

17.703 Policy.

(a) A *DoD acquisition* official may request a *nondefense agency* to conduct an *acquisition* on behalf of *DoD* in excess of the *simplified acquisition threshold* only if the head of the *nondefense agency* conducting the *acquisition* on *DoD*'s behalf has certified that the agency will comply with applicable *procurement* requirements for that fiscal year except when waived in accordance with paragraph (e) of this section.

(b) A *nondefense agency* is compliant with applicable *procurement* requirements if the *procurement* policies, procedures, and internal controls of the *nondefense agency* applicable to the *procurement* of *supplies* and services on behalf of *DoD*, and the manner in which they are administered, are adequate to ensure the compliance of the nondefense department or agency with-

(1) The *Federal Acquisition Regulation* and other laws and regulations that apply to *procurements of supplies* and services by *Federal agencies*; and

(2) Laws and regulations that apply to *procurements of supplies* and services made by *DoD* through other *Federal agencies*, including *DoD* financial management regulations, the *Defense Federal Acquisition Regulation Supplement (DFARS)*, *DoD* class deviations, and the *DFARS Procedures, Guidance, and Information (PGI)*. (The *DFARS*, *DoD* class deviations, and *PGI* are accessible at: <http://www.acq.osd.mil/dpap/dars>).

(c) Within 30 days of the beginning of each fiscal year, submit *nondefense agency* certifications of compliance to Principal Director, *Defense Pricing and Contracting* at:

Department of Defense

Office of the Under Secretary of Defense (*Acquisition* and Sustainment)

Defense Pricing and Contracting

Contract Policy

Room 3B938

3060 Defense Pentagon,

Washington D.C. 20301-3060.

(d) The *DoD acquisition* official, as defined at 17.701, shall provide to the servicing *nondefense agency contracting officer* any *DoD*-unique terms, conditions, other related statutes, regulations, directives, and other applicable requirements for incorporation into the order or contract. In the event there are no *DoD*-unique requirements beyond the FAR, the *DoD acquisition* official shall so inform the servicing *nondefense agency contracting officer* in writing. *Nondefense agency contracting officers* are responsible for ensuring support provided in response to *DoD*'s request complies with paragraph (b) of this section.

(e) *Waiver*. The limitation in paragraph (a) of this section shall not apply to the *acquisition* of *supplies* and services on behalf of *DoD* by a *nondefense agency* during any fiscal year for which the Under Secretary of Defense for *Acquisition* and Sustainment has determined in writing that it is necessary in the interest of *DoD* to acquire *supplies* and services through the *nondefense agency*

during the fiscal year. The written determination *shall* identify the *acquisition* categories to which the waiver applies.

(f) *Nondefense agency* certifications, waivers, and additional information are available at http://www.acq.osd.mil/dpap/cpic/cp/interagency_acquisition.html.

Parent topic: Subpart 17.7 - Interagency Acquisitions: Acquisitions by Nondefense Agencies on Behalf of the Department of Defense