider potential impact on other orders with Contractor & minimum ordering quantity
Section 5112			GWAC Authority (40 USC1412)	
Section 5122			Capital Planning for Purchasing IT (40 USC 11312) (40 USC1422)	Plan must integrate with budget/financial process; goal to maximize value and manage Govt risks
Section 5124(a)(2)	(Formerly known as IT Mgt Reform Act)		Auth'zed Multi-Agency Acqu for IT(40 USC 11314(a)(2)) (40USC1424)	Also authorized OMB to designate executive agents for GWACs for IT
PL 105-135	Small Business Reauthorization Act of 1997	1997		Avoid contract bundling to maximum extent practicable
Section 412			Factors Making Requirement Unsuitable for Small Bsn	Factors are: 1) diversity, size, specialized nature of elements of performance specified; 2)aggregate
				dollar value of anticipated award; 3) geographical dispersion of performance sites 4) any combination
PL 106-65	FY 2000 National Defense Authorization Act	FY2000		
Section 804			Guidance on Appropriate Use of Delivery & TO Contracts	Directed FAR be revised - FAC 97-17 & 2001-09
				FAR to provide specific guidance on multiagency contract use & steps agencies should take tto ensure
				compliance with Clinger-Cohen, fair opportunity and SOW requirements
				Agencies must design process for maximizing IT purchases.
				Establishes steps for using FSS/GWACs, multi-agency contracts

PL 107-107	FY 2002 National Defense Authorization Act	FY2002		Changed competition requirements for DoD orders for Services over $100K to promote competition
Section 803			Competitive Requirements for DoD for MultiAgency Contracts	DoD required to solicit offers from all contractors under multiple award contracts
				DoD required to solicit all or enough to ensure 3 offers under federal supply schedules
				Waivers permissible
				Notice of intent to make DoD purchase must include: description of work & basis of selection
Section 801			DoD Mgt Structure	DoD required to establish mgt/review structure to collect/analyze data on purchases to improve mgt
				of Services, promote commercial best practices; includes requ'ment for automated data collection sys
			Advance approval to use non-DoD Contract (10USC 2330(b)(1)(C)(ii))	Applies to services; DoD applying to both supplies & services
Section 802			Goals for DoD to Reduce Cost of Services	Established goals for reducing costs over next decade; expectations no reduction of services
PL 108-136	FY 2004 National Defense Authorization Act	FY2004	Requirement to ensure SB has opportunities to	Imposes additional requirements on senior procurement executives to ensure SB has opportunity
Section 801			compete on consolidated acquisitions	to compete on consolidated acquisitions above $5M
PL 108-375	FY 2005 National Defense Authorization Act	FY2005		
Section 802			Controls for DoD Use of FTS	
Section 854			Defense Procurements Made Through Contracts of Other Agencies	See DARS Case 2002-D024 under DoD Policy below

OMB Policy

Policy Letter/Doc	Short Title, If Applicable		Description	Impact/More Detail
OFPP Best Practices	Best Practices for Multiple Award Task	1997	Interim Edition-July 1997; best practice in use of task & delivery order	FASA authority to award task & delivery order contracts does not limit, impair, restrict authority of GSA
	& Delivery Order Contracting		contracts as authorized by FASA.	to enter into schedule, multiple award, or task or delivery contracts under any provision of law.
				GSA regs and FAR guidance at Subpart 8.4 & Part 38 take precedence over Subpart 16.5 guidance
OMB Policy Letter M-97-07	Multiagency contracts under the Information	1997	Agency Heads - Establish Accountability for Multiagency Contracts	Letter requires Agency Heads to ensure CIOs & Sr Proc Off'ls assign responsibilities/accountability
	Technology Management Reform Act of 1996			
OMB Policy Letter M-03-01	Business Rules for Intergovernmental	2001	Pres Mgt Agenda addressed deficiencies - Interagency Transactions	Established business standards in processing and recording intergovernmental transactions.
	Transactions		seen as deficiency that must be addressed.	
OMB Policy Letter M-03-14	Reducing Cost & Improving Quality in Federal	2003	Uncoordinated purchase of commercial software needs to give way	Envokes Section 5112 of Clinger Cohen 1996. Designates GSA as EA for SmartBuy interagency initiative.
	Purchases of Commercial Software		to government wide approach. And SW not compatible.	GSA negotiating SW licenses & COTs. Agencies must participate.
OMB Policy Letter M-04-08	Maximizing SmartBuy Use & Avoiding	2004	Guidance/Clarification o OMB '05 Budget Guidance on SmartBuy &	GSA to collect Agency data on software in order to negotiate software contracts for govt-wide use.
	Duplication of Agency Activity		E-Gov Initiatives	SmartBuy Prog Off pursuing deals on financial systems, HR systems, grants systems, off autom SW
	With E-Gov Initiatives			Ltr requires agencies to report SW projections every year for upcoming 2 years. Looking to reduce dups
OMB Policy Letter M-04-16	Software Acquisition	2004	Reminder to comply with acquisition policies and procedures.	Must be consistent w/ Fed Enterprise Architecture. Must consider total, LCC, security, privacy costs
				Must comply with OMB Memo on Maximizing SmartBuy. Consult with OOC on licensing issues.

Federal Acquisition Regulations

FAR Citation	Short Title, If Applicable	Description
2.101	Definitions	
5.6	Publicizing Multi-Agency Use Contracting	Govtwide database available at http://www.contractingdirectory.gov
6.102(d)(3)	Competition for multiple award schedules	GSA's schedule program is a competitive procedure
6.2	Full & Open After Exclusion of Sources	Set-asides for 8a (6.203), HUBZone (6.205), Svc Disabled (6.206)

7.1	Acquisition Planning		
7.105(b)(1)	Plan of Action - Sources	Consider sources identified through Govtwide contracts database	Database unfunded
7.105(b)(4)(ii)(A)	Contents of Written Acq Plans-Considerations	For IT, must consider how acq planning requ will be met	
7.105(b)(4)(ii)(B)	Contents of Written Acq Plans-Considerations	Must consider how contracting approach benefits the government	
7.107(a)	Add'l requirements for requirements involving bundling	10/03 Extended requirement to conduct market research to determine whether bundling necessary and justified to FSS, MA TOs & GWACs	
7.107(b)	Add'l requirements for requirements involving bundling	10/03Extended requirement to FSS orders & TOs under GWACs, & MACs to justify measurable substantial benefits at certain values	
7.107(e)	Add'l requirements for requirements involving bundling	10/3 Lowered thresholds for substantial bundling for DoD ($7M) & DoE, GSA, NASA ($5M) & Other Agencies ($2M) 10/3 Documentation must include: alternative strategies to reduce bundling & reason why alternatives not pursued. Clarified that 6 requirements to justify bundling applied to orders.	
8.001	Required Sources - Capital Planning for IT	Required for IT regardless of the source of supplies or services	
8.4	Federal Supply Schedules		
8.404(a)	Use of Federal Supply Schedules-General	BPAs/orders against multiagency schedule considered to be issued using full & open competition BPAs-When placing orders under FSS, ordering activities shall not seek competitions outside of FSS or synopsize	
8.404(b)	Use of Federal Supply Schedules	"Requiring agency shall provide the information on the applicable regulatory & statutory requirements to the contracting officer responsible for placing the order."	
8.404(c)(3)	Use of FSSs - Acquisition Planning	Orders under FSS must be consistent with requiring agency's statutory and regulatory requirements whether placed by or on behalf of requiring agency.	
8.405-2(d)	Use of FSS - Ordering procedures for services requiring a statement of work - Evaluation	Ordering activity evaluates all responses using eval criteria provided to contractor - must consider level of effort, labor mix & total price reasonableness. "Place order, establish BPA, w/ schedule contractor that represents the best value."	
8.405-5	Use of FSS for Small Business	Mandatory preference program of Part 19 do not apply	
8.405-6	Sole source justification and approval	Orders under FSS are exempt from Part 6, but must justify sole source in writing and get approval based on $$$ thresholds	
8.405-7	Ordering Procedures for FSS-Documentation Sole source justification & approval	Must justify sole source orders according to 6.303-2 for FSS Orders Requires documentation of circumstances & rationale for restricting consideration of schedule contractors to fewer than required for Schedule Orders	

8.406-1	Use of FSS - Order Placement	"Prior to placement of an order, the ordering activity shall ensure that regulatory & statutory requirements of the requiring agency have been applied."	
8.406-6(b)	Disputes pertaining to Terms & Conditions of Schedule Contracts	Ordering Activity Contracting Officer shall refer all disputes re:Ts & Cs to the Schedule Contracting Officer for resolution.	
10.002 (b)(2)(iv)	Market Research- Procedures	Market research key to identifying potential sources of supply May include querying Govtwide database @ contractdirecoty.gov	Database unfunded
16.5	Indefinite Delivery Contracts	GSA regs & 8.4 & part 38 coverage take precedence over 16.5	
16.505	Ordering	Implements statutory authority of FASA for ID contracts/orders	
16.505(a)(1)	Ordering - General	Orders under IDIQ orders not synopsized	
16.505(a)(2)	Ordering - General	Stresses importance of clearly describing requirement so full cost & price can be established when order IDIQ placed for orders	
16.505(a)(3)	Ordering - General	Use performance-based SOWs for services to maximum extent	
16.505(b)(1)	Orders under multiple award contracts - Fair opportunity	Each IDIQ awardee must have fair opportunity to be considered for each order over $2500 except for exceptions at 16.505(b)(2)	
16.505(b)(2)	Exceptions to the fair opportunity process	Exceptions: 1) Urgency leading to unacceptable delay; 2) Only one awardee capable because uniqueness, 3) logical follow-on, 4) To meet minimum guarantee	
16.505(b)(4)	Decision documentation for orders	File must identify basis for use of exception to fair opportunity process for logical follow-on waivers. For DoD:waiver must include rationale (to include trade offs, price & rel'nship to initial order-scope, $, PoP) for Multiple Award Orders	
17.5	Interagency Contracting Under Economy Act	Applies when statutory authority does not exist. Not applicable to acqu covered under Part 8 e.g. FSS. Doesn't apply to GWACs Can't use interagency contracting to circumvent funding restrictions D&F required; must be approved by the KO of the requesting agency with the authority to contract for supplies/services to be ordered. D&F must state interagency acqu in best interest of govt, supplies/svc can' be obtained "as conveniently or economically" as by contracting directly w/ private source.	
19.201(d)(11)(12) & 19.202-1(e)(1)(iii)	Small Business Programs- Policies General policy.	10/03 New requirement for Agency OSDBU to conduct annual reviews to assess SB share of procurements & bundling documentation Agencies required to provide info about bundling 30 days prior to solicitation.	
19.804-6(c)	Small Bsn - Multiple award & FSS contracts	An 8a concern may continue to accept new orders even after: term expires, exits program or becoming other than small	
38	Federal Supply Schedule Contracting	Fed agencies not identified as mandatory users may issue orders - Contractors "encouraged" to accept the order.	

DoD Policy

Policy Letter/Instr	Short Title, If Applicable		Description	Impact/More Detail
DoD Instruction 4000.19	Interservice and Intergovernmental Support	9/9/95		
OSD USD(AT&L) & DoD Comptroller Letter	IPT for Intragovernmental Transactions	8/4/2003	USD(AT&L) & DoD Comptroller Implementation of CONOPS for OMB direction to develop electronic portal for e-government transactions in compliance with OMB business rules	
DoD Comptroller Memo	Fiscal Principals and Interagency Agreements	9/25/2003	"Banking" funds on interagency agreements	For Economy Act -servicing agency must return unobligated funds prior to expiration Some agencies-separate legal authority w/out need to return unobligated funds Ex = GovWorks & FSS; but not intended solely to extend oblig period All orders under interagency agreements must represent a bonafide need of yr order is made If basic conditions met, servicing agencies may retain & obligate the following year Can't use last days of FY to prevent expiration or use for requirement arising the following year
OSD USD(AT&L) & DoD Comptroller Memo	Proper Use of Non-DoD Contracts	10/29/04	Non-DoD contracts effective way to acquire to meet DoD mission, but need to ensure vehicles properly used. Directs services to establish procedures to ensure non-DoD orders are w/in scope, use funds properly & identify DoD unique requirements	Use of non-DoD contracts encouraged when best method to meet DoD needs. GSA & DoD IG Reports: identified issues with use of interagency contracts for supplies & services Don't use Non-DoD contracts to circumvent limitation on funds; Vehicles not substitute for poor planning DoD Dptmnts & Agencies: establish procedures to review & approve use of non-DoD after 1/2005 Program Mgr/Requiring Official has primary responsibility for compliance; team w/finance/contracting Financial mgt commty shall ensure PM or other appropriate individual has certified procedures est by Military Department or Defense Agency have been followed & ensure funds are avail & appropriate
Service Implementation of OSD USD(AT&L) Comptroller Memo	Implementation by OSD policy on Proper Use of Non-DoD Contracts		Air Force 12/06/04 Navy 12/20/04 DLA 01/12/05	Each service implementation 1) establishes approval levels 2) addresses direct DoD & assisted acquisitions for supplies & services 3) specifies documentation requirements
DoD DPAP Memo	Use of Federal Supply Schedules & Market Research	1/28/05	Use of FSS governed by FAR 8.404 Recent events>>>guidance & clarification of use of FSS Emphasizes price evals on FSS orders, solicitation of FSS contractors, & documenting market research.	Ordering off FSS requires best value & lowest overall cost alternative GSA determines hrly rate reasonableness; KOs must consider rate, mix, # of hours for reasonableness When mix of services & products, KOs must consider proposed prices for both. KOs "reminded to seek discounts for orders exceeding maximum order threshold." & document file. KOs"enouraged to solicit as many contractors as practicable when using FSS" If cannot, document file. Quality of mgt attention needed for adequacy of KO's price reasonableness determination>> PMRs
OSD Comptroller Memo	Proper Use of Interagency Agreements for Non-Department of Defense Contracts Under Authorities Other Than the Economy Act	3/24/05	Per DoD IG: continuing to use interagency agreements to keep funds available for new work after period of funds availability has expired Provides guidance on deob'ing expired funds provided to other agencies & guidance on use of expired funds for severable/non-severable svcs	Establishes June 1, 2005 date for completion of actions: Review all interagency agreements. If complete, close-out & adjust fin accounts (return all funds) Deob & return "expired funds" for SERVICES unless: 1)order made during period of funds availability 2) order specific, definite & certain, "with specificity similar to that found in contractual orders" 3) in case of severable svc, performance period doesn't exceed 1 year Deob & return "expired funds" for GOODS unless request: 1) made during period of funds availability 2)item unavailable during funds availability time due to delivery/prod lead time issues/unforeseen delays Expired funds not available for work outside original agreement Can use expired funds by servicing agency for non-severable svc contract if properly executed when funds available & "good faith intent that the servicing agency commence work & perform w/out unnecessary delay." Can not use expired funds to enter into a severable service contract. But funds may continue to be used if entered into before expiration and performance does not exceed 1 year. Agencies must certify by 30 June that review, deobl and adjustments have been made.
DoD DPAP Letter	Letter to GSA Re. DoD's Use of GSA Vehicles	3/26/2005	Requests cooperation between DoD and GSA to ensure orders placed to meet DoD requirements comply w/ DoD-specific laws, regs, policies Similar letters sent to NASA and Treasury	Ltr discusses need to ensure requirement is within scope of the vehicle DoD requests should include unique Ts& Cs, if none apply, should receive statement to that effect Ltr requests MOA development of MOA with GSA on use of non-DoD contractual vehicles

DARS Case 2004-0009	Competition Requirements for FSS & Multiple Award Contracts	TBD(5/05?)	Revise DFARS to implement GAO recommendation from "Contract Management:Guidance Needed to Promote Competition for Defense Task Orders" Status: Expect OIRA concurrence shortly of proposed rule.	for consistency with FAR 8.405-6, extends requirements to orders under multiple award contracts, and extends the ordering procedures to supplies as well as services.
DARS Case 2002-D024	Approval of Service Contracts and Task & Delivery Orders	TBD	Revises DFARS to implement Section 854 of NDAA for FY 2005 which requires procurement for supplies & services in excess of simplified acqu threshold issued through non-DoD contracts be made IAW procedures prescribed by head of agency. Implements DoD policy on proper use of non-DoD contracts for supplies & services	Includes policy changes as result of Section 854 and DoD policy memorandum released Oct 29, 2004 Public comments received from interim rule issued Oct 1, 2003. Forthcoming interim rule intended to further clarify language. There is no prohibition from using non-DoD vehicles, but appropriate review & oversight must be accomplished to ensure all applicable statutory & regulatory requirements are accomplished. Includes revisions to 207.105 (Acqu Plans) and adds subpart 217.78 under , Contracting Methods to lay out need for establishing procedures at agency level for use of non-DoD contracts that consider whether in best interest of Govt & factors for making that determination.

Defense Acquisition Regulation Supplement (DFARS)

FAR Citation	Short Title, If Applicable		Description	
208.4 (b)(2)	Required Sources of Supplies & Services Federal Supply Schedules		For orders exceed micro-purchase, but not maximum order threshold: FAR 8.4.4(b)(2) review of catalogs/pricelist of at least 3 contractors does NOT apply for services>$100K. Use procedures at 208.404-70	
208.4 (b)(3)	Required Sources of Supplies & Services Federal Supply Schedules		For orders exceeding maximum order threshold: For orders >$100K Use procedures at FAR 8.4.4(b)(4)(i) and 208.404-70	
208.404-1	Required Sources of Supplies & Services Federal Supply Schedules - Mandatory Use		"DoD will not be a mandatory user of any schedule unless individual DoD activities elect to ...become mandatory users."	
208.404-70 (a) & (b)	Required Sources of Supplies & Services FSS-Add'l Ordering Procedures for Services		Implements Sect 808 of NDAA (PL 107-107) Applies to orders by DoD & non-DoD agencies on behalf of DoD Applies to orders>$100K unless can waive iaw 16.505(b)(2)(i) or law	Note: Will be impacted by DFARS Case 2004-2009 proposed rule. Clarification and extension to supplies. Note: Will be impacted by DFARS Case 2002-0024 interim rule.
208.404-70(c)	Required Sources; FSS Add'l Ordering Procedures for Services; Competition Requ		KO must provide fair notice of intent to make purchase including work description & basis of selection to "as many schedule contractors as practicable..to reasonably ensure offers from at least 3 contractors that can fulfill work requirements.." OR notice of intent must go to all contractors offering service under applicable MAS. 3 offers must be received or file clearly documents that no add'l contractors could be identified KO must ensure all offers received are fairly considered	Note: Will be impacted by DFARS Case 2004-2009 proposed rule. Clarification and extension to supplies.
216.505-70 (a) & (b)	Indefinite Delivery Contracts - Orders for services under multiple award contracts		Implements Sect 808 of NDAA (PL 107-107) Applies to orders by DoD & non-DoD agencies on behalf of DoD Applies to orders>$100K unless can waive iaw 16.505(b)(2)(i) or law	Note: Will be impacted by DFARS Case 2004-2009 proposed rule. Clarification and extension to supplies.
216.505-70 (c)	Indef Del Contracts - Orders for services under MAS contracts- Competition Requirements		KO must provide fair notice of intent to make purchase including work description & basis of selection to all contractors offering the service under the applicable multiple-award contract KO must ensure all offers received are fairly considered	Note: Will be impacted by DFARS Case 2004-2009 proposed rule. Clarification and extension to supplies.
216.505-70(d)			KO should keep contractor submission requirements to a minimum FAR parts 6 & 15.3 do not apply, but KO shall consider cost/price in selection decision.	

GSA POLICY

Policy Letter	Short Title, If Applicable		Description	Impact/More Detail
MV-03-01	Fed Class Dev - Size of Bus. Re-representation	03/11/05	Corrects the expiration date in Supplement 2 of GSA LTR MV-03-010	SBA Rule to Be Published
V 05-06	Purchases on Behalf of Other Agencies	04/27/05	Directs GSA Contracting Officers awarding contracts/orders on behalf of other agencies to ensure file contains information from Requiring Agency on agency-specific restrictions to funds use/ restrictions w/ requirements for orders over simplified acquisition threshold (value total price including options.) Applies to requirements recvd after 4/27/05, option exercises, requirements recvd after 10/01/04 where work hasn't begun.	File must show statutory/regulatory requirements for funds/requirement met & Requiring Agencies internal reviews/approvals accomplished. For new requirements, if Requiring Agency unable/unwilling to provide required information, KO may either "utilize other applicable methods to determine if there are any special requirements applicable to the procurement" or obtain a waiver. KO entitled to rely on info from Requiring Agency. No longer requirement for Requiring Agency to include prescribed statement in requirements package. Revokes Acquisition Letter V-04-05 dtd 2/11/05 and V-04-04 dtd 10/01/04.
MV-03-03	Procurement Instrument Identifier	10/01/03	Modify the order and call instrument identification number requirements at 504.7001-3	Could impact if WG makes a change to FPDS-NG
MV-03-01	Fed Class Dev -Size of Bus Re-Representation	02/21/03	Class Deviation is application to FAR 19.301, "Representation of Offeror" and Section19.804-6c, "Multiple Award and Federal Supply Contracts." The current FAR permits contractors to keep their size status for the length of the contracts. Class Deviation requires GSA to obtain a re-representation of their size status before exercising an option.	

General Service Administration Acquisition Manual (GSAM)

GSAM Citation	Short Title, If Applicable	Description
Part 538	Federal Supply Schedule Contracting	
538.270 (a) - (d)	Evaluation of Multiple Award Schedule Offers	Gov to obtain best price or best price to most favored customer Establish negotiation objectives based on review of relevant data and determine price reasonableness Compare T/Cs with offeror's commercial customers May award if price less favorable but, must be fair & reasonable/best interest of govt
538.271	MAS Contract Awards	MAS awards for commercial items/fair and reasonable & discounts
538.272/552.238-75	MAS price reductions	Maintain negotiated price/discount through contract period Agrees to report all price reductions as provided in the clause
538.7	Cooperative Purchasing	Non-Federal Authority to Use Schedule 70
Part 552	Solicitation Provisions and Contract Clauses	See Provision and Clause Matrixes at 552.3

Department of Energy

Policy Letter/Guide	Short Title, If Applicable		Description	Impact/More Detail
Acquisition Guide	Interagency Guide		Specifies general procedures for preparing and executing interagency agreements	
Strategic Acquisition Transactions	A Guide for Using FSS, MACs, & GWACs	08/04/05	Describes each vehicle and its operating procedures Provides guidance on evaluation & placement of orders (e.g., best value for FSS evaluations)	
In-House Training	Acquisition Guide on Using Other Agencies' Contracts & Services	12/01/04	Charts available on-line Describe Interagency Contracting, FSS, & GWAC vehicles Summarizes other DOE Guidance Highlights "pitfalls" of each vehicle and suggested solutions	
Acquisition Letter 2005-05	Use of Non-DOE Procurement Instruments	12/08/04	Provides guidance on Economy Act, GWACs, & FSS	Specifies planning and approval considerations such as whether in-scope and if circumventing DOE policies/regulations Prohibits use of Franchise Fund Organizations unless approved by Head of Contracting Activity (HCA)

National Aeronautical Space Agency

Agency Initiative	Short Title, If Applicable	Description	Impact/More Detail
Consolidated Contracting Initiative (CCI)	Listing of Contracts Available for Use	Requires NASA centers to consider these contracts before awarding a new contract; Precursor of suspended www.contractdirectory.gov	

Department of Homeland Security

Policy Letter/Guide	Short Title, If Applicable	Description	Impact/More Detail
Acquisition Manual		Minimal coverage; specifies approval level for transferring funds to another agency	
Draft Directive	Inter/Intra-Agency Agreements	Describes interagency requirements	Requirements for procurement and financial offices and contracting officer representatives Includes process for requesting, reviewing and approving interagency contracting Provides draft formats to include general provisions Includes draft determination & finding (D&F) format

Veterans Affairs

Policy Letter/Guide	Short Title, If Applicable		Description	Impact/More Detail
FAR Supplement			Provides minimal guidance specifying approval levels for interagency agreements	
IL 049-03-6 (Office of Acqu & Materiel Mgt Information Letter)	Parameters of Contracting Authority	3/17/2003	Limits VA, when conducting acquisitions for other agencies, to those supplies & services normally obtained by VA in carrying out its mission.	Includes examples of prohibited acquisitions (e.g., ship construction, weapons systems, combat aircraft).
IL 049-03-011	Using Reverse Auctions to Acquire Goods & Services	6/9/2003	Encourages use of reverse auctions when appropriate & specifies mandatory procedures (e.g. FAR requirement for specific thresholds, 2-step auctions)	Offers options for conducting the auctions (in-house, FSS, Navy contracts)
IL 049-05-4	Revenue Generation Contracting Authority	12/28/04	Specifies that VA may not generate/retain revenue in excess of costs when contracting w/other agency under Economy Act Identifies 6 franchise funds established under Government Management Reform Act (1994)	Defines actual and indirect costs Requires written interagency agreement, including means for resolving disagreements VA authorized to retains up to 4% in fees from sale or services to other agencies