



US Department  
of Transportation  
**Maritime  
Administration**

## MANUAL OF ORDERS

### MARITIME ADMINISTRATIVE ORDER

REVOKES  
MAO 38-1  
dated 2/23/89

NO. 38-1

EFFECTIVE DATE  
April 22, 1998

SUBJECT

### OFFICE OF ACQUISITION

**Section 1. Organization:** The Office of Acquisition is supervised by a Director who reports to the Associate Administrator for Administration. The Director is designated Chief of the Contracting Office and shall report to the Associate Administrator for Administration, the Maritime Administration's (MARAD's) Head of Contracting Activity. The Director shall be assisted by a Deputy Director who shall act for the Director during the absence or preoccupation of the Director and perform such other duties as are assigned by the Director. The office has no formal organizational elements.

**Section 2. Delegations of Authority:**

2.01 Subject to such conditions and limitations as the Maritime Administrator may impose in other directives, the Director, Office of Acquisition is authorized to exercise all the authorities of the Associate Administrator for Administration required to perform the functions assigned in Department of Transportation (DOT) Order 1100.69A and this order. These functions exclude acquisition of interests in real property, e.g., lease, fee simple, etc. The award of contracts, grants, cooperative agreements, and other agreements is subject to program and funding approval by designated officials, any restrictions set forth in Federal or DOT regulations or directives, and for contracts, the individual contracting officer warrant limitations. As Chief of the Contracting Office, the Director may exercise the authorities of that position described in DOT Acquisition Regulations.

2.02 Except as otherwise provided, the Deputy Director is authorized to exercise all of the authorities of the Director needed to perform the functions in this order. These authorities may be redelegated in accordance with Maritime Administrative Order (MAO) 200-1. In exercising delegated authority, the Deputy Director shall consult with the Director on any matter involving deviation from established policy or precedent.

**Section 3. The Director, as Chief of the Contracting Office,** shall carry out the responsibilities described in DOT Acquisition Regulations. In addition to the usual responsibilities for planning and directing the functions listed in this order, the Director shall, with the assistance of his staff:

3.01 Develop and implement acquisition policies and procedures for MARAD appropriated fund activities to conform with national policies and procedures, Federal and Departmental acquisition regulations, and other appropriate directives.

3.02 Provide authoritative acquisition advice to the Maritime Administrator, Deputy Maritime Administrators, Region and Academy Chiefs of Contracting Office.

3.03 Conduct all activities necessary to plan, solicit, award, administer, and close out MARAD contracts, financial assistance documents, and other agreements. These activities may include but are not limited to:

- 1 Acquisition planning activities, including determining and documenting the most practical method of procurement to be employed for individual actions.

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- 2 Determine the adequacy of competition; the specific terms or conditions to be incorporated into the resultant contract to assure efficient, timely, and equitable contractual satisfaction; determine the reliability, competence, and capability of sources of supply and services; evaluate offers, including costs and price analyses, to determine fairness and reasonableness thereof; prepare appropriate documentation for contract files.
  - 3 Lead negotiations on all phases of acquisition process.
  - 4 Manage administration of contracts from time of award until final completion, closeout, or termination, including continually evaluating the contractor's progress; perform full or partial contract termination, as required; effect settlement of claims and process disputes.
- 3.04 Maintain a system for reviewing and evaluating MARAD acquisition activities, ensuring their conformance with applicable acquisition policies, procedures, regulations, and appropriate directives. Exercise oversight authority over the Region and Academy Chiefs of Contracting Office and individual delegations of procurement authority.
- 3.05 Provide agency representation to DOT and other Government agencies for all MARAD acquisition matters.
- 3.06 Provide full acquisition support, without monetary limitations, to MARAD Headquarters, and on an as needed basis, to MARAD Regions and the Academy for procuring supplies, equipment, and services; execution of financial assistance documents; and execution of other agreements.
- 3.07 Collect, maintain, process, and validate contracting and assistance information for MARAD through the use of the Contract Information System and the Federal Assistance Award Data System. Provide data for reports on acquisitions.
- 3.08 Report to the Department and Senior MARAD officials on MARAD's acquisition and assistance activities; including participation in small business programs.
- 3.09 Serve as liaison with other agencies and organizations for contract audit purposes.
- 3.10 Receive, review, and approve acquisition-related documents and actions submitted for review/approval by Region and Academy contracting officers, that do not require approval of the Head of Contracting Activity or higher. When higher approval is required, provide recommendations regarding such documents and actions to reviewing and approving officials, and coordinate such recommendations through MARAD Headquarters.
- 3.11 Issue final decisions on protests and claims resulting from contracts and financial assistance documents, and negotiate and settle such claims for compensation.
- 3.12 Serve as the central processing point for unsolicited proposals submitted to MARAD, for responding to Congressional and other high-level inquiries regarding contractual matters, and for recommending actions on acquisition-related debarment cases, regardless of the source.
- 3.13 Coordinate the disposition of completed and closed out contracts.

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3.14 Establish and maintain procedures for investigating and recommending approval or denial of ratification of unauthorized procurement actions.

A handwritten signature in black ink, appearing to read "JL Mann Jr.", is positioned above the printed name.

John L. Mann, Jr.  
Associate Administrator  
for Administration