



DEPARTMENT OF THE NAVY
NAVAL FACILITIES ENGINEERING COMMAND
WASHINGTON NAVY YARD
1322 PATTERSON AVENUE SE SUITE 1000
WASHINGTON, DC 20374-5065

IN REPLY REFER TO
ACQ 021
25 Sep 02

MEMORANDUM FOR NAVFAC ACQUISITION PERSONNEL

Subj: PROCEDURES FOR FEDERAL INTERAGENCY ACQUISITION
(02-14)

Encl: (1) NAVFAC ltr dtd 18 September 2002

1. Enclosure (1) is forwarded for your information and immediate implementation. Applicable changes will be electronically incorporated into the NAVFAC Acquisition Supplement (NFAS) during the next update.

A handwritten signature in cursive script, appearing to read "L. Slates".

LOUISE F. SLATES
Head, Acquisition Strategic Programs
& Community Management



DEPARTMENT OF THE NAVY
NAVAL FACILITIES ENGINEERING COMMAND
1322 PATTERSON AVENUE, SE SUITE 1000
WASHINGTON NAVY YARD DC 20374-5065

IN REPLY REFER TO

18 September 2002

From: Commander, Naval Facilities Engineering Command

Subj: PROCEDURES FOR FEDERAL INTERAGENCY ACQUISITION

Ref: (a) NAVFACENCOM ltr Information Technology-Related
Procurements dtd 19 Jan 01
(b) NAVFACENCOM memo New Sample Economy Act Determination and
Findings dtd 13 Nov 97
(c) NAVFACENCOM ltr Approval Authority for Economy Act Orders
Outside the Department of Defense dtd 24 Jul 97
(d) NAVFACENCOM ltr Approval Authority for Economy Act Orders
Outside the Department of Defense dtd 18 Jun 98
(e) NAVFACENCOM ltr Use of Orders Under the Economy Act
dtd 02 May 94

Encl: (1) Format for Information-Related Procurement Review and
Approval
(2) Format for Interagency Action Review and Approval
(3) Format for Economy Act Determination and Findings within
DOD
(4) Format for Economy Act Determination and Findings outside
DOD

1. A variety of new acquisition procedures and tools have helped the Naval Facilities Engineering Command (NAVFACENCOM) improve the delivery of goods and services to our clients. One major innovation has been our ability to leverage other agencies' contracts to satisfy our clients' needs. I strongly encourage ordering offices, contracting offices, and requiring offices to use contracts at other agencies if their use is appropriate and legal, and improves our ability to offer and deliver timely and effective facilities engineering solutions.

2. The primary sources for federal interagency acquisition include:

a. General Services Administration (GSA) for information technology or information technology-related requirements. Under the Information Technology Management Reform Act, 40 U.S.C. 1412(e), GSA was given specific authority to serve as executive agent for government-wide acquisitions of information technology programs.

b. General Services Administration for other than information technology. Section 201 of the Property Act, 41 U.S.C. 259(b)(3), specifically authorized GSA's multiple award schedule program. Under this program, GSA awards Government-wide contracts for many commercial goods and services.

Subj: PROCEDURES FOR FEDERAL INTERAGENCY ACQUISITION

c. Cooperative Administrative Support Units (CASUs). Executive Order 13048, dated 10 June 1997, authorized an interagency network of federal entrepreneurial organizations to provide support services to federal agencies on a cost reimbursable basis.

d. Franchise Fund Activity pilot organizations. Section 403 of the Government Management Reform Act (P.L. 103-356) authorized six agencies to offer common administrative services to other agencies. These agencies are Department of the Treasury, Department of Interior, Veterans Administration, Environmental Protection Agency, Health and Human Services, and Department of Commerce.

e. Agencies outside Department of Navy for either in-house performance or contracting action. Absent more specific authority, the Economy Act, 31 U.S.C. 1535, authorizes one agency to provide or procure goods and services for another agency.

3. As we optimize use of federal interagency actions, we must remain vigilant stewards of the public funds entrusted to us. All interagency actions must reflect NAVFACENGCOM's commitment to sound procurement, financial, and business principles. All actions must:

- a. Reflect a commitment to competition;
- b. Maximize use of performance-based statements of work;
- c. Require only non-personal services; and
- d. Comply with established limits on advisory and assistance services.

4. Command's requiring offices will only initiate federal interagency actions that are consistent with these business principles. The NAVFAC Activity Comptroller's office will not release funds for an interagency action unless that action is supported in one of the following ways:

a. Actions over \$25,000 to the General Services Administration for information technology or information technology-related requirements. The requiring office will support these actions as required by reference (a). The requiring office will prepare a request for Information Technology-Related Procurement Review and Approval using the format in enclosure (1). The request will be endorsed by the CIO NMCI Reviewing Official and approved by the NAVFACHQ Acquisition Director, prior to funds release by the NAVFAC Activity Comptroller.

b. Actions to the General Services Administration for other than information technology or information technology-related requirements, actions to a Cooperative Administrative Support Unit, and actions to a Franchise Fund Activity pilot organization. The requiring office

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will support these actions with a Request for Interagency Action Review and Approval using the format in enclosure (2). The request will address the efforts that have been taken to ensure the procurement will be competed using a performance-based statement of work; will be for only non-personal services; and will not violate any limits on advisory and assistance services. The request will be prepared by the requiring office, endorsed by local counsel and a NAVFAC Level III contracting officer, and approved by the Activity Chief of the Contracting Office, prior to funds release by the NAVFAC Activity Comptroller. A copy of the approved request will be sent to the NAVFACHQ Acquisition Director.

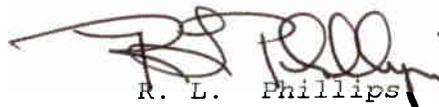
c. Other actions to any other agency for either in-house performance or contracting action. The requiring office will support these actions with an Economy Act Determination and Findings (D&F). For actions within the Department of Defense, the Economy Act D&F will be prepared by the requiring office using the format in enclosure (3), endorsed by local counsel, and approved by a NAVFAC Level III contracting officer, prior to funds release by the NAVFAC Activity Comptroller. A copy of the approved D&F will be sent to the NAVFACHQ Acquisition Director. For actions outside the Department of Defense, the Economy Act D&F will be prepared by the requiring office using the format in enclosure (4), and endorsed by local counsel and a NAVFAC Level III contracting officer. The D&F will be approved by the Activity Chief of the Contracting Office if no contracting action is required by the servicing agency. The D&F will be approved by the Activity Commanding Officer if contracting action is required by the servicing agency. The Assistant Secretary of the Navy (Research, Development, and Acquisition), as the Navy's Senior Procurement Executive, will approve the D&F if the servicing agency is not covered by the Federal Acquisition Regulation. The D&F will be approved prior to funds release by the NAVFAC Activity Comptroller. A copy of the approved D&F will be sent to the NAVFACHQ Acquisition Director.

5. These procedures do not apply to:

a. Supplies or services from or through mandatory supply sources defined in Federal Acquisition Regulation Part 8.

b. Supplies or services purchased, ordered, or paid for using the Government-issued purchase card.

6. References (b), (c), (d), and (e) are hereby cancelled.


R. L. Phillips
Vice Commander

Distribution:

Subj: PROCEDURES FOR FEDERAL INTERAGENCY ACQUISITION

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Information Technology-Related Procurement Review and Approval

ISSR Log # (NAVFAC CIO Use Only)

Activity:

Procurement Description:

Dollar Value:

Procurement Award Date:

Justification:

_____ Waiver to use other than the NMCI contract is approved based on IT capabilities being unavailable under the NMCI contract.

_____ Waiver to use other than the NMCI contract is approved based on the requirement being essential to the successful execution of a command or program initiative that is clearly needed before it can be delivered under the NMCI contract.

Endorsed:

This procurement action has been reviewed by the NAVFAC CIO office and is compliant with the COMNAVFACENGCOM enterprise architecture.

CIO NMCI Reviewing Official

Date

Approved:

NAVFACHQ Acquisition Director

Date

**Economy Act Order
Determination and Findings
(within DOD)**

FINDINGS

1. Requiring Office. Identify the requiring office, including point of contact, for the requirement.
2. Servicing agency. Identify the office that will be sent the funds and asked to provide or procure the required goods or services.
3. Description of the requirement. Identify the type of goods or services to be provided or procured. Identify the amount and type (appropriation and year) of funds that will be provided.
4. Competition. Identify the nature and extent of competition that the servicing agency will use to satisfy the requirement. Explain any non-competitive actions.
5. Performance-based statements of work. Describe the extent to which a performance-based statement of work is used to identify the requirement. Attach a copy.
6. Personal vs. non-personal services. Include a statement that the requirement is for non-personal services only.
7. Advisory and Assistance services. Identify if the requirement includes any advisory and assistance services. If they are required, obtain an FM HQ endorsement.
8. Rationale. Explain why use of an interagency acquisition is in the best interest of the Government. If the servicing agency will be providing the goods or services in-house, discuss why the requirement can't be obtained as conveniently or economically by contracting directly with a private source. If the servicing agency will contract for the requirement, identify if: (a) the acquisition will be made under an existing contract the servicing agency has in place to meet its own requirements; (b) the servicing agency has capabilities or expertise to enter into a contract for the requirement that NAVFAC does not have; or (c) if the servicing agency is specifically authorized by law or regulation to purchase the requirement on behalf of other agencies.

Determination

1. Use of an interagency acquisition is in the best interests of the Government.

If the servicing agency will provide the goods or services in-house:

2. This requirement cannot be or obtained as conveniently or economically by contracting directly with a private source.

Or

If the servicing agency will be contracting for the goods or services, chose one of the following:

2. The acquisition will appropriately be made under an existing contract of the servicing agency, entered into before placement of this Economy Act order, to meet its own requirements for the same or similar services; or

2. The servicing agency has capabilities or expertise to enter into a contract for this requirement that is not available within NAVFAC; or

2. The servicing agency is specifically authorized by law or regulation to purchase this requirement on behalf of other agencies.

Prepared: _____
Requiring Office Date

Endorsed: _____
Office of Counsel Date

Approved: _____
NAVFAC Level III Contracting Officer Date

Copy to:
NAVFACHQ Acquisition Director

**Economy Act Order
Determination and Findings
(outside DOD)**

FINDINGS

1. Requiring Office. Identify the requiring office, including point of contact, for the requirement.
2. Servicing agency. Identify the office that will be sent the funds and asked to provide or procure the required goods or services.
3. Description of the requirement. Identify the type of goods or services to be provided or procured. Identify the amount and type (appropriation and year) of funds that will be provided.
4. Competition. Identify the nature and extent of competition that the servicing agency will use to satisfy the requirement. Explain any non-competitive actions.
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DETERMINATION

1. Use of an interagency acquisition is in the best interests of the Government.

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3. The servicing agency is specifically authorized by law or regulation to purchase this requirement on behalf of other agencies.

Prepared: _____
Requiring Office Date

Endorsed: _____
Office of Counsel Date

Endorsed: _____
NAVFAC Level III Contracting Officer Date

Approved: _____
Activity Chief of the Contracting Office Date
(if no contracting action is required)

Or

Approved: _____
Activity Commanding Officer Date
(if contracting action is required)

Or

Approved: _____
ASN (RD&A), Navy Senior Procurement Executive Date
(if the servicing agency is not covered by
the Federal Acquisition Regulation)

Copy to:
NAVFACHQ Acquisition Director

Encl (4)