

Acquisition Artifacts & Activities

Summary Description:

According to the Federal Acquisition Regulation (FAR), "acquisition" is the "acquiring by contract with appropriated funds of supplies or services (including construction) by and for the use of the Federal Government through purchase or lease, whether the supplies or services are already in existence or must be created, developed, demonstrated, and evaluated. Acquisition begins at the point when agency needs are established and includes the description of requirements to satisfy agency needs, solicitation and selection of sources, award of contracts, contract financing, contract performance, contract administration, and those technical and management functions directly related to the process of fulfilling agency needs by contract."

Throughout the CMS IT investment and system life cycles, acquisition activities may be performed at various times and for various reasons. If an IT project will be utilizing the services of a contractor or other Federal agency, or will require other procurement actions, then the following acquisition artifacts and activities may be required. Reference the following topics for more detailed information.

[Acquisition Planning & Request for Contract \(RFC\) Information](#)

[Required Approvals/Clearances/JOFOC](#)

[Available Agency-wide Contracts](#)

[Statement of Work \(SOW\)](#)

[HHS-393 Form](#)

[Inter/Intra-agency Agreement \(IA\)](#)

[Data Use Agreement \(DUA\)](#)

To obtain support and further assistance in satisfying your acquisition needs, contact the Office of Acquisition and Grants Management/Acquisition and Grants Group ([OAGM/AGG](#)).

Statement of Work (SOW)

Summary Description:

A Statement of Work (SOW) provides a complete description of the work to be performed by a contractor. The SOW encompasses all specifications and standards established or referenced in the contract. The SOW must clearly state the obligations and responsibilities of both the contractor and the government. The SOW must also provide clear, complete directions so that the contractor using the SOW alone (without interpretation by the Government Task Leader [GTL]) can perform the work in an effective and efficient manner.

Status:

Conditionally Mandatory - All funded IT projects that intend to acquire contractor support for development of an automated system or other information technology endeavor must prepare a Statement of Work (SOW).

Timeframe:

A Statement of Work (SOW) can be prepared at any time during the IT investment and system life cycles, as necessary and appropriate. A corresponding [HHS-393 Form](#) must also be prepared in conjunction with the SOW in order to procure a contractor's services.

Responsible Reviewing Component:

[OIS/PMSG](#) in conjunction with [OAGM/AGG](#) is the CMS component that has the primary decision authority over the need for the Statement of Work (SOW), requirements for its creation, and acceptance of the end product in meeting the information needs.

Primary Information Exchange Partners:

The following are the primary stakeholders who have an interest in the content of the Statement of Work (SOW):

[Project Owner/Manager](#)

[Contracting Officer](#)

[Project Officer](#)

[Government Task Leader \(GTL\)](#)

[OIS/PMSG](#)

[OAGM/AGG](#)

[Business Owner\(s\)/Partner\(s\)](#) and OIS Groups as appropriate
Contractor

Government Responsibilities:

The [Project Owner/Manager](#) has primary responsibility for preparing the Statement of Work (SOW) in conjunction with the [Business Owner\(s\)/Partner\(s\)](#) and other subject matter experts who have specific knowledge as to what is to be provided by the contractor.

Contractor Responsibilities:

The contractor that is tasked with performing the work identified in the Statement of Work (SOW) is responsible for delivering the identified products and/or services in accordance with the specifications detailed in the SOW.

Content:

For an electronic copy of a template for use in preparing a System Development Life Cycle (SDLC) Statement of Work (SOW) for Large IT Projects, see:

[SDLC SOW Template \(PDF - 434KB\)](#)

[SDLC SOW Template \(Word Version\)](#)

[SDLC SOW Attachment A \(Word Version\)](#)

Guidance:

For additional guidance in the preparation of an appropriate Statement of Work (SOW), contact your [Component Lead](#), who will put you in touch with a representative from OIS/PMSG or other technical experts within the Office of Information Services (OIS) to assist you.

Review Process:

The Statement of Work (SOW), along with an accompanying HHS-393 Form, is reviewed by OIS/PMSG and other groups within the Office of Information Services (OIS) as appropriate to ensure that the content of the SOW is as complete and accurate as possible before the package is forwarded to the Office of Acquisition and Grants Management/Acquisition and Grants Group (OAGM/AGG) for processing action.

Date Created/Modified:

March 2002/January 2005

HHS-393 Form

Summary Description:

The HHS-393 Form is the official CMS funding requisition document that must be prepared and approved for the procurement of goods and/or services.

Status:

Conditionally Mandatory - All funded IT projects must prepare an HHS-393 Form in order to purchase information technology goods and/or services.

Timeframe:

An HHS-393 Form can be prepared at any time during the IT investment and system life cycles, as necessary and appropriate. If a contractor will be utilized to perform work for CMS, then a [Statement of Work \(SOW\)](#) must also accompany the HHS-393 Form.

Responsible Reviewing Component:

[OIS/PMSG](#) in conjunction with the [Office of Financial Management \(OFM\)](#) and [OAGM/AGG](#) is the CMS component that has the primary decision authority over the need for an HHS-393 Form for the purchase of information technology goods and/or services, requirements for its creation, and acceptance of the end product in meeting the information needs.

Primary Information Exchange Partners:

The following are the primary stakeholders who have an interest in the HHS-393 Form:

[Project Owner/Manager](#)

[Contracting Officer](#)

[Project Officer](#)

[OIS/PMSG](#)

[Office of Financial Management \(OFM\)](#)

[OAGM/AGG](#)

Government Responsibilities:

The [Project Owner/Manager](#) has primary responsibility for completing the HHS-393 Form and securing the necessary signature authorizations.

Contractor Responsibilities:

Not Applicable

Content:

For an electronic copy of the HHS-393 Form, see:

[HHS-393 Form Template \(PDF - 11KB\)](#)

[HHS-393 Form Template \(Word Version\)](#)

Guidance:

For written instructions on preparing the HHS-393 Form, see [HHS-393 Form Instructions \(PDF 8KB\)](#). For additional guidance in determining the need for and proper completion of the HHS-393 Form, contact your designated [Component Lead](#), who will put you in touch with a representative from OIS/PMSG to assist you.

Review Process:

The HHS-393 Form, along with an accompanying Statement of Work (SOW) if applicable, is reviewed by OIS/PMSG for completeness and signature approval before forwarding the package to the Office of Financial Management (OFM) for approval to release the funds. The package is then forwarded to the Office of Acquisition and Grants Management/Acquisition and Grants Group (OAGM/AGG) for processing action.

Date Created/Modified:

March 2002/January 2005

Inter/Intra-agency Agreement (IA)

Summary Description:

An Inter/Intra-agency Agreement (IA), also known as a reimbursable agreement, is a written compact in which a Federal agency agrees to provide to, purchase from, or exchange with another Federal agency services, supplies, or equipment. An IA is the document with which the receiving agency agrees to reimburse the providing agency for the cost of the services, supplies, or equipment. In certain cases two or more agencies may agree to exchange services, supplies, or equipment without a transfer of funds. Although an IA is usually between two agencies, on occasion, an IA may involve more than two agencies.

1. An IA is between two or more agencies within the Department of Health and Human Services (DHHS).
2. An IA is between at least one component within DHHS and another Federal agency or component outside DHHS.
3. Cost-reimbursement agreements are funds paid for actual charges incurred.
4. Less-than-cost are funds paid that were less than the total cost incurred.
5. No-charge means that no funds were paid for the said exchange identified in the IA.
6. Reciprocal are equal fund amounts paid towards the total cost of a project funded by two or more Federal agencies.

In contrast to an IA, a Memorandum of Understanding (MOU) is another instrument used when agencies enter into a joint project in which they each contribute their own resources; in which the scope of work is very broad and not specific to any one project; or in which there is no exchange of goods or services between the participating agencies.

Status:

Conditionally Mandatory - All funded IT projects must prepare an Inter/Intra-agency Agreement (IA) in order to provide to, purchase from, or exchange with another Federal agency services, supplies, or equipment.

Timeframe:

An Inter/Intra-agency Agreement (IA) is generally initiated during the [Design & Engineering Phase](#) and must be completed by the end of the [Implementation & Testing Phase](#).

Responsible Reviewing Component:

[OAGM/AGG](#) is the CMS component that has the primary decision authority over the need for an Inter/Intra-agency Agreement (IA), requirements for its creation, and acceptance of the end product in meeting the information needs.

Primary Information Exchange Partners:

The following are the primary stakeholders who have an interest in the Inter/Intra-agency Agreement (IA):

[Project Owner/Manager](#)

OIS IA Coordination Staff

[Office of Financial Management \(OFM\)](#)

[OIS/EDG/DPCDD](#)

Participating Federal Agency(s)

Government Responsibilities:

The [Project Owner/Manager](#) in conjunction with [OAGM/AGG](#) is responsible for ensuring that an Inter/Intra-agency Agreement (IA) is appropriately prepared, if necessary.

Contractor Responsibilities:

Not Applicable

Content:

For an electronic copy of the template for an Inter/Intra-agency Agreement for CMS Payables, see:

[Inter/Intra-agency Agreement \(IA\) Payable Template \(PDF - 110KB\)](#)

[Inter/Intra-agency Agreement \(IA\) Payable Template \(Word Version\)](#)

For an electronic copy of the template for an Inter/Intra-agency Agreement for CMS Receivables, see:

[Inter/Intra-agency Agreement \(IA\) Receivable Template \(PDF - 84KB\)](#)

[Inter/Intra-agency Agreement \(IA\) Receivable Template \(Word Version\)](#)

Guidance:

For additional guidance in the preparation, formal review, and clearance of an Inter/Intra-agency Agreement (IA), contact [OAGM/AGG](#).

Review Process:

The Office of Financial Management (OFM) will review the initial draft of the Inter/Intra-agency Agreement (IA) for funding and accounting information and the Office of Acquisition and Grants Management (OAGM) / Acquisition and Grants Group (AGG) will review for format and content. The Office of Information Services (OIS) will review the IA and determine the Information Technology (IT) clearances necessary based on the [Statement of Work \(SOW\)](#). Depending on the SOW, OIS may initiate the final OIS/CMS

clearance process based on the initial draft. The IA in either draft or final format will be distributed through the appropriate staff or clearance points. The clearance process can take from several weeks to six months or more depending on the comments received from the clearance points. Upon consideration and resolution of the comments and subsequent signoff by OIS, the IA is submitted to OFM for fund certification. After all CMS signatures are secured, the IA is then forwarded to the other Federal agency(s) for signature.

Date Created/Modified:

March 2002/January 2005