

General Services Administration  
Washington, DC 20405

ADP 2800.12B Change 21  
May 15, 2009

## GSA ORDER

Subject: GSAM Case 2006-G511; Acquisition of Information Technology; Rewrite of Part 539

1. Purpose. This order transmits a revision to the General Services Administration Acquisition Manual (GSAM).
2. Background. The General Services Administration is amending the GSA Acquisition Manual (GSAM) to add coverage in Part 539, Acquisition of Information Technology to provide applicability and a cross-reference to GSAM 507.70, Additional Requirements for Purchases in Support of National Security Systems to contracting officers when acquiring information technology in support of national security systems. This guidance was derived from a memorandum entitled "Purchases in Support of National Security Systems" which was signed and issued by the Federal Acquisition Service (FAS) Commissioner, James A. Williams, on September 6, 2006, and also supplements the Federal Acquisition Regulation (FAR) coverage provided in FAR Part 39.
3. Effective date. December 17, 2008.
4. Explanation of changes. Section 539.001 – Applicability is added to direct contracting officers to GSAM Subpart 507.70, Additional Requirements for Purchases in Support of National Security Systems when acquiring information technology in support of national security systems.
5. Filing instructions. Insert the following pages to the GSAM:

Remove pages

General Structure  
pp. iii and iv  
pp. vii and viii

Insert pages

General Structure  
pp. iii and iv  
pp. vii and viii

Part 507 TOC  
pp. 507-i and 507-ii

507-1 and 507-2

Part 539 TOC  
pp. 539-i and 539-ii

Part 507 TOC  
pp. 507-i and 507-ii

507-1 and 507-2

Part 539 TOC  
pp. 539-i and 539-ii

539-1 and 539-2

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DAVID A. DRABKIN  
Acting Chief Acquisition Officer,  
Office of the Chief Acquisition Officer,  
General Services Administration

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**PART 507—ACQUISITION PLANNING**

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## PART 507—ACQUISITION PLANNING

### Subpart 507.1—Acquisition Plans

#### 507.103 Agency-head responsibilities.

(a) The HCA must ensure that requirements personnel:

(1) Promote and provide for full and open competition by following the procedures in:

(i) FAR part 10 for conducting market research.

(ii) FAR part 11 and GSAM part [511](#) for describing agency needs.

(2) Through market research and description of agency needs as described in FAR parts 10 and 11 and GSAM part [511](#), encourage offers of commercial items or, if suitable commercial items are not available, nondevelopmental items, to meet agency needs.

(3) Follow the principles in FAR part 7, GSAM part [507](#) and GSA Order, Acquisition Planning (OGP 2800.1) (see Appendix 507A), as appropriate, for each acquisition that requires either a limited or comprehensive acquisition plan.

(4) Consider using metric measures consistent with 15 U.S.C. 205 et seq. during the acquisition planning phase. See GSAM [511.002](#) and GSA Order, GSA Metric Program (ADM 8000.1C).

(5) Follow the procedures in FAR part 23, GSAM part [523](#), and GSA Order, GSA Affirmative Procurement Program (OGP 2851.1) (see [Appendix 523A](#)) to specify needs and develop plans, drawings, work statements, specifications, or other product descriptions that promote use of environmentally preferable and energy-efficient products and services.

(6) Do not initiate any purchase request for performance of an inherently governmental function by a contractor (See FAR 7.5 and GSAM [507.5](#)).

(7) Use knowledge gained from prior acquisitions to further refine requirements and acquisition strategies. Seek increased use of performance-based contracting methods and fixed-price contracts in follow-on acquisitions for services.

(8) To the maximum extent practicable, both:

(i) Structure contract requirements to facilitate competition by and among small business concerns.

(ii) Avoid unnecessary and unjustified bundling that precludes small business participation as contractors (FAR 7.107).

(9) Coordinate with the contracting officer in performance of these responsibilities.

(b) The HCA may designate an official to make the determination required by FAR 37.204 and GSAM [537.2](#) prior to issuance of a solicitation for advisory and assistance services involving the analysis and evaluation of proposals submitted in response to a solicitation.

(c) You have responsibility for:

(1) Coordinating with requirements personnel to ensure effective market research and description of agency needs that meet the objectives in paragraph [\(a\)](#) above.

(2) Promoting and providing for full and open competition or, as provided in FAR part 6, maximum practicable competition.

(3) Following the principles in FAR part 7, GSAM part [507](#) and GSA Order, Acquisition Planning (OGP 2800.1) (see Appendix 507A), as appropriate, for each acquisition that requires either a limited or comprehensive acquisition plan.

(4) Reviewing, prior to contracting, both:

(i) The acquisition history of the supplies and services.

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

(5) Unless the HCA designates another official, making the determination required by FAR 37.204 and GSAM [537.2](#) prior to issuing a solicitation for advisory and assistance services involving the analysis and evaluation of proposals submitted in response to a solicitation.

(6) Not entering into any contract for performance of an inherently governmental function by a contractor.

(7) Using knowledge gained from prior acquisitions to further refine requirements and acquisition strategies. Seek to enable increased use of performance-based contracting methods and fixed-price contracts in follow-on acquisitions for services.

### Subpart 507.3—Contractor Versus Government Performance

#### 507.307 Appeals.

GSA Order, Implementation of the OMB Circular A-76 Productivity Improvement Program (ADM P. 5400.40) contains appeal procedures.

### Subpart 507.5—Inherently Governmental Functions

#### 507.503 Policy.

(a) Concurrent with the transmittal of each statement of work or any modification to a statement of work, the requirements official must provide you a written determination that none of the functions to be performed are inherently governmental. The determination must address the degree to which conditions and facts restrict the discretionary authority, decision-making responsibility, or accountability of Government officials using the contractor services or work products.

(b) The HCA resolves any disagreement regarding the requirements official's determination, following the guidelines in FAR 7.5. The HCA may delegate this authority to a level not lower than the contracting director.

**Subpart 507.70—Additional Requirements for Purchases in Support of National Security Systems**

**507.7000 Scope of subpart.**

This subpart prescribes acquisition policies and procedures for use in acquiring information technology supplies, services and systems in support of a weapon system as part of a national security system, as defined by FAR 39.002.

**507.7001 Policy.**

(a) Although GSA's mission does not include the direct acquisition of weapon systems on behalf of the Department of Defense (DoD), GSA contracting activities may procure information technology supplies, services and systems in sup-

port of a weapon system, which is part of a national security system (*e.g.*, components, services to install and maintain weapon systems, ancillary items and services) when responding to a bona-fide requirement received from a requiring agency or program office.

(b) Contracting Officers shall ensure that all requiring agency regulations and the policies and directives of The Committee on National Security Systems at [www.cnss.gov](http://www.cnss.gov) are conducted during the acquisition planning stage and are met before acquiring information technology supplies, services and systems in support of a weapon system as part of a national security system.

(c) Employees responsible for or procuring information technology supplies, services and systems in support of a weapon system shall possess the appropriate security clearance associated with the level of security classification related to the acquisition. They include, but are not limited to contracting officers, contract specialists, project/program managers, and contracting officer representatives.

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**PART 539—ACQUISITION OF INFORMATION TECHNOLOGY**

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Applicability.

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PART 539—ACQUISITION OF INFORMATION TECHNOLOGY

539.001

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## PART 539—ACQUISITION OF INFORMATION TECHNOLOGY

### **539.001 Applicability.**

In accordance with FAR 39.001, this part does not apply to acquisitions of information technology for national security

systems, but see GSAM Subpart 507.70, Additional Requirements for Purchases in Support of National Security Systems.

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