

DOSAR 617

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PART 617 - SPECIAL CONTRACTING METHODS

Subpart 617.1 - Multiyear Contracting

617.104 General.

(b) The Procurement Executive is the agency head for the purpose of [FAR 17.104\(b\)](#).

617.105 Policy.

617.105-1 Uses.

(d) Every multiyear contract shall comply with [FAR 17.104\(c\)](#), unless an exception is approved through the budget process in coordination with the cognizant financial management office/comptroller.

- **Congressional notification.**

(a) The Procurement Executive is the agency head for the purposes of [FAR 17.108\(a\)](#).

Subpart 617.2 - Options

617.204 Contracts.

(e) The Procurement Executive shall approve any solicitations or contracts which exceed the five (5) year maximum length for supplies or services. The Procurement Executive may delegate this approval authority to individuals within the Office of the Procurement Executive.

Subpart 617.5 - Interagency Acquisitions Under the Economy Act

617.500 Scope of subpart.

This subpart establishes Department policy and procedures for the development, documentation, and administration of interagency acquisition agreements under the Economy Act (31 U.S.C. 1535, *et seq.*).

617.501 Definitions.

617.501-70 DOSAR definitions.

"Interagency acquisition agreement (IAA)" means a written transaction under which a Federal agency obtains personal property, real property, or services from another Federal agency. IAAs usually involve a transfer of funds between the two Federal agencies. An Economy Act interagency acquisition agreement (EAIAA) is one type of interagency acquisition agreement.

"Requesting agency" means the Federal agency obtaining personal property, real property, or services from another Federal agency through an IAA.

"Servicing agency" means the Federal agency providing personal property, real property, or services to another Federal agency through an IAA. The servicing agency can meet the requesting agency's needs directly or through issuance of a contract, grant, or cooperative agreement.

617.502 General.

617.502-70 Policy.

(a) *Policy.* (1) It is the Department's policy to use Economy Act IAAs (EAIAAs) in a manner that promotes Department missions, programs, and responsibilities, is consistent with statutory and regulatory requirements, and conforms to relevant financial management standards.

(i) Funds transferred under an EAIAA may not exceed the period of availability of the source appropriation, unless the servicing agency subsequently has incurred valid obligations under the EAIAA.

(ii) Any assets acquired with the transferred funds are in the custody of the servicing agency until such time as the EAIAA has expired. Disposition of any such assets shall be in accordance with the terms of the EAIAA.

(2) An Economy Act IAA (EAIAA) shall be used when:

(i) The EAIAA is identified and planned by the program office with sufficient time to permit orderly completion of reviews and supporting documentation;

(ii) The EAIAA, regardless of whether the Department is the requesting or servicing agency, also is identified and planned in accordance with the Department's acquisition planning cycles;

(iii) Any EAIAA requiring a commitment of Department resources, regardless of whether the Department is the requesting or servicing agency, is identified and planned in accordance with the Department's program planning and budget cycles;

(iv) Any EAIAA including a transfer of funds into the Department is cleared by the budget office of the program office, in consultation with the Bureau of Resource Management (RM); and

(v) Any EAIAA affecting Department employment or ceiling positions is cleared by the personnel office of the program office, in consultation with the Bureau of Resource Management (RM) and the Bureau of Human Resources (HR).

(b) *Scope.* The following transactions do not fall within the scope of this subpart:

(i) Procurement from required sources, including supplies or services obtained from other Federal agencies as authorized or required by law, e.g., excess and surplus stocks from other government agencies, General Services Administration (GSA) Federal Supply Schedules, GSA Customer Supply Centers, GSA Stock Catalogs, GSA Federal Supply Service Consolidated Purchase Programs, Federal Prison Industries, Inc., National Industries for the Blind, and the Government Printing Office.

(ii) Contracts, awarded by warranted contracting officers, with the Small Business Administration pursuant to Section 8(a) of the Small Business Act;

(iii) Agreements that do not provide for a subsequent transfer of funds to or from other Federal agencies and do not affect employment ceilings or positions of the Department; and

(iv) Interagency acquisition agreements established pursuant to statutory authority other than the Economy Act, e.g., the State Department Basic Authorities Act, the Omnibus Diplomatic Security and Antiterrorism Act, the Foreign Assistance Act, and the Federal Property and Administrative Services Act (including the section known as the Brooks Act).

(c) *Competition requirements.* An agency may place an Economy Act order with another agency in lieu of undertaking a competitive acquisition; however, the Competition in Contracting Act (41 U.S.C. 253(f)(5)(B)) provides that in no event may an executive agency "procure property or services from another executive agency unless such other executive agency complies fully with the requirements of

this subchapter [i.e., competition requirements] in its procurement of such property or services."

Under the Economy Act, any condition or limitation on the requesting agency's funds applicable to amounts for procurement apply equally to the interagency acquisition itself or to any procurement processed thereunder.

617.503 Determination and findings requirements.

The authority to make the determination prescribed in FAR 17.503 is delegated to the head of the contracting activity. A sample determination and findings for EAIAs is provided on the Intranet at <http://www.aope.a.state.gov/>.

617.504-70 Ordering procedures

(a) Department deputy assistant secretaries and Bureau Executive Directors or their equivalents are authorized to execute Economy Act IAAs. Department contracting officers also are authorized to execute Economy Act IAAs, as prescribed in FAR 17.504(a).

(b) Department of State Form DS-1921, *Award/Modification of Interagency Acquisition Agreement* shall be used for all Economy Act IAAs where the Department is the requesting agency. It shall also be used for Economy Act IAAs where the Department is the servicing agency if the requesting agency does not have a similar form that provides the same information.

Subpart 617.6—Management and Operating Contracts

617.602 Policy.

The Assistant Secretary for Administration is the agency head for the purposes of FAR 17.602.