

1301. DELEGATION OF PROCUREMENT AUTHORITY (DPA) and RESPONSIBILITIES

[See Exhibit 1 for a list of all acronyms]

Who Contracting Officials, Level I up to \$100,000 utilizing Simplified Acquisition Procedures

What Identifies requirements applicable to individuals identified being Contracting Officers (CO) with Level I Warrants having up to \$100,000 delegated procurement authority who are physically located within the client line office utilizing Simplified Acquisition Procedures.

When Requirements apply for nomination and appointment to position

Discussion

- a) The Head of Contracting Activity (HCA) is a CO by virtue of their position. Other COs are appointed under FAR 1.603 and in accordance with DOC's Acquisition Career Management Program and COs Warrant Program.
- b) In accordance with this policy, the NOAA Senior Bureau Procurement Official (SBPO) may delegate procurement authority to non-acquisition personnel, who are known as DPAs or "Field Delegates" (FD) through the issuance of a Contracting Officer warrant.
- c) **Contracting Officer Warrant Program (COWP)**

DOC's COWP (CAM 1301.6) establishes criteria for the selection, appointment, and termination of appointment of NOAA contracting officers. Additionally, selection and appointment of FD's within NOAA will be determined based upon:

- (1) The needs of the requisitioning office;
- (2) Determination of workload;
- (3) Fulfillment by the employee of all education, training, career level professional certifications and experience requirements set forth in CAM 1301.6;
- (4) Completion of required specialized training pertaining to authority type requested (construction, architect and engineering, service contracting, etc.). Individuals fulfilling Simplified Acquisition Threshold (SAT) training must demonstrate that the training received is relevant to the level of the proposed warrant authority and technical complexity for the contracting actions to be processed;
- (5) Maintaining skills currency requirement met through continuing education or training as mandated in CAM 1301.6, Section 4.7.3, (80 hours of continuous learning training every 2 years);
- (6) Statement from the supervisor attesting to the nominee being in full compliance with above requirements and recommending warrant appointment.

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d) Appointment.

The DOC and NOAA are committed to ensuring that only fully qualified employees are delegated the authority to obligate the Department in the expenditure of public funds through the acquisition system. A warranted individual is considered to hold an inherently governmental position as a result of their ability to bind the government and, therefore, cannot be contractor personnel. In accordance with DOC DAO 208-2, the SBPO's, have been delegated authority to select and appoint contracting officers and terminate their appointment.

Supervisors who wish to demonstrate a need for a Field Delegate must nominate their employee with a Request for Appointment of Contracting Officer memorandum (Exhibit 2) and a completed Federal Acquisition Certification in Contracting (FAC-C) request (Exhibit 3). The servicing Head of Contracting Office (HCO) will review the nomination request and provide a recommended approval or denial (with rationale) to the SBPO. The SBPO will make the final decision to approve or deny.

This is to reiterate that the actual warrant dollar limit issued will be recommended by the HCO based on the actual circumstances, individual's capabilities and experience, and programmatic needs of the client, on a case by case basis. Not all warrants will be issued at the maximum Level 1 Contracting Officer limit of \$100,000. The value of the warrant dollar limit issued will be printed on the face of the "Certificate of Contracting Officer Appointment".

Additionally, supervisors may request that nominees have amended warrants for authority to purchase specific requirements based on the mission of the office (i.e. fuel under Defense Logistic Agency (DLA) contracts, General Services Agency (GSA) purchases, NASA Solutions for Enterprise-wide Procurement (SEWP) contracts, etc.) The need shall be demonstrated in the Request for Appointment of Contracting Officer memorandum. It is recommended that FDs also be nominated as purchase cardholders to further enable their effectiveness.

e) Termination.

The appointing official may terminate a FD appointment at any time. The terminated warrant document shall be returned to the appointing official upon termination. Warrants shall be terminated in accordance with CAM 3.6.5, Termination of Appointment.

If an FD with a warrant leaves (through reassignment, resignation, transfer to another agency or retirement) a NOAA acquisition office (including positions encumbered by an individual with delegated procurement authority) or are reassigned to a position that does not require a warrant, that warrant becomes null and void and the warrant document must be returned to the appointing official prior to the departure, transfer or reassignment.

f) Mandatory Experience and Education Requirements.

Minimum experience levels (1 year of purchasing or contracting experience) shall be met in order to qualify for a contracting warrant. In addition, every nominee for a Level I warrant must hold a Baccalaureate degree **OR** 24 semester hours in a business discipline and be able to obtain a FAC-C Certification at an appropriate level.

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The "One Year" experience requirement can be in any or a combination of the following areas and would be considered contracting-related experience for purposes of FAC-C certification at Level I:

- 1) Having held a \$25,000 Purchase Card Warrant
- 2) Making micro-purchases using a Govt. purchase card, which involved obtaining quotes, comparing pricing, accepting delivery, etc.
- 3) Contracting Officer Technical Representative (COTR) experience on Government contracts.
- 4) Six months of their DPA training period with an AGO Acquisition Division processing their procurement actions up to the point of signature by an AGO Contracting Officer (CO).
- 5) Prior experience as a Purchasing Agent or Contract Specialist.

The DPA must ensure that the employment elements in their resume reflect all the applicable experience to be calculated toward the one year of contracting experience, and that the experience should be fairly recent. The DPA does not need to have performed any of the above activities on a full-time basis during the periods they were performing the work. However, they should calculate the "calendar" time spent performing the activities.

Regardless of the combination of experience used to meet the FAC-C 1-year contracting experience requirement, including any previous 1102 or 1105 experience, A newly nominated FD's experience shall be supplemented by serving in a purchasing position within the servicing AGO Acquisition Division for a minimum of 1 week after being nominated but before appointment and up to 6 months of DPA training submitting actions to the AGO Acquisition Division for review and signature until the applicable HCO has determined that the candidate can handle the work sufficiently independently to be warranted at the level requested. The HCO will maintain close coordination with the line office supervisor of new DPAs in training, so the program office will be well informed of any developing issues. This will help ensure training success.

Thereafter, FDs shall spend 1 week annually in a purchasing position in their servicing acquisition office for refresher acquisition and systems training and evaluation or will complete a minimum of 40 hours (annually or 80 Hours every two years based on the date of their warrant) of other approved alternative training/developmental activities (e.g., participation in a NOAA-sponsored DPA conference; completion of approved formal training, attendance at an approved industry conference; participation in DOC/NOAA systems training). The SBPO is the approval authority for alternative refresher activities.

Requesting offices must send nominee or FD at the requesting offices' expense, to the respective servicing acquisition office for experience training. Upon completion of experience requirement and prior to appointment new FDs must forward all acquisitions for approval and signature to the servicing HCO for a probationary period of 6 months or less, if during that time the HCO determines that the proposed FD has demonstrated an acceptable level of technical proficiency.

AGO recommends that line offices and external clients who are planning on hiring new personnel that will include DPA responsibilities as a significant part of their job duties, consult with AGO regarding the selection criteria and process. AGO, as the subject matter experts, can help ensure candidates are qualified to perform these Contracting Officer responsibilities.

g) Performance Plan.

The nominated employee shall have a critical element weighted no less than 15% in their performance plan and shall provide for the servicing HCOs' input into the employee's interim and final performance appraisal (Exhibit 4).

h) Length of Appointment.

Appointments expire two years from date of issuance unless evidence of refresher training and recertification/justification of need by the nominating official is submitted to the SBPO. This expiration date will be placed on the face of the "Certificate of Contracting Officer Appointment".

i) HCO Reviews

In addition to the reviews required during the probationary period (see paragraph f), any time the total value of the contractual agreement (contract, purchase order, delivery order, task order) will exceed \$100,000 or the Field Delegate's warrant level, whichever is less, as a result of modifications to the basic award, the complete acquisition file (current action plus basic award and any other previously awarded modifications) shall be submitted to the servicing HCO for review/approval. For example, an award was made for \$75,000 and it later becomes necessary to modify that award and increase its value by \$26,000. The entire file (basic award and proposed modification) must be submitted for pre-award review/approval by the HCO.

j) Suspension/Removal of Warrants and Reviews.

The SBPO or designee will suspend or remove warrants when sufficient reason to do so exists. Examples of actions that may lead to warrant suspension or removal include, but are not limited to the following:

- 1) Reviews that reveal unsatisfactory performance or inadequate management controls. Warrant records and compliance with laws and regulations will be reviewed by the servicing HCO or their designee. An assessment will be made as to satisfactory performance in acquisition duties, including ethical conduct and the exercise of sound business judgment. Significant problems or deficiencies noted during these reviews shall be referred to the warranting authority that will effect any necessary corrective actions, which may include revocation of CO authority.
- 2) Congressional inquiries that reveal unsatisfactory performance
- 3) Protests that reveal unsatisfactory performance
- 4) Statutory violations
- 5) Ratifications
- 6) Lapse of acquisition certification

- 7) Failure to obtain skills currency training with prescribed timeframes.
- 8) Failure to utilize CRequest/CSTARS.
- 9) Failure to execute FPDS-NG
- 10) Processing unauthorized commitments as other than ratifications
- 11) Exceeding delegated authority
- 12) Splitting requirements to stay within delegation of authority or avoid more stringent acquisition processing requirements

k) **Training.**

Training is an essential element in maintaining critical professional skills. The prescription for the Department's warrant requirements are found in CAM 1301.6. Currently, the CAM and FAC-C requirements for the Level I Contracting Officer warrant are that the person to be given the appointment have had at least 12 months within the last three years purchasing experience with increasingly broader assignments and have met the minimal training requirements of the Department.

Training minimums have been established, which are required prior to appointments, as the completion of:

CON 100 Shaping Smart Business Arrangement
CON 110 Mission Support Planning
CON 111 Mission Planning Execution
CON 112 Mission Performance Assessment
CON 120 Mission Focused Contracting; and
One Elective

Some suggested electives are:

CON 237 Simplified Acquisition course (may take the Simplified Acquisition Procedures continuous learning module available <http://clc.dau.mil>)
GSA SmartPay Purchase Card Training

All CON courses are available at <https://www.atrrs.army.mil/channels/faitas/student/logon.aspx?caller=1>

Refresher Training:

NOAA Level I Contracting Officers/FDs must have at least 80 hours of refresher training every two years. To satisfy this requirement, courses such as, but not limited to, Advance Simplified Acquisitions (for Purchasing Agents), Acquisition of Commercial Items, Contract Administration, Contract Law,

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Performance-Based Contracting, Market Research, Government Appropriations Law, FAR Bootcamp, Construction, GSA Schedules, etc. will be considered.

To ensure adequate training is provided, the CO's supervisor must include training in the individual's Individual Development Plan (IDP) and will be an item for discussion and review during semi-annual and annual performance reviews.

NOTE: Above training requirements are in addition to the NOAA-specific experience/training requirements identified in paragraph (f) above. If alternative developmental activities approved by the SBPO can fulfill both the NOAA and DOC requirements, the SBPO will so advise in the approval decision.

References:

Executive Office of the President, Office of Management and Budget, Memorandum for Chief Acquisition Officers, Federal Acquisition Certification in Contracting Program dated January 20, 2006

DAU Career Field Certification Requirements, Purchasing, Level I, dated October 1, 2006

l) File Format.

All file documentation shall be in accordance with Part 13.1 of the NOAA Acquisition Handbook.

- 1) Exhibit 5 of this section provides a checklist of required documentation as well as assembly instructions for non-preprinted files.
- 2) Exhibit 6 of this section provides an Abstract of Quotes for non-preprinted files.
- 3) Exhibit 7 of this section provides a checklist for required documentation as well as assembly instructions for pre-printed files

m) Audits

In accordance with Part 4.1(c) of the NOAA Acquisition Handbook there will be an internal post-award Acquisition Management Review (AMR) performed on all FD acquisitions including those actions utilizing the Purchase Card.

The AMR shall consist of a review of 80% (minimum) of the awards and modifications processed within the 12 months preceding the AMR. The reviews will be performed by the HCO, or acquisition personnel appointed by the HCO or SBPO, in conjunction with the Policy and Oversight Division (POD) on a rotational basis among the various FD sites.

The Client must provide funding for travel by the servicing acquisition office to the client's site whenever an audit must be conducted (once every 3 years or more frequently as determined by interim oversight activities).

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An AMR In Brief meeting will be conducted with the client's appropriate personnel to discuss audit objectives and methods used for the review. In addition, upon completion of the review, an AMR Out Brief will be conducted to address the review findings (strengths and areas of concern/need of improvements). The DPA Annual Review Checklist is shown in Exhibit 8 and shall be used when conducting audits.

The servicing HCO shall prepare and issue a formal AMR audit report as shown in Exhibit 9 within 30 working days after completion of review and request the Client to respond with recommended remedial actions within 30 days.

LIST OF ACRONYMS

8(a) – Small businesses certified by the Small Business Administration as being eligible for special acquisition procedures and awards under Section 8(a) of the Small Business Act – See FAR Part 19.8 for additional information

AGO – Acquisition and Grants Office

AMR – Acquisition Management Review

CAM – Commerce Acquisition Manual

CO – Contracting Officer

COOP – Continuity of Operations

COWP – Contracting Officer Warrant Program

DAO – Department Administrative Order

DOC – Department of Commerce

DPA – Delegation of Procurement Authority

FAC-C – Federal Acquisition Certification in Contracting

FAR – Federal Acquisition Regulation

FD – Field Delegate

FPDS-NG – Federal Procurement Data System-Next Generation

HCA – Head of the Contracting Activity

HCO – Head of the Contracting Office

IT – Information technology

LO – Line Office

NOAA – National Oceanic and Atmospheric Administration

RFQ – Request for Quotation

SAT – Simplified Acquisition Threshold

SB – Small Business

SBPO – Senior Bureau Procurement Official

SCA – Service Contract Act

SDB – Small Disadvantaged Business

SEWP – Solutions for Enterprise-wide Procurement

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EXHIBIT 2

MEMORANDUM FOR: Director
Acquisition and Grants Office

THRU: Director
(insert servicing office) Acquisition Division

FROM:

SUBJECT: Request for Appointment of Contracting Officer/Field Delegate

1. There is a clear and convincing need to appoint _____ as a Level I Contracting Officer/Field Delegate with a limit of \$ _____. This need is evidenced by _____. (Please describe work being or to be performed that requires the warrant. In addition, if cardholder is to provide support during COOP activation, specifically identify COOP responsibilities.)
2. Use one:
 - a) Attach a copy of the current Federal Acquisition Certification in Contracting (FAC-C) certification at or above the level of warrant being requested;
 - or b) It is requested that a Level ____ Federal Acquisition Certification in Contracting (FAC-C) be approved.
3. The nominee is employed in the following organizational position:

(insert series, grade, title, organizational placement(LO/Office/Division/Branch))
4. The insert LO/SO name agrees to set aside funding for audits and required travel to servicing acquisition office as required for nominee.
5. A copy of the nominee's Performance Plan reflecting that the performance plan includes, either as a separate critical element or as a part of an existing critical element, a performance element with a weight of a minimum of 15% is attached..
6. The nominee meets the education, training and experience requirements established by Paragraph 3.5 CAM Chapter 1 and the warrant level requested is commensurate with the nominee's qualifications. The attached SF 171 (or resume) is current and specifically identifies the nominee's education, procurement related training and procurement experience. The nominee's education is clearly identified as to the type of degree held and/or the number of credit hours completed within the fields designated in Paragraph 3.5, CAM Chapter 1. Procurement training is identified as to course titles, dates, number of hours, and training provider. Procurement experience is identified which relates the nominee's background and experience to the types of contract actions that the nominee will be

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responsible for as a Contracting Officer. Copies of training certificates must be provided with the Request for Appointment.

7. The nominee will complete a minimum of one week mandatory training at their servicing acquisition office prior to appointment and will meet annual competency refresher requirements.
8. The nominee's conflict of interest disclosure statement is on file in the Human Resources Office. A copy is attached to this Request for Appointment.
9. The nominee's most recent performance appraisal(s) rating is fully successful or higher (or equivalent).
10. Other comments.

Attachments:

- FAC-C Contracting Level I request
- Nominee's Proposed Performance Plan
- Nominee's SF-171 or Resume
- Nominee's Conflict of Interest Disclosure Statement

Federal Acquisition Certification – Contracting Level I

EXHIBIT 3

PART A – EMPLOYEE INFORMATION

Last Name: _____ First Name: _____ Middle Initial: _____

Social Security Number: _____ Email Address: _____

Phone: _____ Agency Name: U.S. Department of Commerce Bureau: _____

Agency Address: _____

Title, Series, Grade: _____ Level (I, II, or III): _____

PART B – CERTIFICATION REQUIREMENTS

1. **Education:** Baccalaureate degree or a least 24 hours among accounting law, business finance, contracts, purchasing, economics, industrial management, marketing, quantitative methods, and organization and management.
2. **Experience:** Minimum of one year contracting experience (SERIES 1102).
3. **Training requirements:** Send all certificates for applicable courses below to the Acquisition Career Manager
4. **Method of Completion** (Check appropriate space and complete applicable information). For course equivalencies, see Appendix D of the DAU Catalog (<http://www.dau.mil/catalog/default.asp>).

CON 100 SHAPING SMART BUSINESS ARRANGEMENTS

Actual Course _____ or Equivalent course* _____
(Course name, Date completed)

CON 110 MISSION SUPPORT PLANNING

Actual Course _____ or Equivalent course* _____
(Course name, Date completed)

CON 111 MISSION PLANNING EXECUTION

Actual Course _____ or Equivalent course* _____
(Course name, Date completed)

CON 112 MISSION PERFORMANCE

Actual Course _____ or Equivalent course* _____
(Course name, Date completed)

CON 120 MISSION FOCUSED CONTRACTING

Actual Course _____ or Equivalent course* _____
(Course name, Date completed)

ELECTIVE (one)

(Course name) (Date completed)

PART C – SIGNATURES

Applicant's Signature _____ Date _____

Supervisor's Endorsement:

I recommend the above individual for certification at Level I.

Name _____ Signature _____ Date _____

Head of Contracting Office and Senior Bureau Procurement Official's Endorsement::

I recommend the above individual for certification at Level I.

Name _____ Signature _____ Date _____

Name _____ Signature _____ Date _____

CD-750(6)

PERFORMANCE PLAN AND APPRAISAL RECORD			
Employee Name: _____	Date _____ Element No. _____ of _____		
Cascaded Organizational Goals			
<p>Each element must be cascaded from the DOC Strategic Goals. All Goals must be identified for each element. First, select the appropriate DOC Strategic Goal, then list the Bureau Goal, and the SES Manager Goal to complete the cascade.</p> <p>DOC Strategic Goals:</p> <p><input type="checkbox"/> Strategic Goal 1: Provide the information and tools to maximize U.S. competitiveness and enable economic growth for American industries, workers and consumers</p> <p><input type="checkbox"/> Strategic Goal 2: Foster science and technology leadership by protecting intellectual-property, enhancing technical standards and advancing measurement science</p> <p><input type="checkbox"/> Strategic Goal 3: Observe, protect and manage the Earth's resources to promote environmental stewardship</p> <p><input type="checkbox"/> Management Integration Goal: Achieve Organizational and Management Excellence</p> <p><input type="checkbox"/> Bureau Goal:</p> <p><input type="checkbox"/> SES/Organizational Goal:</p>			
Critical Element and Objective			
<p>Acquisition Management To provide timely and effective acquisition service.</p>			
<p>Weighting Factor (The weight for each element should reflect the significance within the framework of the Department's or bureau's organization goals. Weights should not be assigned based on the percentage of time an employee spends working on that element.) Enter the weight for this element in the adjacent box. →</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Element Weight</td> </tr> <tr> <td style="text-align: center; padding: 2px;">15</td> </tr> </table>	Element Weight	15
Element Weight			
15			
<p>Results of Major Activities: Identify results that need to be accomplished in support of the performance element. A minimum of 3 and a maximum of 6 measurable results must be listed.</p> <p>Acquisitions are conducted timely and effectively in accordance with applicable law, regulation and policy.</p> <p>Data integrity is maintained through the use of all appropriate acquisition reporting systems.</p> <p>Contract administration is executed timely and effectively.</p> <p>Integrity, sound judgment and the highest ethical standards are demonstrated in all actions.</p>			
<p>Criteria for Evaluation: Supplemental Standards are required for each element and must be defined at Level 3 performance in terms of quality, quantity, timeliness, and/or cost-effectiveness. Attached Generic Performance standards also apply.</p> <p>Acquisitions are awarded within established procurement action lead times 85% of the time.</p> <p>Contract file documentation is generally complete, well-organized, and reflects the acquisition was conducted in accordance with applicable policies, procedures and regulations and supports proposed actions.</p> <p>Contract administration is generally timely and ensures compliance with contract terms and conditions and is consistent with applicable law, regulation and policy.</p> <p>Procurement data is timely and accurately entered into the appropriate automation system and identified errors are corrected timely.</p> <p>Sound judgment is generally exercised in Contracting Officer decisions on contractual actions.</p>			

**CHECKLIST
FOR
DELIVERY/PURCHASE/TASK ORDERS
(Non pre-printed file folders)**

Document	Tab	Date	Side of Cover
Pre-AWARD			
Requisition/Description Or Statement of Work	1		Left
Sole Source Justification	1		Left
If not Small Business/documentation As to why SB not appropriate	1		Left
Section 508 Documentation (IT Procurements)			
If Services, SCA Wage Determination	1		Left
If Construction related, Davis Bacon Act	1		Left
If Lease/record of lease or buy determination	1		Left
Request for Quotation (RFQ)			
If Options included/Justification for Options and basis for evaluation memo	2		Left
Offers	3		Left
Abstract of Offers Received	4		Left
AWARD DOCUMENTATION			
Determination of price fair and reasonableness	5		Left
If options, evaluation determination	5		Left
Excluded Parties Listing checked	5		Left
FPDS-NG	6		Left
MODIFICATION			
Requisition	1		Left
Memorandum to File explaining purpose of modification and price reasonableness(if required)	2		Left
FPDS-NG	3		Left
INVOICES SUBMITTED/AUTHORIZED FOR PAYMENT			
Award Document (SF1449 or OF 347)Tab labeled award			Right
Modification (SF30) tabs corresponding to mod number			Right
CLOSEOUT			
Obligation History Report	1		Left
Contract Completion Statement	2		Left
Modification to de-obligate excess funds	3		Left

ABSTRACT OF QUOTES
 (ATTACH ADDITIONAL PAGES AS NEEDED)
 (for non-preprinted files)

Date											
Sources Considered:			<input type="checkbox"/> Excess from other Agencies <input type="checkbox"/> Federal Prison Industries <input type="checkbox"/> Blinds/Disabled			<input type="checkbox"/> Wholesale Supply Source <input type="checkbox"/> Mandatory Federal Supply Schedules			<input type="checkbox"/> Optional Federal Supply Schedules <input type="checkbox"/> Commercial		
Basis for Determining Price Reasonableness			<input type="checkbox"/> Lowest of 3 or more Quotes <input type="checkbox"/> Other (See memorandum in file)			<input type="checkbox"/> Comparison with published price lists, catalogs, or advertisements: Specify source:			<input type="checkbox"/> Comparison of quote(s) with competitive prices in previous procurements: List previous order numbers:		
Name of Firm											
Point of Contact:											
Telephone Number											
Type of Business			<input type="checkbox"/> SB <input type="checkbox"/> SDB <input type="checkbox"/> Women Owned <input type="checkbox"/> SB Hubzone <input type="checkbox"/> 8a <input type="checkbox"/> Veteran Owned SB			<input type="checkbox"/> SB <input type="checkbox"/> SDB <input type="checkbox"/> Women Owned <input type="checkbox"/> SB Hubzone <input type="checkbox"/> 8a <input type="checkbox"/> Veteran Owned SB			<input type="checkbox"/> SB <input type="checkbox"/> SDB <input type="checkbox"/> Women Owned <input type="checkbox"/> SB Hubzone <input type="checkbox"/> 8a <input type="checkbox"/> Veteran Owned SB		
Duns Number											
Delivery Time											
FOB Point											
Discount Terms			Net %	Days	Net %	Days	Net %	Days			
Est. Freight											
GSA Contract No.			GS-			GS-			GS-		
Item #	Qty	Unit	Unit Price	Total	Unit Price	Total	Unit Price	Total			
Total Price											

**CHECKLIST
FOR
DELIVERY/PURCHASE/TASK ORDERS
(Printed file folders)**

Document	Tab	Date	Side of Cover
Pre-AWARD			
Market Research (Supporting Documents)	A		Right
If not Small Business/documentation As to why SB not appropriate	A		Right
Section 508 Documentation (IT Procurements)	A		Right
If Services, SCA Wage Determination	A		Right
If Construction related, Davis Bacon Act	A		Right
If Lease/record of lease or buy determination	A		Right
If Options included/Justification for Options and basis for evaluation memo	A		Right
Requisition/Description Or Statement of Work	B		Right
Sole Source Justification	C		Right
Request for Quotation (RFQ)			
Competitive Quotes-in addition to the listed on front cover	E		Right
AWARD DOCUMENTATION			
Determination of price fair and reasonableness	F		Right
If options, evaluation determination	F		Right
Excluded Parties Listing checked	F		Right
FPDS-NG	F		Right
MODIFICATION			
Requisition	G		Right
Memorandum to File explaining purpose of modification and price reasonableness(if required)	G		Right
FPDS-NG	G		Right
INVOICES SUBMITTED/AUTHORIZED FOR PAYMENT			
Award Document (SF1449 or OF 347)Tab labeled award	H		Right
Modification (SF30) tabs corresponding to mod number	H		Right
CLOSEOUT			
Obligation History Report	I		Right
Contract Completion Statement	I		Right
Modification to de-obligate excess funds	I		Right

No.	Specific Review Criteria			
		Yes	No	N/A
B. Compliance with price competition requirements (in accordance with FAR Part 5 and 13).				
1.	Was an Abstract of Offers Received in file?			
2.	Was price reasonableness determined in accordance with FAR Part 13?			
3.	Was price reasonableness determined on applicable modifications?			
4.	Were the posting requirements in accordance with FAR Part 5.101(a)(2)?			
C. FAR, Regulatory compliance, agency policies, and sound business practices.				
1.	Were requirements split to stay under the COs' delegated authority or to avoid any requirements that applies to purchases exceeding the simplified acquisition threshold?			
2.	Have awards over \$3,000 been set-aside for small business? If not, is there a valid justification in the file?			
3.	Were the Required Sources of Supply or Services checked prior to ordering on the open market?			
4.	Did the contract award contain the appropriate clauses and provisions?			
5.	Are required personal property items purchased properly tracked in the accountable property records?			
6.	Was the List of Parties Excluded from Procurement Programs checked prior to award?			
D. Management Effectiveness				
1.	Does the FD meet the required training requirements/and or training required to maintain warrant?			
2.	Are acquisition references readily available?			

COMMENTS:

DELEGATED PROCUREMENT AUTHORITY REVIEW REPORT FOR
(insert field office)

I. INTRODUCTION

A Delegated procurement authority (DPA) review was conducted at *(insert field office)* on *(insert date(s))* by *(insert name(s) of those performing audit and the acquisition office)* *(insert field office)* currently has *(insert # of employee(s) with warrant)* employee(s) with a Level 1, Contracting Officers Warrant with delegated authority up to \$25,000. *(Insert number of files)* purchase order files were reviewed for the period of *(insert period reviewed)* through (_____). The purpose of the review was to evaluate the effectiveness and efficiency of the DPA program and provide suggestions to improve any noted weaknesses within the office. The review offers a baseline assessment of current strengths and weaknesses within the office. The areas reviewed were obtained from the Federal Acquisition Regulation (FAR), Commerce Acquisition Regulation (CAR), Commerce Acquisition Manual (CAM), NOAA Administrative Orders (NAOs), Department Administrative Orders (DAOs) and the National Oceanic and Atmospheric Administration Acquisition Handbook. The elements were then listed under four specific areas, in which one of the five possible ratings was applied to each area. The rating criteria are as follows:

Satisfactory: Complies with applicable statutory and regulatory procedures; which are outlined in the Federal Acquisition Regulation (FAR), Commerce Acquisition Regulation (CAR), Commerce Acquisition Manual (CAM), and the NOAA Acquisition Handbook.

Needs Improvement: Multiple occurrences or borderline violation(s) of elements.

Unsatisfactory: Does not comply with acquisition policies and procedures. This is based on trends which occurred 50% or more in files reviewed.

The review consisted of examining the following elements:

- File completeness;
- Compliance with price competition requirements;
- FAR, regulatory compliance, agency policies, and sound business practices.
- Management effectiveness

I. File completeness (in accordance with NOAA Acquisition Handbook):

Consists of 7 elements and are as follows:

1. Is there a valid written authorization that describes what is to be purchased and signed by someone authorized requisitioning authority?
2. Was the requirement entered into CSTARS?
3. Was a copy of the award document (showing an original CO signature) in the official contract file?

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4. Did the file provide sufficient documentation to support the decisions made regarding the contractual action?
5. Are modifications supported by documentation justifying the rationale of issuing the modification?
6. Did the Contracting Officer follow the proper format outlined in the NOAA Acquisition Handbook in assembling the contract file?
7. Was the award/modification entered into the Federal Procurement Data System (FPDS)?

II. Compliance with price competition requirements (in accordance with FAR Part 5 and 13).
Consists of 4 elements and are as follows:

1. Was price reasonableness determined in accordance with FAR Part 13?
2. Was price reasonableness determined on applicable modifications?
3. Were the posting requirements in accordance with FAR Part 5.101(a)(2) and (a)(2)(ii)?
4. Did the file contain a written justification for sole source acquisitions?

III. FAR, Regulatory compliance, agency policies, and sound business practices.
Consists of 6 elements and are as follows:

1. Were requirements split to stay under the Contracting Officers delegated authority or to avoid any requirements that applies to purchases exceeding the simplified acquisition threshold?
2. Were the Required Sources of Supply (FAR Part 8) checked prior to ordering on the open market?
3. Have purchases exceeding the micro-purchase threshold been set-aside for small business? If not, is there documentation dissolving the small business set aside?
4. Did the purchase order contain the appropriate clauses and provisions?
5. Are required personal property items which were purchased, properly tracked in the accountable property records?
6. Was the List of Parties Excluded from Procurement Programs checked prior to award?

IV. Management Effectiveness: Consists of 2 elements and are as follows:

1. Does the FD meet the required training requirements?
2. Are acquisition references readily available?

The review consisted of the following findings:

II. FILE COMPLETENESS

Overview:

This rating is based on compliance with the procedures set forth in the NOAA Acquisition Handbook and FAR Part 13. Weaknesses are considered a violation in procedural requirements. If a violation was a repeated occurrence, it was consolidated and considered a weakness under that particular element. The resultant rating assigned to this area is: *(insert rating)*.

A. Strengths:

List all strengths that are applicable to this specific area.

EXAMPLE:

- 1. A valid purchase request was located in each file reviewed and entered into CSTARs.*
- 2. The contract files contained a copy of the award document with the Contracting Officers original signature.*
- 3. Awards and modifications were entered into the Federal Procurement Data System (FPDS); however there inconsistencies in filing copies of the entries in the files. Copies of all records entered in FPDS should be in the contract file.*

B. Weakness:

List all weaknesses that are applicable to this specific area as well as justification to support your rationale.

EXAMPLE:

- 1. It was noted that Purchase Orders lacked complete documentation. For example, files lacked documentation of verification of the names of vendors contacted, phone numbers, prices quoted, business size, and other vendor's terms and conditions. 90% of the purchase orders reviewed, the requesting office received exactly what they requested from their suggested source and for the price indicated on the CD-435 as seen in awards: EA133X-06-XX-XXXX, etc.*

FAR Part 13, Subsection 13.106-3(b)(1) and (2) states the contracting officer should establish and maintain records of oral price quotations in order to reflect clearly the propriety of placing the order at the price paid with the supplier concerned. For written solicitations documentation should consist of notes or abstracts to show prices, delivery, references to printed price lists used the supplier or suppliers contacted and other pertinent data.

- 2. 100% of modifications reviewed lacked documentation justifying the reason for issuing the modification. Example Purchase Orders: EAXXXXX-0X-SU-XXXX, etc.*

The NOAA Acquisition Handbook, Part 13, Simplified Acquisition Procedures, Subsection 13.1(b), states: "While documentation requirements for simplified acquisitions are intended to be simplified as well, the file documentation must stand on its own in documenting the decisions made. Documentation must be sufficient to clearly support the decisions made."

- 3. 100% of the purchase order files reviewed did not follow the assembling the file format outlined in the NOAA Acquisition Handbook Part 13.*

C. Recommendations:

Provide recommendations for the above weaknesses.

EXAMPLE:

1. *The Contracting Officer shall review and become familiar with the NOAA Acquisition Handbook Part 4, Administrative Matters and Part 13 Simplified Acquisition Procedures, as it pertains to purchase order documentation. The files shall be documented and assembled accordingly. The handbook is available at the following NOAA, Acquisition and Grants Office website.
<http://www.ago.noaa.gov/ad/policies.shtml>*
2. *A clause substantially the same as 52.217-8 or 9 should be incorporated into the purchase order. These clauses can be tailored to give the contractor reasonable advance notice prior to exercising an option.*

III. Compliance with price competition requirements (in accordance with FAR Part 5 and 13).

Overview:

This rating is based on compliance with price competition requirements as outlined in FAR Part 5 and 13. Weaknesses are considered a violation in statutory, regulatory, and procedural requirements. If a violation was a repeated occurrence, it was consolidated and considered a weakness under that particular element. The resultant rating assigned to this area is: *(insert rating)*.

A. Strengths:

List all strengths that are applicable to this specific area.

B. Weakness:

List all weaknesses that are applicable to this specific area.

EXAMPLE:

1. *100% of the purchase files reviewed lacked documentation of price reasonableness for sole source procurements. Examples are Purchase Orders XXXXXX-0X-SE-XXXX, etc*

FAR 13.106-3 requires a written determination be included in the procurement file indicating the price accepted is fair and reasonable.

C. Recommendations:

Provide recommendations for the above weaknesses.

EXAMPLE:

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1. *A statement of price reasonableness shall be in the contract file. Price reasonableness may be based on the following:*
 - a. *Competitive quotations or offers;*
 - b. *Market research;*
 - c. *Comparison of the proposed price with prices found reasonable on previous purchases;*
 - d. *Current price lists, catalogs, or advertisements. However, these lists within themselves do not establish fairness and reasonableness of price;*
 - e. *Comparison with similar items in a related industry;*
 - f. *The contracting officer's personal knowledge of the item being purchased; and*
 - g. *Comparison to an independent Government estimate.*

IV. **FAR, Regulatory compliance, agency policies, and sound business practices**

Overview:

This rating is based on compliance with procurement rules, regulations and procedures. Weaknesses are considered a violation in statutory and procedural requirements. If a violation was a repeated occurrence, it was consolidated and considered a weakness under that particular element. The resultant rating assigned to this area is: *(insert rating)*.

A. *Strengths.*

List all strengths that are applicable to this specific area.

EXAMPLE:

1. *The files reviewed were not split to stay under the Contracting Officer's delegated authority.*

B. *Weakness:*

List all weaknesses that are applicable to this specific area.

EXAMPLE:

1. *100% of the files reviewed lacked documentation stating whether the Required Sources of Supply or Services were checked prior to ordering on the open market. Examples: EAXXXX-0X-XX-XXXX*

FAR 8.001 states agencies are required to acquire supplies and services from designated sources if they are capable of providing them.

C. *Recommendations:*

Provide recommendations for the above weaknesses.

EXAMPLE:

1. *The designated Contracting Officer shall take a commercially available Simplified Acquisition Refresher course to ensure they are aware of Simplified Acquisition Procedures before (insert date).*

V. Management Effectiveness*Overview:*

This area included an assessment of the organization's structure, along with a review of the tools provided to personnel. The resultant rating assigned to this area is: *(insert rating)*.

A. Strengths:

List all strengths that are applicable to this specific area.

B. Weakness:

List all weaknesses that are applicable to this specific area.

C. Recommendations:

Provide recommendations for the above weaknesses.

VI. Summary

The overall rating for your office resulting from this Delegated Procurement Authority Review is: *(insert rating)*

This was based on the ratings received for each of the following elements:

File Completeness: *(insert rating)*

Compliance with price competition requirements: *(insert rating)*

FAR, regulatory compliance, agency policies, and sound business practices: *(insert rating)*

Management effectiveness: *(insert rating)*

The review was conducted using all available resources and guidance, in the area of Simplified Acquisitions. The recommendations that we have made are to assist your office in improving the quality of your procurement functions and ensure procurements adhere to the policies and regulations. Our goal is that your organization, as well as NOAA, can be looked to as the model for the delegated procurement authority program.

Please provide your plan of action to comply with these recommendations no later than *(insert date)*.