

Date 05/18/12



Environmental Management Consolidated Business Center (EMCBC)

Subject: Procurement Authorities, Delegations, and Responsibilities

POLICY STATEMENT

APPROVED: (Signature on File)

EMCBC Director

ISSUED BY: OFFICE OF CONTRACTING

1.0 POLICY

This policy delineates the EMCBC procurement authorities and responsibilities as delegated by the Office of Environmental Management (EM) Head of Contracting Activity (HCA) and the roles and responsibilities of the EMCBC Office of Contracting organization.

2.0 SCOPE

This policy summarizes the EMCBC procurement authorities and limitations, and describes the method used to track and maintain up-to-date Contracting Officer appointments and Contracting Officer Representative designation information. This policy also provides a general description of the functions of each branch and team within the EMCBC Office of Contracting (OOC) organization.

3.0 APPLICABILITY

This policy is applicable to the EMCBC and EMCBC serviced sites.

4.0 REQUIREMENTS AND REFERENCES

4.1 Requirements:

- 4.1.1 Federal Acquisition Regulation (FAR) Part 1.6, Career Development, Contracting Authority, and Responsibilities
- 4.1.2 DOE Acquisition Regulation (DEAR) Subpart 901.6, Contracting Authority and Responsibilities
- 4.1.3 DOE Order 361.1B, "Acquisition Career Management Program"
- 4.1.4 DOE Order 541.1B, "Appointment of Contracting Officers and Contracting Officer Representatives"
- 4.1.5 DOE Order 580.1, "Department of Energy Personal Property Management Program"
- 4.1.5 EM HCA 1.1, "EM HCA Approval of Contracting Officer Warrants"

- 4.1.6 EM HCA 1.3, “EM Acquisition Center Concept of Operations”
 - 4.1.7 Memorandum, J. E. Surash to R. E. Holland, “Environmental Management Head of Contracting Activity Implementation,” dated December 4, 2007
 - 4.1.8 Memorandum, J. E. Surash to J. R. Craig, “Delegation of Authority and Request for Nomination,” dated December 4, 2007
 - 4.1.9 Memorandum, J. E. Surash to David Lojek, “Appointment as Organizational Property Management Officer,” dated February 26, 2008
 - 4.1.10 Memorandum, J. E. Surash to Distribution, “Update of Delegated Functions and Responsibilities,” dated February 6, 2007
 - 4.1.11 Memorandum, E. R. Simpson to HCAs, “Interim Implementation of Amended Head of Contracting Activity (HCA) Delegation/Business Clearance Review Thresholds,” dated June 6, 2008
- 4.2 References:
- 4.2.1 Memorandum, E. R. Simpson to J. E. Surash, “Delegation of Authority/ Designation as Head of Contracting Activity (HCA) for the Office of Environmental Management,” dated November 15, 2007
 - 4.2.2 PS-111-01, “Mission and Function Statement of the Environmental Management Consolidated Business Center”
 - 4.2.3 IP-540-12, “Contracting Officer's Representative Designation and Continuing Learning”
 - 4.2.4 IP-540-15, “Review and Approval of Proposed Sales, Procurement, Financial Assistance, and Subcontract Actions”

5.0 DEFINITIONS & ACRONYMS

- 5.1 Field Office Manager (FOM) – The FOM position identified in Attachment A is the EMCBC Director.
- 5.2 Federal Procurement Director (FPD) – The FPD position identified in Attachment A is the OOC Assistant Director.

6.0 RESPONSIBILITIES

6.1 HCA Delegation:

The Department of Energy (DOE) Senior Procurement Director approved the establishment of a single EM HCA and delegated that authority to the Deputy

Assistant Secretary for Acquisition and Project Management (EM-50) on November 15, 2007. Accordingly, EM-50 delegated specific HCA functions and responsibilities to the EMCBC. A table of specific delegated HCA functions and responsibilities is provided as Attachment A.

6.2 EMCBC Director:

In addition to the specific HCA functions and responsibilities in Attachment A, the EMCBC Director has been delegated the authority and responsibility as the Fee Determination Official for site facility management contracts. The EMCBC Director is also delegated authority to carry out actions delegated to the EM HCA in Departmental directives for delegable non-acquisition activities that have not been specifically reserved for or by the EM HCA. The functions that are delegated to the EMCBC Director in Attachment A are designated as FOM.

6.3 OOO Assistant Director:

In addition to the specific HCA functions and responsibilities in Attachment A, the OOC Assistant Director is delegated procurement authority assigned to the HCA in the FAR, the DOE Acquisition Regulation, and Departmental directives and guidance, exclusive of those explicitly referenced as non-delegable or specifically reserved for or by the EM HCA. The OOC Assistant Director delegated monetary thresholds for procurement and financial assistance actions are provided in EMCBC implementing procedure IP-540-15, Review and Approval of Proposed Sales, Procurement, Financial Assistance, and Subcontract Actions, (Ref. 4.2.4). The functions that are delegated to the EMCBC Director in Attachment A are designated as FPD.

6.4 Office of Contracting:

The Office of Contracting organization consists of three branches and four support and oversight teams (Review Team, Policy and Administrative Support Team, Contractor Human Resources Management Team, and Cost and Pricing Team). The Branch and Team Leaders report directly to the Assistant Director of the Office of Contracting. See EMCBC Policy Statement PS-111-01, (Ref. 4.2.2) for a description of responsibilities. The OOC organization structure is shown on the EMCBC Website at www.emcbc.doe.gov

6.5 Contracting Officer Warrants and Limitations

Commensurate with the appropriate level of contracting warrant, the DOE Procurement Executive has delegated the EM HCA the authority to appoint Contracting Officers for acquisition, financial assistance and sales actions in accordance with DOE Order 541.1B, "Appointment of Contracting Officers and Contracting Officer Representatives," (Req. 4.1.4) and DOE Order 361.1B, "Acquisition Career Management Program." (Req. 4.1.3)

6.5.1 Contracting Officer (CO) Appointment:

The OOC Assistant Director must submit a memorandum requesting appointment, required documentation, and a recommendation for Contracting Officer Appointment to the EM HCA stating the candidate meets the requirements of DOE Order 361.1B, (Req. 4.1.3) and DOE Order 541.1B, (Req. 4.1.4) as applicable. See EM HCA 1.1, EM HCA Approval of Contracting Officer Warrants, for details regarding required documentation.

All Contracting Officer appointments within EMCBC are made by the EM HCA, by individual Certificates of Appointment (warrants) designating the CO by name, position held and functional area(s) for which the exercise of CO authority is authorized. To the extent such individuals hold valid Certificates of Appointment and occupy designated positions, they are COs and are subject to the limitations for the applicable positions as set forth in the Appointment of Contracting Officer Letter from the EM HCA, and any other limitations imposed by other official directive, regulation, or communication. All nominations for appointment of a CO shall be reviewed by the OOC Assistant Director to include verification of Personal Qualifications pursuant to DOE Order 541.1B, (Req. 4.1.4).

6.5.2 General Contracting Officer Limitations of Authority:

All CO appointments are subject to the following general limitations:

- 6.5.2.1 The limitations contained in the FAR, DEAR, DOE Financial Assistance Rules (10 CFR 600);
- 6.5.2.2 The limitations contained in other applicable laws, regulations and Executive Orders;
- 6.5.2.3 The requirements and procedures contained in the current DOE Order 541.1B, "Appointment of Contracting Officers and Contracting Officer's Representatives;" (Req. 4.1.4) and
- 6.5.2.4 The requirements contained in the EMCBC implementing procedures and technical instructions to include IP-540-15, "Review and Approval of Proposed Sales, Procurement, Financial Assistance, and Subcontract Actions." (Ref. 4.2.4)

6.5.3 Specific Contracting Officer Limitations of Authority:

Specific limitations of authority for COs are maintained by the EMCBC Office of Contracting, Policy and Administrative Support Team. In no event shall the aggregate amount (i.e., the price or estimated cost of performance) involved in any one action, including amounts funded by sources other than DOE, exceed the pertinent specified limitation without obtaining the necessary review/approval.

6.5.4 Contracting Officer Representative (COR) Delegations:

See IP-540-12, "Contracting Officer's Representative Designation and Continuing Learning" (Ref. 4.2.3) for information and requirements regarding COR delegations.

6.5.5 Termination of Appointment:

Upon receiving a notice of Termination of Appointment, the Contracting Officer must immediately return the original Contracting Officer Certificate of Appointment to the EM HCA.

6.6 Organizational Property Management Officer:

The EM HCA appointed an Organization Property Management Officer (OPMO) for the EMCBC as authorized by the EM HCA designation from the DOE Procurement Executive. The OPMO reports to the Assistant Director of the Office of Logistics and is responsible for establishing a Personal Property Management Program at the EMCBC, as required by DOE Order 580.1, "Department of Energy Personal Property Management Program." (Req. 4.1.5) The OPMO has the authority and limitations set forth by this appointment to receive, manage and dispose of all personal property held by DOE for official use by DOE employees, contractors, and recipients, consistent with applicable laws, regulations, executive orders, directives, policies, and procedures.

7.0 ATTACHMENT

7.1 Attachment A – Delegable Office of Environmental Management Head of Contract Activity (EMHCA) Functions and Responsibilities

EMCBC RECORD OF REVISION**DOCUMENT - Procurement Authorities, Delegations, and Responsibilities**

If there are changes to the controlled document, the revision number increases by one. Indicate changes by one of the following:

- I Placing a vertical black line in the margin adjacent to sentence or paragraph that was revised.
- I Placing the words GENERAL REVISION at the beginning of the text.

Rev. No.	Description of Changes	Revision on Pages	Date
1	Original Issue	All	09/29/08
	Reviewed for Accuracy, no changes required at this time.	All	05/18/12