

MEMORANDUM OF AGREEMENT  
BETWEEN  
THE DEPARTMENT OF DEFENSE  
AND  
THE DEPARTMENT OF THE INTERIOR

**BACKGROUND:** The Department of the Interior (DOI) is authorized by statute to provide acquisition services to the Department of Defense (DoD). The DoD primarily obtains acquisition services from the Interior Business Center (IBC), Acquisition Services Directorate (AQD). Below is a summary of DOI's major authorities.

- General statutory authority to provide cross-agency support for all of the IBC/AQD locations is through DOI's working capital fund, which was established pursuant to 43 U.S.C. 1467 (amended).
- The IBC/AQD also operates under the Federal Franchise Fund Authority of Section 403 of the Government Management Reform Act of 1994, P.L. 103-356, as delegated by the Director, Office of Management and Budget and the Department of the Interior Appropriations Act, 1997, Pub. L. 104-208, div. A, title I, § 101(d) [title I, § 113]. The Interior Franchise Fund (IFF) was established in 1996 to offer acquisition services to Federal agencies. Continuation of franchise fund authority for DOI, after the pilot expiration, was authorized on an annual basis since 1997 through annual Interior appropriations. On December 26, 2007, permanent authority to operate was granted to the IFF under section 730 of the Financial Services and General Government Appropriations Act, 2008, Pub. L. No. 110-161, Div. D, Title VII, in the Consolidated Appropriations Act, 2008.
- The IBC/AQD has specific statutory authority (P.L. 108-7, div F, title I, Section 144) to enter into grants, cooperative agreements, and other transactions, under the Defense Conversion, Reinvestment, and Transition Assistance Act of 1992, and other related legislation.
- Acquisition services provided by the remainder of DOI are provided under authority of the Economy Act (31 U.S.C. 1535) and Federal Acquisition Regulation Subpart 17.5. DOI offices, other than IBC/AQD, are not authorized to provide any financial assistance services to DoD.

**OBJECTIVE:** This Memorandum of Agreement (MOA) and Action Plan memorialize and document the roles and responsibilities for both the DoD and the DOI. This MOA also documents the authority, statutes, and parameters for the DOI to provide assisted acquisition services to the DoD and replaces the previous MOA that is dated March 2007. This document memorializes the parties' agreement for interagency support.

This MOA covers interagency acquisition initiatives that DoD and DOI share to address the objective of providing best value goods and services, in a timely manner, in support of the warfighter. To achieve this objective, both DoD and DOI agree to perform the following key strategic initiatives to improve support to the warfighter.

**AGREEMENT:** The DOI is a strategic partner in meeting the DoD mission through assisted acquisition support services, and shares in the responsibility of proper stewardship of taxpayer dollars and contributing to a lethal warfighting capability on every interagency action on behalf of DoD.

The DOI provides value to the DoD by:

- Managing the acquisition process to comply with applicable statutes and regulations
- Providing an educated and well-trained workforce
- Providing expert contracting experience in functional areas such as research and development, information technology, and supplies and services
- Collaborating with DoD customers to plan, award, administer, and close contracts and agreements
- Setting and tracking various performance metrics
- Providing financial reporting and
- Reporting work completed, as requested.

In order to achieve acquisition excellence, the DoD and DOI agree to work together to:

1. Ensure that acquisition practices across DOI comply with DoD statutory, regulatory and policy requirements. The DoD and DOI will share advance copies of proposed new and revised statutory, regulatory and policy for comment and negotiate changes that affect interagency acquisitions.
2. In accordance with the requirements of Section 801 of the National Defense Authorization Act for Fiscal Year 2008 and implemented by FAR 17.703, the DOI will continue to certify that acquisitions conducted on the behalf of the DoD will comply with defense procurement requirements each fiscal year. This certification will be submitted within 30 days of the beginning of each fiscal year to the Director, Defense Procurement and Acquisition Policy (DPAP).
3. Ensure that Statements of Work (SOWs) or Performance Work Statements (PWSs) are complete when used in connection with a contract or order issued in support of DoD.
4. Ensure that Interagency Agreements (IAs) between the DoD and DOI for work to be performed by the DOI on behalf of DoD describe the work to be performed and any other applicable requirements.
5. Ensure that price reasonableness determinations are completed and documented on every contract or order placed by the DOI on behalf of the DoD.
6. Ensure that sole source justifications are adequate when used in connection with a contract or order issued in support of the DoD.

7. Ensure that contract surveillance and oversight requirements are defined, adequate and implemented when used in connection with a contract or order issued by the DOI in support of the DoD.
8. Ensure that funding oversight/management is adequate when used in connection with a contract or order issued by the DOI in support of the DoD.
9. Ensure that appropriate acquisition planning is accomplished for every procurement action.
10. Ensure that a DoD contracting officer reviews any requirement valued in excess of \$500,000 before the work is accepted by the DOI for Non-Economy Act Orders. The DOI will verify that a review by a DoD contracting officer has been completed, as required by DoD 7000.14-R, Financial Management Regulation, Volume 11A, Chapter 18, "Non-Economy Act Orders", section 180206, Contracting Officer Review.
11. Ensure that DoD customers provide quality Military Interdepartmental Purchase Requests (MIPRs) or other comparable documents to the DOI for assisted acquisitions.
12. Ensure that pricing obtained by the DOI and the services it provides represent the best value on a contract/order basis.
13. Ensure that DOI's fee structure keeps its cost recovery consistent with existing interagency operating authority (Working Capital Fund, Interior Franchise Fund, and Economy Act) and that it is fair and commensurate with the service(s) provided.
14. Ensure that adequate competition is utilized for contracts or orders issued by the DOI in support of the DoD in accordance with statutory and regulatory requirements.
15. Ensure the DoD provides experienced, certified Contracting Officer Representatives (CORs) with the appropriate level of certification.
16. Ensure sufficient contractor oversight is performed to detect potential non-performance and/or non-compliance issues.
17. Ensure that contractor past performance is documented properly in the Contractor Performance Assessment Reporting System (CPARS) and in a timely manner for contracts or orders issued by the DOI in support of the DoD. To include preparing written narratives sufficiently to justify the rating given, rating the required evaluation factors, and adequately describing the scope of work reviewed.
18. Obtain clarification on the implementation of DoD Class Deviation 2013-00018, Past Performance Evaluation Thresholds and Reporting Requirements, regarding CPARS for interagency acquisitions conducted by the DOI on behalf of the DoD.
19. Ensure requirements are stated in "performance based" terms to the maximum extent practicable, consistent with statute and regulation in connection with a contract or order issued by the DOI in support of the DoD.
20. Ensure timely and accurate data is reported in the Federal Procurement Data System-Next Generation (FPDS-NG) in connection with a contract or order issued by the DOI in support of the DoD.

21. Ensure timely and accurate data is reported in the Federal Assistance Award Data System in connection with Financial Assistance awards issued by the DOI in support of the DoD.
22. Define information requirements and then ensure DoD customers are provided with timely and accurate reports on DOI assisted acquisition support in connection with a contract or order issued by the DOI in support of the DoD, as requested.
23. Ensure funds provided to DOI in excess of contract requirements are deobligated and returned to DoD customers in a timely manner. Provide regular reports to DoD customers in connection with status of excess funding, as requested.
24. The DOI will provide standardized data reporting to the DoD, inclusive of uncommitted fund balances, amounts obligated, amounts expended, and fees paid, as requested.
25. Ensure and foster open lines of communication between the DoD and DOI leadership in promoting value-added acquisition in support of the DoD's mission.
26. Provide the DOI access to the DoD's Clause Logic Tool to evaluate the use of the tool in an effort to improve the efficiency of applying DoD requirements to interagency assisted acquisitions conducted through the DOI. The DOI and DoD will collaboratively evaluate the level of effort and all associated costs required to implement use of the tool. The decision to implement use of the tool will be made at the discretion of the DOI.
27. Share results of quarterly FPDS-NG Verification and Validation (V&V) data quality reviews with DoD, as requested.
28. Remove Barriers to DoD's Use of Interagency Acquisition: Interagency acquisition plays a vital role in the Federal acquisition system to help agencies obtain acquisition expertise from other agencies, reduce administrative cost of acquisition, and efficiently deliver goods and services to support mission requirements.
29. Engage in wide ranging data sharing efforts to facilitate category management, strategic sourcing, price analyses, demand analyses, and other analyses to promote improved Federal buying.
30. In accordance with FAR 19.202, the DOI will perform small business screening for DoD requirements following DOI internal policies and executed on the DOI Acquisition Screening and Review form (DI-1886) in lieu of the DoD Small Business Coordination Record (DD Form 2579).
31. Electronic Invoicing: DOI will comply with electronic invoicing requirements established in OMB Memorandum M-15-19, subject, Improving Government Efficiency and Saving Taxpayer Dollars Through Electronic Invoicing, dated July 17, 2015. This is currently accomplished through the use of Department of Treasury's Invoice Processing Platform (IPP) in lieu of DoD's Wide Area Work Flow (WAWF).
32. The DOI's Use of DoD's Contracting Officer Representative Tracking (CORT) Tool: The CORT Tool provides contracting personnel and requiring activities the means to track and manage COR assignment across multiple contracts across DoD. The DOI and DoD will collaboratively evaluate the level of effort and all associated costs required to implement use of the tool. The decision to implement use of the tool will be made at the discretion of the DOI.

33. The DOI's Use of DoD's Data Item Description (DID) Numbers for Contract Data Requirements List (CDRLs): A DID is a completed document that defines the data required of a contractor and is included in a CDRL. The document specifically defines the data content, format, and intended use. The DOI and DoD will collaboratively evaluate the level of effort and all associated costs necessary to implement use of the DID Numbers for CDRLs. The decision to implement use of the tool will be made at the discretion of the DOI.

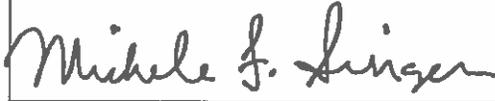
34. Defense Contract Audit Agency (DCAA) Support: The DPAP will assist in helping the DOI obtain support from DCAA for contract audit services on behalf of DoD. The DoD agrees to pursue audit support as needed for contracts administered by the DOI on DoD's behalf. The DOI will receive DoD's position of "priority" when audit requests are made by the DOI on behalf of DoD.

35. Defense Contract Management Agency (DCMA) Support: The DPAP will assist in helping the DOI obtain support from DCMA for any contractor rates, business system status, in-plant quality assurance issues, and other required contractor-related information maintained by Divisional Administrative Contracting Officers and Administrative Contracting Officers, as well as pre-award surveys and other financial capability reviews.

As partners, DoD and DOI recognize the need to collaborate on IA requirements. As individual organizations, each has specific responsibilities in all parts of this plan to ensure that all acquisitions conducted on behalf of DoD by DOI contracting officers are compliant with statute, regulation and applicable policy. Collectively, the two organizations have the ability and expertise to ensure that all contracting actions are done properly, in compliance with all applicable law, regulation and policy and in the best interests of the taxpayer.

The DoD values greatly the support that the DOI provides. The DoD is committed to sound acquisition planning and to providing the DOI with clear requirement definition for its acquisitions regarding what it wants acquired and when it needs it. The DOI is committed to ensuring that contracting actions done on behalf of DoD are of the highest quality, best value, and enhance DoD's abilities to achieve its mission while complying with statute, regulation, and policy.

Attached is an Action Plan that more specifically defines DoD's and DOI's respective roles and responsibilities with regard to the above agreement. This chart will be modified periodically to update roles and responsibilities and, over time, may identify new actions in this evolving process. An annual meeting will be held with DoD and DOI senior leadership to evaluate and address the effectiveness of this plan and identify emerging IA issues.

	
<p>Michele F. Singer          Director          Interior Business Center          Department of the Interior</p>	<p>Shay D. Assad          Director (Acting)          Defense Procurement and Acquisition Policy          Department of Defense</p>
<p>Date: <b>SEP 19 2017</b></p>	<p>Date: <b>SEP 19 2017</b></p>

## ACTION PLAN

Action Number	Action	Date	MOA Item
1	DOI and DoD will continue to review policies on the use of interagency acquisitions	Ongoing	1
2	DOI will continue to certify that acquisitions conducted on the behalf of DoD will comply with defense procurement requirements each fiscal year	Ongoing	2
3	DoD and DOI will work together to obtain clarification on the implementation of DoD Class Deviation 2013-O0018 regarding CPARS for interagency acquisitions conducted by DOI on behalf of DoD.	Commence upon signature, decision within 90 days	18
4	DoD and DOI will collaboratively evaluate the level of effort and all associated costs required to implement DOI's use of the DoD Clause Logic tool for assisted acquisitions	Commence upon signature, decision within 90 days	26
5	DOI will share FPDS-NG Data Quality Quarterly V&V results on DOI's acquisitions on behalf of DoD	Ongoing	27
6	DOI and DoD will engage in wide ranging data sharing efforts to facilitate category management, strategic sourcing, price analyses, demand analyses, and other analyses to promote improved Federal buying	Ongoing	29
7	DOI and DoD will collaboratively evaluate the level of effort and all associated costs required to implement DOI's use of the Department of Defense Contracting Officer Representative Tracking (CORT) Tool	Commence upon signature, decision within 90 days	32
8	DOI and DoD will collaboratively evaluate the level of effort and all associated costs required to implement DOI's use of the Data Item Description (DID) Numbers for Contract Data Requirements List (CDRL)	Commence upon signature, decision within 90 days	33
9	DPAP will assist in helping DOI obtain support from the Defense Contract Audit Agency (DCAA)	Ongoing	34
10	DPAP will assist in helping DOI obtain support from the Defense Contract Management Agency (DCMA)	Ongoing	35