

Subpart 501.3 - Agency Acquisition Regulations

Parent topic: [Part 501 - General Services Administration Acquisition Regulation System](#)

501.301 Policy.

(a)

(1) GSA's implementation and supplementation of the Federal Acquisition Regulation (FAR) is issued in the GSAM, which includes the GSAR. The GSAM is under authorization and subject to the authority, direction, and control of the SPE. The GSAR contains acquisition policies and procedures that have a significant effect beyond the internal operating procedures of GSA or a significant cost or administrative impact on contractors or offerors.

(2) Relevant acquisition procedures, guidance, instruction, and information that do not meet the criteria in paragraph (a)(1) of this section are issued through the non-regulatory portion of the GSAM (see [501.170](#)) and other GSA publications (see [501.370](#)).

(b) See [501.304](#) for when Federal Register publication is required for any acquisition policy, procedure, solicitation provision, contract clause, or form.

501.304 Agency control and compliance procedures.

(a) *Federal Register publication.* Federal Register publication is required for any acquisition policy, procedure, solicitation provision, contract clause, or form, that has a significant effect beyond the internal operating procedures of GSA or a significant cost or administrative impact on GSA contractors or offerors, including any significant revisions (see FAR 1.501-1 and [501.501\(a\)](#)).

(1) SPE approval is required for all Federal Register publications covered by paragraph (a) of this section.

(2) The Office of Acquisition Policy will coordinate with the HCA or authorized designee to adjudicate any comments received in response to a Federal Register publication.

(b) *Business case.* When publication in the Federal Register or a change to the GSAM is identified by a contracting activity, the HCA shall develop and submit a business case to the SPE for review and approval. The business case shall include, at a minimum, the following information—

(1) The name of the Service (*e.g.*, PBS) and, if applicable, the contracting activity requesting the change;

(2) The rationale supporting the need, including a-

(i) Description of the problem or matter to be addressed; and

- (ii) Discussion of the benefit to the agency and/or organization.
 - (3) A discussion of the effect, if any, on GSA's internal operating procedures, including an analysis of any impact on the following-
 - (i) The acquisition workforce;
 - (ii) Another office within GSA (*e.g.*, FAS, PBS, OSDBU, OIG); or
 - (iii) Automated systems (*i.e.*, financial and procurement).
 - (4) A discussion of the effect on contractors or offerors, if any, including an analysis of the following-
 - (i) The contracts and contractors affected (*e.g.* number, dollar value, and business size);
 - (ii) The estimated annual costs and benefits associated with the proposed change; and
 - (iii) The burden of new information collection requirements (see [44 U.S.C. 3501](#), *et seq.*), if any, associated with the proposed change (see 5 CFR 1320.8).
 - (5) An analysis of alternatives, risks, and risk mitigation;
 - (6) A discussion of the approach to be used to implement and monitor success;
 - (7) The proposed amendments to the FAR or the GSAM in line-in line-out format;
 - (8) A listing of the organization(s), if any, that have been briefed or involved in drafting the proposed amendments (*e.g.*, Office of Federal Procurement Policy, Category Management Leadership Council); and
 - (9) A statement of legal sufficiency from the requestor's legal counsel.
- (c) *Compliance.* HCAs are responsible for ensuring compliance with this section. At a minimum, HCAs should consider establishing a structure for reviewing new policies issued at a higher level (*e.g.*, FAR and GSAM) and how this will facilitate the timely updating of any internal acquisition policy, procedure or guidance issued by the HCA consistent with their delegated authorities.

501.370 Other acquisition policies, procedures, and guidance.

- (a) *SPE Issuance.* The SPE may issue an acquisition letter to provide interim acquisition policies, procedures, and guidance for a specific period of time or until such time that it can be incorporated into the GSAM or FAR, as applicable.
- (b) *HCA Issuance.*
 - (1) HCAs, consistent with their delegated authorities, may issue internal acquisition policies, procedures, and guidance as described in FAR 1.301(a)(2) for their respective contracting activities.
 - (2) Internal acquisition policies, procedures, guidance shall not-

- (i) Unnecessarily repeat, paraphrase, or otherwise restate the FAR, GSAM or SPE acquisition letters.
- (ii) Except as required by law or as provided in subpart 501.4, conflict or be inconsistent with GSAM content.

(3) Prior to issuance, any new Service-level acquisition policy, procedure, or guidance shall be distributed to the following for review:

- (i) The Office of Small Business Utilization, if applicable.
- (ii) The Office of Acquisition Policy.

(c) *Contents.* All acquisition policy documents must contain the following elements, as appropriate—

- (1) Purpose;
- (2) Document type (*e.g.*, policy, procedure, or guidance);
- (3) Background;
- (4) Effective period;
- (5) Other affected or cancelled policies;
- (6) Applicability (*i.e.*, the offices to which the document applies);
- (7) Instructions or requirements;
- (8) Designated point of contact or e-mail address; and
- (9) Supporting documents, as attachments.

(d) *Availability.* All GSA publications that include acquisition policies, procedures, or guidance (including those issued according to paragraph (b) of this section) must be accessible through the GSA Acquisition Policy Library available at <https://insite.gsa.gov/acquisitionpolicylibrary>.

(e) *Maintenance.*

(1) The Office of Acquisition Policy is responsible for maintaining a current list of acquisition policies, procedures, and guidance issued by the SPE within, or accessible through the GSA Acquisition Policy Library.

(2)

(i) The Service-level policy organization (*e.g.*, FAS' Office of Policy and Compliance and PBS' Office of Acquisition) is responsible for maintaining a current list of acquisition policies, procedures and guidance issued by their respective contracting activities within, or accessible through, the GSA Acquisition Policy Library.

(ii) Each HCA is responsible for reviewing new or amendments to existing acquisition policies, procedures and guidance issued at a higher level (*e.g.*, FAR and GSAM) to ensure their existing acquisition policies, procedures and guidance are current. If changes are needed, the HCA shall

(A) Notify affected contracting activities; and

(B) Update the GSA Acquisition Policy Library.

501.371 Regulatory Agenda Reviews.

(a) The Office of Acquisition Policy conducts a review of existing acquisition policies issued by the SPE biannually as part of GSA's Regulatory Agenda. The purpose of the review is to prioritize resources for incorporating, as appropriate, active acquisition policies into the FAR or GSAM or for taking other actions, as necessary, to ensure currency of the existing acquisition policies.

(b) HCAs are encouraged to review GSA's Regulatory Agenda and existing acquisition policies issued by their respective contracting activities and to provide recommendations to the Office of Acquisition Policy for inclusion in GSA's Regulatory Agenda.