



OCP Policy No: 1802.00
Effective Date: April 23, 2008
Expiration: Until Rescinded
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PROCUREMENT POLICY

SUBJECT: DELEGATION OF CONTRACTING AUTHORITY TO AGENCY PERSONNEL

ORIGINATING OFFICE: Office of the Director

1. PURPOSE

To establish a process by which the Chief Procurement Officer (CPO) of the District of Columbia may delegate contracting authority to District government employees.

2. AUTHORITY

This Policy is being promulgated pursuant to: D.C. Official Code §2-301.05.

3. APPLICABILITY

This policy shall apply to the Office of Contracting and Procurement (OCP), all executive agencies, boards and commissions under the Mayor's authority and the CPO's jurisdiction and independent and charter agencies of the District government that are under the CPO's jurisdiction.

4. POLICY AND PROCEDURE STATEMENT

- 4.1** In accordance with the D.C. Official Code and the D.C. Municipal Regulations, the CPO may promulgate policy to entrust individuals with the responsibility to exercise contracting and procurement activity.
- 4.2** The terms referenced in this policy are in accordance with the Glossary of Common Procurement Terms in the Practical Procurement User's Guide found on the agency's website at <http://www.ocp.dc.gov>.

5. POLICY REQUIREMENTS

- 5.1** An Agency Director (AD) may elect to request delegated contracting authority. That request must identify by name the individuals within the agency that are proposed to be granted delegated contracting authority.
- 5.2** An AD's request to receive delegated contracting authority will be reviewed and approved or disapproved by the CPO.
- 5.3** Once an AD's request to receive delegated contracting authority is approved by the CPO, an agency must first enter into a Memorandum of Agreement (MOA) with OCP that establishes the following:
 - 5.3.1** The CPO's appointment and warranting of an Agency Contracting Officer (ACO) who will oversee and manage procurement activities for that agency;
 - 5.3.2** The CPO shall exercise authority over ACOs in a way that:
 - 5.3.2.1** Supports the lawful activities, objectives, and policies of the agency;
 - 5.3.2.2** Provides the procurement services needed by the agency; and
 - 5.3.2.3** Ensures compliance with applicable statutes, rules, and procedural guidelines.
 - 5.3.3** The CPO's authority to revoke the ACO's delegated authority if circumstances so dictate.
- 5.4** Although there will be only one ACO per agency, the CPO may, at the request of the AD, delegate contracting authority to other members of the ACO's staff.
- 5.5** Upon the approval, training, certification and appointment of such individual, the CPO shall formally delegate contracting authority in writing.
- 5.6** Only the CPO is permitted to delegate contracting authority pursuant to this policy.

- 5.7 When an individual within an agency is appointed by the CPO, a formal warrant will be issued to document the level of contracting authority being delegated to that individual.
- 5.8 OCP shall put procedures in place to ensure that only authorized persons exercise contracting authority.
- 5.9 No person granted delegated contracting authority may further delegate that authority.

6. **APPOINTMENT OF AN AGENCY CONTRACTING OFFICER (ACO)**

- 6.1 The AD shall identify and recommend qualified individuals for the position of ACO.
- 6.2 All certificates of delegated contracting authority will be issued in writing by the CPO.
- 6.3 Any individual granted delegated contracting authority must undergo an ethics training program facilitated by OCP then complete, sign and submit to the CPO an Affidavit of Compliance with Ethical Standards before a delegation is formally issued.

7. **AUDITS**

The CPO shall direct and schedule audits of agencies with delegated contracting authority.

8. **REVOCATION OF DELEGATION**

- 8.1 The CPO may revoke any delegation at any time, by written notice, to the ACO with delegated contracting authority based upon, but not limited to any of the following:
 - 8.1.1 Failure to comply with the requirements of the delegation;
 - 8.1.2 Failure to submit Annual Procurement Plans (APP) in a timely manner;
 - 8.1.3 Any deviation from established procurement policies, procedures, regulations and code;
 - 8.1.4 Deficiencies evidenced by performance audits by the CPO, the Council, the D.C. Inspector General, the D.C. Auditor or any other properly authorized entity;

8.1.5 Failure to comply with the CPO's training requirements;

8.1.6 Failure by the agency Contracting Officer Technical
Representatives (COTRs) to complete vendor evaluations; and

9. **EFFECTIVE DATES:** This policy shall become effective immediately and remain in effect until rescinded.



DAVID P. GRAGAN
Chief Procurement Officer
Office of Contracting and Procurement

4/23/08
Date