Subpart 507.1 - Acquisition Plans

Parent topic: Part 507 - Acquisition Planning

507.101 Definitions.

"Planner" means the person residing in the requirements office who initiates, coordinates and prepares written acquisition plans. The person may be in an individual program office or have responsibility for a number of such offices.

"Planning team" means a team of individuals formed to prepare individual elements of an acquisition plan. The team should be comprised of technical and professional representatives from the requirements customer, contracting, budget, counsel, small business technical advisors (SBTA), and other offices as warranted.

"Requirements office" means the internal GSA office that establishes and funds the agency need. If an organization outside of GSA establishes and funds the need, then the requirements office will be the GSA office that is managing the acquisition for that outside organization.

507.103 Agency-head responsibilities.

(a) The HCA must ensure that the planning team adheres to the requirements of FAR part 7 and this part.

(b) Approval thresholds.

(1) The following are the dollar value thresholds and the level of the approving official for approving acquisition plans or waiving written acquisition plans. The HCA may further limit approval authority for the approving officials. Thresholds include all options.

Threshold	Approving Official
Up to but not exceeding \$5M	Contracting Officer
Over \$5M to \$15M	One Level above the Contracting Officer
Over \$15M to \$75M	Contracting Director
Over \$75M	HCA or Contracting Executive, if applicable

(2)Contracting activities shall provide notification to the Service-Level Acquisition Policy Office and to the SPE at <u>spe.request@gsa.gov</u> during the market research phase for acquisitions anticipated to be valued over \$500 million.

(3)If the acquisition meets one of the following criteria, the planner must obtain HCA approval of the acquisition plan. HCAs may designate approval authority to a level no lower than the Contracting Director.

(i) Complex, critical to agency strategic objectives and mission, highly visible or politically sensitive.

(ii) An acquisition with which the contracting activity has little or no experience that may result in a need for greater oversight or risk management.

(iii) Actions using significantly changed methods (*e.g.*, methods of procurement such as lease versus purchase, or methods of performance such as contractor versus Government personnel).

(iv) New construction, lease prospectus and alteration prospectus budget line items.

(v) Any acquisition that involves consolidation or bundling above \$2 million.

(4) Acquisitions requiring additional transactional data reporting elements to those listed in subparagraph (b)(2) of clauses 552.216-75 and 552.238-80 Alternate I-

(i) Must be coordinated with the applicable category manager, and obtain approval by the HCA and SPE; and

(ii) Must provide the information at 501.304(b)(4) in the rationale for adding transactional data reporting elements.

(iii) The approval requirements in this subparagraph do not apply to additional data elements added to a task/delivery order or blanket purchase agreement. However, coordination with the applicable category manager is required.

(c) *Sustainability Strategies*. Strategies to either mitigate or adapt to climate change can be explored during acquisition planning and should be clearly documented within the acquisition plan (see 507.105). Some requirements may present more environmental opportunities than others. The Sustainable Facilities tool, available at sftool.gov may be used to identify sustainable attributes (products that are energy efficient, water efficient, or made from recycled materials).

507.104 General procedures.

(a) The planner shall:

(1) Comply with the requirements of FAR subpart 7.1 and this subpart, and coordinate with other members of the planning team as appropriate.

(2) Write the acquisition plan using all planning team members especially for complex or highly sensitive acquisitions.

(3) Review the acquisition history of the supplies and services.

(4) Review the description of the supplies, including (when necessary for adequate description) a picture, drawing, diagram, or other graphic representation.

(5) Coordinate with the Small Business Technical Advisor (SBTA) as necessary to fulfill the

requirements of FAR 7.104(d) (See <u>519.202-1</u>).

(6) Coordinate with the GSA Chief Information Officer (CIO) if the action involves GSA information technology and ensure acquisition plans are approved by the GSA CIO. Guidance for identifying the applicable GSA CIO point of contact can be found on GSA's Acquisition Portal at <u>https://insite.gsa.gov/acquisitionportal</u>. For interagency acquisitions involving information technology, see <u>subpart 517.5</u>.

(7) Obtain concurrence of the contracting officer, and approvals as required in paragraph 507.103 (b)(1).

(8) Coordinate with the Office of General Counsel on an as needed basis, but definitely for acquisition plans over \$20 million.

(9) Ensure that an interagency agreement is in place in all agency specific clauses, terms and conditions are incorporated in the acquisition, when conducting purchases on behalf of other agencies.

(10) Coordinate, as necessary, with any designated sustainability point of contact for the requirement (see 504.7104).

(11) Follow sustainability policies and procedures specified in $\underline{part\ 523}$ throughout the procurement.

(12) Coordinate with the contracting officer to ensure all INFORM components (see INFORM Guide) are integrated into the acquisition planning process. The acquisition plan must include the time necessary for orientation of acquisition stakeholders and potential evaluators to INFORM procedures and timeline commitments.

(13)Coordinate with the designated AbilityOne Representative (ABOR), as appropriate. The GSA ABOR team may be contacted at $\underline{GSAABOR@gsa.gov}$. Coordination may be appropriate, but is not limited to, when —

Adding a product or service to the AbilityOne Procurement List (see FAR <u>subpart 8.7</u>, and <u>subpart 508.7</u>). The planner shall ensure the requirement is clearly defined and sufficient time is included in the acquisition schedule to allow for addition to the AbilityOne Procurement List; (i)

(ii)Providing subcontracting opportunities to AbilityOne nonprofit agencies; and

(iii)Including FAR 52.208-9 in a procurement (see FAR 8.005 and 508.005).

(b) The contracting officer shall:

(1) Ensure that acquisition planning and market research are performed for all acquisitions.

(2) Ensure all acquisition plans for applicable acquisitions per $\underline{515.370}$ contain the INFORM components.

(3) Ensure that a determination has been made on large-scale construction projects, as defined in FAR $\underline{22.502}$, whether to use Project Labor Agreements (PLAs) or submit an exception request. If an exception to the PLA is contemplated, the contracting officer shall follow the procedures at $\underline{522.570-1}$.

(4) Ensure that the contract file contains a copy of the approved acquisition plan.

(c) *Applicability*. All acquisitions exceeding the SAT, including orders and BPAs, require written acquisition plans.

(1) When awarding a single IDIQ contract, an acquisition plan will be developed for the base contract. The resulting orders should be covered by and reference the same acquisition plan.

(2) When awarding a BPA for a specific requirement and agency, an acquisition plan will be developed for the base contract. The resulting orders should be covered by and reference the same acquisition plan.

(3) For oral acquisition plans, see <u>507.105-70</u>.

(d) For all acquisitions exceeding the SAT, the planner must provide a written acquisition plan. The plan, with required approvals, must be documented in the (electronic) contract file before solicitation issuance.

507.105 Contents of written acquisition plans.

(a) The content prescribed in FAR 7.105 shall be used in the preparation of written acquisition plans. Except for 507.105(a)(1), where a particular element described in FAR 7.105 does not apply, the acquisition plan should read "not applicable." The dollar value, complexity (*e.g.*, commercial versus other than a commercial purchase) and method of acquisition (*e.g.*, full and open competition versus task/delivery order) of the supplies and services to be acquired will affect the scope and breadth of the acquisition plan.

(1) *Sustainable Acquisition Considerations*. Whether it is in the requirements, the statement of work, the method of award, or the contract administration strategy, most acquisitions present opportunities to consider the impact on the environment. For all acquisitions that require a written acquisition plan, environmental impact shall be considered and documented in the acquisition plan (see FAR <u>7.105(b)(17)</u>). When addressing FAR <u>7.105(b)(17)</u> in the acquisition plan, the contracting officer should address the following:

(i) *Statement of Work*. When conducting acquisition planning, the contracting officer is encouraged to strategize with the program manager to consider the most environmentally preferable solutions for the Government. For example, this could include buying items with less packaging, greater recycled content, longer shelf life, lower carbon footprint, improved energy efficiency, less waste, or services that are performed remotely to reduce the federal carbon footprint (see <u>511.002</u>(a) for additional guidance).

(ii) *Contract Administration*. Describe actions during contract administration to promote environmentally preferable solutions. For example, this could include any in-scope efficiencies that are identified after contract award that further reduce the Government's carbon footprint.

(2) Contracting officers may not state that the sustainability section of the acquisition plan is "not applicable" without a full explanation as to why the acquisition does not present any sustainable acquisition opportunities.

(b)FAR 7.106 (major systems) and FAR 7.107 (consolidation, bundling, or substantial bundling) shall be addressed in the acquisition plan, if applicable.

(c)For leasehold interests in real property, a modified version of the contents of acquisition plans for leases is utilized.

(d)The requirement for a written acquisition plan may be waived by the appropriate level of an approving official listed in 507.103 (b). When the requirement for a written acquisition plan is waived, an oral acquisition plan is still required. The planner must obtain approval for the oral acquisition plan from the approving official.

(e) *Software*. If procuring software, specify the result of any software requirement alternatives analysis that has been completed in accordance with 511.170 (e).

(f) Cyber-supply chain risk management for GSA-funded acquisitions.

(1)The acquisition planner must discuss the scope of involvement (or planned involvement) of the GSA Chief Information Security Officer (CISO), or representative, as part of the acquisition planning team, to ensure cyber-supply chain risk considerations are addressed on a best effort basis based on availability of resources if the acquisition may involve GSA information systems and any of the following are applicable:

(i) *Hardware Devices*. Hardware devices that connect to the GSA enterprise network (wired or wireless).

(ii) *Critical Software*. Critical software that meets the current definition of Critical Software Under Executive Order (EO) 14028, Improving the Nation's Cybersecurity, as defined by the National Institute of Standards and Technology (NIST).

(iii) *Federal Information Processing Standard (FIPS)* 199 *High-Impact Information System*. A high-impact information system could be expected to have a severe or catastrophic adverse effect on organizational operations, organizational assets, or individuals if there was a breach of security resulting in a potential loss of confidentiality, integrity, or availability.

(iv) *FIPS 199 Moderate-Impact Information System*. A moderate-impact information system could be expected to have a serious adverse effect on organizational operations, organizational assets, or individuals if there was a breach of security resulting in a potential loss of confidentiality, integrity, or availability.

(v) *FIPS 199 Low-Impact Information Systems*. Unless 507.105(f)(1)(iii) or (iv) applies, this paragraph (f)(1) does not apply to the acquisition of low-impact information systems.

(2)For any other procurement requiring a written acquisition plan, the acquisition planner should discuss efforts to mitigate risks associated with cyber-supply chain risk management. Efforts and considerations could include:

(i)Market research efforts (see <u>510.002</u>(c) and (d));

(ii)Procuring products or services already approved in GSA's Enterprise Architecture Analytics and Reporting (GEAR) system;

(iii)Procuring products or services with a current GSA IT Assessment and Authorization (A&A, or Authority to Operate (ATO)) or Federal Risk and Authorization Management Program (FedRAMP) Authorization;

(iv)Considering contracting vehicles that have already evaluated awardees supply chain methods

and assurances; or

(v)Planning efforts with the GSA CISO.

507.105-70 Contents of oral acquisition plans.

Oral acquisition plans. Oral acquisition plans are only authorized by approval of the HCA and may be used in unusual and compelling situations. The planner shall document a summary of the oral acquisition plan, and shall also include: the name and signature of the approving official; the date the oral acquisition plan was approved; and the reason for waiving a written acquisition plan. The summary shall be included in the official contract file. In addition, the summary should be a part of, or attached to, any justification for other than full and open competition as required by FAR 6.302, or in the basis for using an exception to the fair opportunity process required by FAR 16.505(b)(2). The summary may be prepared after award if preparation before award would unreasonably delay the award, such as in the case of circumstances warranting the use of a letter contract.

507.107 Additional requirements for acquisitions involving consolidation, bundling, or substantial bundling.

507.107-1 General.

Guidance on consolidation, bundling or substantial bundling can be found on GSA's Acquisition Portal at <u>https://insite.gsa.gov/acquisitionportal</u>.

(a) Applicability.

(1) The contracting officer must determine if the requirement is considered consolidation, bundling or substantial bundling per the definitions in FAR 2.101(b) and FAR 7.107-4.

(2) Construction Indefinite-Delivery, Indefinite-Quantity (IDIQ) Contracts.

(i) When establishing an IDIQ contract for construction and the number of discrete sites is unknown, the contracting officer has the discretion to assess the construction requirements for consolidation at either the IDIQ or task order (TO) level. A consolidation analysis should not be performed at both levels.

(ii) The acquisition plan and GSA Form 2689, as applicable, must address if a consolidation determination was or will be made at an IDIQ or TO level.

(b) *Thresholds for Written Determination*. Notwithstanding exceptions per FAR 7.107-1(b), a written determination is required for—

- (1) Consolidation requirements above \$2 million; and
- (2) Bundling requirements at any dollar value.
- (c) Approvals for Written Determination.

(1) The contracting officer shall obtain approvals as required by the Service prior to the Associate Administrator, Office of Small and Disadvantaged Business Utilization (AA OSDBU) and the Senior Procurement Executive (SPE).

(2) The contracting officer shall coordinate with the GSA Office of Small and Disadvantaged Business Utilization for AA OSDBU's approval prior to the SPE's approval.

(d) Contents of Written Determination for Consolidation.

(1) The contracting officer must provide the following information, which includes the requirements at FAR 7.107-2:

(i) Brief description of the acquisition history.

(ii) Description of the market research conducted.

(iii) Identification of any alternative contracting approaches that involve a lesser degree of consolidation of contract requirements.

- (iv) Identification of the contracting approach selected.
- (v) Identification of any negative impacts to small business concerns.
- (vi) Description of steps taken to include small business concerns in the acquisition strategy.
- (vii) Explanation of the substantial benefits.

(viii) Statement that the consolidation and/or bundling is necessary and justified.

(e) Additional Contents of Written Determination for Bundling.

(1) The contracting officer must provide the information required by paragraph (e)(2) of this subsection in addition to paragraph (d) of this subsection when the requirement is considered bundling (see FAR 2.101). The additional information listed in this paragraph includes the requirements at FAR 7.107-3.

(2) The contracting officer must use market research to determine prices the Government could have been or could be charged by a small business for the work previously performed by other than small business(es) (see FAR 7.107-3(g)).

(f) Additional Contents of Written Determination for Substantial Bundling.

(1) The contracting officer must provide the following information in addition to paragraphs (d) and (e) of this subsection when the requirement is considered substantial bundling (see FAR 7.107-4).

(2) The contracting officer must provide the following information, which includes the requirements at FAR 7.107-4(b):

(i) Explain the rationale for not selecting each alternative contracting approach with a lesser degree of consolidation.

(ii) Identify the specific impediments to participation by small business concerns as contractors,

including any relevant socioeconomic subcategories.

(iii) Explain any actions designed to maximize small business participation through teaming.

(iv) Explain any actions designed to maximize small business participation through subcontracting, including suppliers.

(g) Substantial Benefits Reporting.

(1) The contracting officer must monitor and measure actual savings throughout the acquisition life cycle, and report realized substantial benefits to the SPE.

(2) Realized substantial benefits shall be reported:

- (i) Within 14 calendar days after award of the contract.
- (ii) Within 30 calendar days after completion of the contract.

(iii) During contract performance as requested by the SPE on a case by case basis.

507.107-5 Notifications.

(a) Notification to the public of rationale for consolidated, bundled, or substantially bundled requirement.

(1) A summary notification of a determination that a consolidated, bundled, or substantially bundled requirement is necessary and justified will be published by the SPE on the System for Award Management Contract Opportunities at <u>https://www.sam.gov</u>. The notice will be posted within 7 days of the SPE approved determination.

(2) Any solicitation related to the consolidation, bundled, or substantially bundled requirement can only be published after the summary notice from subparagraph (a)(1) of this section has been published for at least 7 days.

(3) The contracting officer is encouraged to provide the summary notification from subparagraph(a)(1) of this section to the Governmentwide Point of Entry (GPE) before issuance of the solicitation.

(4) The contracting officer shall publish the SPE approved determination with the publication of the solicitation, redacted as necessary.

(5) For bundled or substantially bundled requirements, in addition to the requirements of this subsection, the contracting officer must verify compliance with the notification requirements of FAR 7.107-5(b).

(b) Notification to SBA of follow-on consolidated or bundled requirements.

(1) The contracting officer shall coordinate with the designated SBTA (see subpart <u>519.4</u>) to provide follow-on notification to the SBA PCR in accordance with FAR 7.107-5(c). The designated SBTA will provide notification to the SPE at <u>spe.request@gsa.gov</u>, the AA OSDBU at <u>osdbu_review_concurrence@gsa.gov</u>, and the Service-level policy organization (*e.g.*, FAS's Office of Policy and Compliance and PBS's Office of Acquisition).

(2) The SBTA will submit the notification to SBA PCR within 5 business days of receiving the notification from the contracting officer or request an extension from the contracting officer.