

517.502 Procedures.

(a) *General.*

(1) GSA provides interagency acquisition (IA) services to support the mission of federal agencies, foster competition and use of economies of scale, and provide options for agencies to meet their administrative and procurement needs.

(2) The Office of Acquisition Policy maintains tools and resources for the acquisition workforce on the GSA Acquisition Portal (<http://insite.gsa.gov/interagencyacquisition>).

(3) When conducting interagency acquisitions, an interagency agreement must be signed by the HCA. HCAs may designate approval authority for the interagency agreement to a level no lower than the Contracting Director.

(4) For PBS Reimbursable Work Authorizations (RWA), only authorized PBS Officials shall accept an RWA in accordance with PBS National RWA Policy available at www.gsa.gov/rwa.

(b) *Cut-Off Dates.*

(1) Heads of Contracting Activities shall devise and publicize cut-off dates to accept interagency acquisitions for their respective organization(s) in support of this subpart. The decision to accept funds near the end of the fiscal year must be determined on a case-by-case basis taking into consideration the following at a minimum:

(i) funding requesting agency assurance that the funds are current;

(ii) understanding of the type of funds (*e.g.* one-year, multi-year, no-year);

(iii) time required for GSA to properly obligate the funds; and

(iv) confirmation that the requesting agency has submitted a “bona fide needs” statement.

(2) Cut-off dates do not apply when accepting no-year funds. Cutoff dates do not apply to multi-year funds not near expiration or within the final year that the funds are eligible for use.

(3) Once accepted, GSA must expeditiously and diligently begin work on all interagency acquisitions it accepts.

(c) *Reasonable Time.*

(1) Policy. When establishing interagency agreements, contracting activities must obligate funds in a reasonable time.

(2) Definition. A reasonable time is considered to be 90 calendar days unless otherwise established in the interagency agreement or other policy. Contracting activities must examine with particular care if the 90 calendar day acquisition lead time can be achieved by:

(i) using an existing contract or task/delivery order which can be awarded or modified expeditiously to meet the requesting agency’s requirement; and

(ii) validating that the requesting agency-specific fiscal policy attached to the funds (*e.g.*, DoD

7000.14-R Financial Management Regulation Volume 11A Chapter 18) does not have any applicable restrictions which would prevent the use of 90 calendar days as a "reasonable time".

(3) Criteria for establishing "reasonable time". For interagency acquisitions in which the contracting activity has determined the "reasonable time" to be in excess of 90 calendar days, the contracting officers must:

(i) ensure that the "reasonable time" is mutually agreed upon and documented between the requesting agency and the GSA contracting activity at the time funds' are accepted (*e.g.* date specified on GSA Form 2957);

(ii) ensure that the requesting agency-specific fiscal policy restrictions are adhered to (*e.g.*, DoD 7000.14-R Financial Management Regulation Volume 11A Chapter 18); and

(iii) document the rationale for establishing a "reasonable time" which is in excess of 90 calendar days.

(d) *Periodic Reviews*. Contracting officers must review all interagency acquisition obligations for goods or services that have been ordered but not yet received (undelivered orders/unfilled customer orders) at fiscal year-end. Generally speaking, if the interagency acquisition is for goods or services that were not delivered within the funds period of availability, the funds must be deobligated and current funds used, unless the goods could not be delivered because of delivery, production or manufacturing lead time, or unforeseen delays that are out of the control and not previously contemplated by the contracting parties at the time of contracting.

(e) *Resolving Interagency Policy Differences*. Any inconsistency in the applicability of requesting agency and GSA policy shall be resolved by considering the following:

(1) Where there is a conflict between the requesting agency and GSA policy, refer to the interagency agreement to resolve the conflict. If the interagency policy is not clear, document what the conflict is and request guidance as to what the governing policy is from the Office of General Council (OGC).

(2) When the requesting agency's policy is less restrictive than GSA's policy (*e.g.*, higher dollar authority, streamlined procedures) and the interagency agreement does not identify which policy to follow, the contracting officer has discretion on which policy to follow. However, the contracting officer must consult with Service-level acquisition management (*e.g.*, FAS OPC, PBS OAM) and OGC if following the less restrictive policy to ensure GSA has adequate controls in place and has the authority to utilize the less restrictive policy.

(3) A number of agencies have authorities which GSA does not have. GSA cannot use a requesting agency's given program authority (*e.g.*, Other Transaction Authority (OTA)) unless the authority is specifically delegated to GSA by the requesting agency in a formal delegation.

- **517.502-70 Information Technology Procurements.**

Parent topic: Subpart 517.5 - Interagency Acquisitions