

**BONNEVILLE PURCHASING INSTRUCTIONS
APPENDIX 2-A**

**CERTIFICATION AND APPOINTMENT AS A
BONNEVILLE POWER ADMINISTRATION
CONTRACTING OFFICER**

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SECTION 1 GENERAL INFORMATION.

1.1 General.

(a) This Appendix describes the minimum qualifications for nominees to achieve certification and be delegated Contracting Officer authority, and the processes for achieving certification and delegation of authority.

(b) The authority to negotiate and enter into contracts, in the name of the United States, is given to the Administrator by the Bonneville Project Act. The Administrator has delegated the authority to purchase goods and services to the Head of the Contracting Activity (HCA), with the power of redelegation. Appointment of individuals to act as Contracting Officers is accomplished by redelegation of authority by the HCA to individuals as prescribed in Sub-Chapter 20.10 of the BPA Manual (BPAM).

(c) A CO is an individual authorized to contractually bind BPA as evidenced by a certificate of appointment issued by the Head of the Contracting Activity. The HCA and Supply Chain Services organization have jointly established the qualification program, including education, job specific training, and experience criteria leading to certification and appointment of Contracting Officers.

(d) The Supply Chain Services organization will manage certification levels and assess the demonstrable proficiencies of personnel before requesting a delegation of authority and appointment as a CO. A Purchasing Agent or Contract Specialist must be certified to Level I, II, or III prior to obtaining a delegation of authority as a Contracting Officer (CO).

(e) The HCA will review the purchasing manager's request for appointment as a Contracting Officer, and will approve such qualifications before any individual is authorized to serve as a Contracting Officer. Only those persons who have been delegated Contracting Officer authority in this manner may commit the expenditure of BPA funds via the BPI or BFAI.

1.2 Coverage.

The qualifications outlined in this Appendix also apply to persons who will be authorized to execute the types of contracts or financial assistance instruments for which guidance is provided in the BPI or the Bonneville Financial Assistance Instructions (BFAI).

1.3 Exclusions.

The requirements of this Appendix do not apply to persons who are authorized to execute contracts for the following:

Purchases made under Field Purchase authority (See BPI 2.3.2);

Contracts for purchase, disposal, or lease of all interests in real property and facilities;

Contracts involving power, such as purchase, wheeling, or sale of power, (except power for consumption by BPA) purchasing of energy savings, or loans and loan guarantees for the purchasing of power or energy savings;

Commercial utility service purchases by those granted a limited, written delegation by the HCA (See BPI 2.2.2(g) and 11.2);

Purchases made by credit cards.

Order placement or contract modification by BPA employees to whom the Contracting Officer has redelegated specific, limited authority pursuant to the terms of a contract or agreement, whenever such redelegation is permitted by the BPI. Examples of such redelegated authority include, but are not limited to, order placement authority pursuant to terms and conditions of a master agreement or master contract; and limited, contract specific authority of a COTR or field inspector to make construction contract "field modifications."

1.4 Standards.

(a) BPA complies with the Office of Personnel Management qualification standard for personnel working in the GS1102 Contract Specialist professional job series. Refer to the OPM Standards for detailed information regarding appointment, selection, qualification, and promotion requirements. Personnel in job series GS1102 Contract Specialist or Procurement Analyst, grades GS5 through GS12, who do not meet the OPM minimum standard, may retain their current grade and position if achieved prior to January 1, 2000, and may advance in the career path to grade GS12 as deemed appropriate and necessary by Supply Chain Services management.

(b) For all personnel selected for a GS1102 Contract Specialist position after January 1, 2000, the individual must have obtained a baccalaureate degree in any field of study, or earned 24 semester hour credits in business courses of accounting, business, finance, law, contract, purchasing, economics, industrial management, marketing, quantitative methods, or organization and management. Promotion to grade GS13 requires a baccalaureate degree in business, or in any other field of study supplemented by at least 24 semester hours in the business courses named above. The Supply Chain Services organization may only request HCA waiver from the above requirements in extreme circumstances as may be necessary for continuity of operations, and will provide to the HCA an action plan and timeline for meeting these minimum standards.

(c) BPA requires training and certification of its acquisition workforce, which provides a common foundation of knowledge, tools, and capabilities necessary to fulfill the needs and expectations of a highly skilled acquisition workforce that supports the agency mission. In addition to the above OPM standard, the minimum standards established in this Appendix must also be met before an individual may be certified to any level or delegated authority as a Contracting Officer at BPA.

1.5 General Skills and Experience for Purchasing Professionals.

(a) The purchasing knowledge, skills, and abilities necessary for a Contracting Officer designation are those required in the applicable Office of Personnel Management (OPM) Qualification Standards for GS-1102 and GS-1105 series positions, although the Contracting Officer function is not strictly limited to persons in those series.

(b) The following general skills and experience requirements apply to purchasing personnel at all levels of Certification and CO Authority.

- (1) Communications skills to complete actions within a reasonable time, including oral, interpersonal, and business writing.
- (2) Ethical conduct in business dealings as required by Federal Personnel Manual (5 C.F.R. 2635).
- (3) Ability to understand and assist purchasing and program management personnel and to exercise consistently sound and fair business judgment.
- (4) Proficiency in essential business computer skills, including word-processing, simple spreadsheets, and familiarity with enterprise system applications and tools.

1.6 Position Descriptions.

Any position description that includes Contracting Officer functions shall contain a clear statement of the Contracting Officer duties, responsibilities, and functions. Where these functions are performed as a collateral duty, an addendum to the position description is to be prepared with the requisite information and is to be maintained in the employee's personnel file.

1.7 Annual Conflict of Interest Certification.

(a) All Contracting Officers must comply with conflict of interest and ethical conduct regulations in Appendix 3-A, Standards of Conduct Regarding Purchasing and Assistance, and BPI 3.1. The Head of the Contracting Activity (HCA) is responsible for standards of conduct regarding BPA purchasing and assistance activities. Annually, all Contracting Officers and other BPA employees who are personally and substantially involved in BPA

purchasing and assistance activities must familiarize themselves with these purchasing and assistance standards of conduct.

(b) In coordination with BPA General Counsel, the HCA relies upon the annual certification by all BPA employees regarding ethical standards of conduct for employees of the Executive Branch (5 CFR Part 2635, as well as those specific to DOE included in 5 CFR Part 3301 and 10 CFR Part 1010 and 48 CFR Subpart 903.1, as supplemented by subpart 3.1 of this Appendix 2-A and BPI Appendix 3-A as the basis for BPA employee certification of standards of conduct for purchasing and financial assistance activities of BPA. Therefore, the HCA does not maintain separate annual certifications for standards of conduct regarding purchasing and assistance, relying instead upon the annual ethics briefing and certifications maintained by BPA General Counsel.

SECTION 2 CERTIFICATION

2.2 Certification.

(a) Certification is the program designed to ensure that appropriate training is obtained and experience gained by all individuals who may be delegated authority to purchase on behalf of BPA. The process ensures consistency for all purchasing personnel to meet the same essential training and experience criteria and thus mitigates risk to the agency in execution of awards.

(b) All individuals who will execute purchases as part of their job duties must be certified prior to requesting a delegation of authority as a Contracting Officer. The certification levels are:

NOMINAL Reserved for personnel who are not in the GS 1105 or 1102 job series, but who conduct purchasing as a portion of their job duties, and may be assigned to other organizations outside Supply Chain Services. This certification is limited to commercial goods and services.

LEVEL I Entry level purchasing agents and contract specialists. Generally for purchasing personnel who are in a training mode or mainly purchasing commercial goods and services.

LEVEL II Increasing complexity of award actions at higher dollar values. Requires purchasing agents and contract specialists to possess greater skill in negotiation, price/cost analysis, contract execution and administration.

LEVEL III Highest level of complex and major procurements, requiring comprehensive, advanced procurement skills. Reserved for Contract Specialists in the GS1102 job series.

(c) The Supply Chain Services organization will manage and monitor the required training and experience activities and records for certification Levels I, II, and III for all purchasing personnel working in the Supply Chain Services organization. The HCA may review the certification files at any time.

(d) A limited number of individuals in BPA who are not in the GS1105 Purchasing Agent or GS1102 Contracting Specialist job series may conduct purchasing as a part of their job duties. These individuals may only achieve NOMINAL certification and obtain Contracting Officer Authority of no more than \$10,000 for commercial supplies or services. The HCA will coordinate with the individual's performance manager and with the Supply Chain Services organization regarding any requests for purchasing authority that arise from outside the

supply chain organization. The individual's performance organization will be responsible to manage and monitor NOMINAL certifications and associated documentation, and submit the subsequent request for CO authority directly to the HCA, providing a copy of the request to the Supply Chain Services organization. The HCA will advise Supply Chain Services organization if a CO delegation is granted outside of Supply Chain Services. The HCA may also certify and issue CO warrants as necessary to qualified (trained and experienced) HCA office staff that are in any job series. The HCA will follow the guidelines of this Appendix to certify staff.

(e) Effective January 1, 2006, all newly hired contract specialists must meet the criteria to obtain a Level I, II, or III Certification as described in Attachment I to this Appendix 2-A prior to requesting a CO Certificate of Appointment. All purchasing personnel on staff on that date must meet all elements of the certification criteria prior to requesting more authority than they currently possess on that date.

(f) The certification program both is sequential and progressive, with the training and experience required for each Level building upon prior Certification Level requirements. That is, a Level I certified contract specialist will work toward obtaining certification at Level II, then to Level III. The increasing difficulty of the coursework and progressive complexity of work assignments also build upon prior requirements. Continuing education for COs below Level III should include training creditable toward the next Level. Upon achieving Level III, COs should attend other training suitable for their particular area of contracting expertise.

(g) Certification to a certain Level makes a CO eligible for a Certificate of Appointment and certain dollar thresholds, but it is not a guarantee that the CO will be issued the highest authority within that level. The purchasing and process managers assess the determination of need for various levels of authority, based upon staffing and workload management, and other factors. The HCA retains the discretion to assign warrant authority to meet BPA's business needs.

(h) The grades associated with each Certification Level in Attachment I to this Appendix are a guide to indicate the grades that would generally be expected at each level of certification. They are not intended to supersede the OPM standards for each grade level, or to direct the performance organization's workforce and staff management activity.

(i) Effective June 1, 2011, only prior relevant federal procurement work experience for a federal agency may be credited as an equivalency for CO certification purposes as identified in Attachment 1.

(j) Effective June 1, 2011, nominees for CO certification must be on non-probationary status for BPA employment purposes as of the date of their certification nomination.

2.3 Specific Training Requirements

2.3.1 General.

(a) The training requirements outlined in this Section must be met by nominee Contracting Officers before a recommendation for a Certificate of Appointment is submitted to the HCA (except see 3.2, Interim Certificate). Training must be directly related to the body of knowledge of contract formation and management, as defined in Attachment I of this Appendix. Equivalency tests may be considered acceptable substitutes for purchasing training only with prior approval from the HCA.

2.3.2 Qualification of Training Courses.

(a) Courses sponsored by a professional organization such as Institute for Supply Management (ISM), secondary education institution such as a university or community college, and/or certain commercial training companies are acceptable. Supply Chain Services and HCA will jointly approve the training entities to ensure relevant and thorough course content.

(b) Training courses that are developed and conducted within the purchasing groups, must be pre-approved by the HCA in order to qualify as meeting any education/training requirement. Informal discussions or “brown bag” sessions are insufficient. Courses previously approved by the HCA do not require resubmission.

(c) Bonneville Enterprise System (BES) courses for the agency’s electronic purchasing system focus on use of the software application(s) rather than on purchasing fundamentals. Although these courses may be required to obtain access to the application(s) to generate and execute awards, none of these training courses will be credited toward certification.

2.3.3 Required Training.

See the table in Attachment 1 of this Appendix for the detailed list of required training courses at each level of certification, and the associated levels of contracting officer authority.

2.3.3.1 Special Requirements.

(a) Occasionally some limited authorities are required for specialized types of contracts. This section outlines those specializations and the additional requirements to qualify for that authority.

(1) Construction: In addition to the standard educational requirements for Level II or III Certification and commensurate warrant authority, the nominee must have obtained at least 40 hours of training in construction contracting.

(2) Financial Assistance: Effective December 21, 2012, in addition to the standard educational requirements for Level I, II or III Certification and commensurate warrant authority, the nominee must have obtained at least 40 hours of training in financial assistance.

2.3.3.2 Equivalencies.

(a) The HCA may determine that a nominee's prior experience, training, or other professional qualifications fulfill the work experience and/or training requirements for Nominal, Level I, or Level II Certification. A purchasing manager may request an HCA decision if the nominee has obtained:

(1) professional level certification awarded by a nationally-recognized professional purchasing, contract management, logistics management, or supply chain management organization;

(2) Bachelor’s or graduate degree from a nationally-accredited college or university, in the fields of purchasing or contract management;

(3) Graduate degree from a law school accredited by the American Bar Association; or

(4) documented, substantially extensive work experience and related training in a federal contracting or supply management for a federal agency.

(b) The purchasing manager shall submit the request for HCA consideration in writing, including:

- (1) a brief business analysis of the merits for granting equivalency;
- (2) a full discussion of the nominee's relevant training and experience with a crosswalk to the BPI criteria;
- (3) the specific, desired level of certification; and
- (4) a description of the potential negative impact on the contracting activity if disapproved.

(c) The HCA may concur with the purchasing manager's request, grant a different level of certification based on the documentation presented, or reject the request with an explanation thereof.

2.4 Continuous Learning

(a) To improve and maintain currency of knowledge and skills, contracting officers who have satisfied the mandatory training requirements are strongly encouraged to obtain at least 80 hours of continuing education or training every two years. This can be obtained through attending courses designated as highly desired/elective in Attachment 1 to this Appendix, attendance at training developed and conducted within the purchasing organization that is pre-approved by HCA, or attendance at professional association meetings or seminars.

(b) Contracting officers are encouraged to have an individual development plan in place that includes, but is not limited to, the following:

short-term (1-year) and long-term career goals and objectives;
courses scheduled;
rotational, on-the-job training, details, and mentoring assignments;
other professional development; and
refresher training.

(c) The Contracting Officer may submit the Individual Development Plan as part of the application package to support any requested deviations from the stated requirements.

(d) Membership and certification in professional organizations are highly encouraged and recommended, but not required for certification or delegation of CO authority.

2.5 Required Length of Experience.

(a) The table in Attachment 1 to this Appendix defines the minimum required length of relevant working experience at various Certification Levels and corresponding eligibility for warrant authority. Length of Experience assessments are subject to BPI 2.2(i) above.

(b) The length of experience requirement is inclusive for the supplies and services contract categories. For example: six months of experience, which included transactions from both contract categories will suffice to request a Certificate of Appointment for those categories. A buyer does not have to acquire a full six months of experience in each separate category. See Section 2.5.1 for experience requirements for financial assistance and construction.

2.5.1 Special Requirements.

(a) Occasionally some limited authorities are required for specialized types of contracts. This section outlines those specializations and the modifications needed or permissible to qualify for that authority. For Certificates of Appointment for an unlimited dollar value, these special requirements may be waived by the HCA on a case-by-case basis.

(1) Construction: The same experience requirements must be met as for other types of contracting, except that a minimum of six months of experience must have been acquired through working with construction contracts.

(2) Financial Assistance: This authority requires the same experience as for purchasing, except that a minimum of three months of must have been acquired through working with grants and cooperative agreements.

SECTION 3 CONTRACTING OFFICER NOMINATION AND APPOINTMENT.

3.1 Certificate of Appointment.

After a contract specialist has been certified to a certain Level and Supply Chain management has determined a need for Contracting Officer authority, the HCA can appoint an individual as a Contracting Officer by issuance of a "Certificate of Appointment" (warrant). The warrant shall state any limitation on the scope of authority, other than limitations contained in applicable laws or regulations. The Certificate of Appointment shall be prominently displayed in the Contracting Officer's work area.

3.2 Interim Certificate.

(a) Where the applicant does not meet the minimum qualifications, the HCA may issue an interim certificate, valid for no more than twelve months. This interim certificate will be issued based upon the purchasing manager's plan for the nominee CO to attain the minimum requirements within the interim period. During this interim period, the CO working under the interim certificate must have their work products reviewed by a Contracting Officer who possesses a warrant of equal or higher dollar limits and categories of authority. The HCA will not issue interim certificates for unlimited authority; however the HCA retains the discretion to assign interim warrant authority levels to meet BPA's business needs.

(b) When purchasing management affirms in writing to the HCA that the minimum requirements have been met, the HCA can issue an unconditional Certificate of Appointment to replace the interim certificate.

(c) If the HCA does not receive confirmation that the CO has met the minimum requirements to obtain a permanent unconditional Certificate at the higher authority level(s), the interim Certificate will expire and the CO's authority will revert to the most recent permanent Certificate.

3.3 Performance Evaluation.

When conducting individual performance appraisals, the supervisor shall consider the Contracting Officer's performance of purchasing and administration duties. Satisfactory or better performance is required to maintain a CO Certificate of Appointment.

3.4 Suspension or Termination of a Certificate.

The Contracting Officer's Certificate of Appointment may be suspended or terminated by the HCA at any time. Termination of a Contracting Officer Appointment will be by letter, unless the Certificate of Appointment contains other provisions for automatic termination. Reasons for such suspension or termination include:

- (a) Failure to comply with applicable certification requirements, Statutes, Bonneville Purchasing Instruction guidelines, or delegated responsibilities.
- (b) Failure to maintain required training standards after appointment.
- (c) Violation of a material portion of Appendix 3-A, Standards of Conduct Regarding Purchasing and Assistance.
- (d) The supervisor indicates that the need for a Contracting Officer no longer exists.
- (e) Reassignment of the appointee to a position where the need for the authority does not exist.
- (f) Retirement, resignation, or other termination of the appointee's employment.
- (g) At the request of the CO's supervisor or second level manager, for reasons such as but not limited to: less than satisfactory performance as considered during a management and employee performance appraisal, or temporary reassignment to other duties that do not require a CO Certificate of Appointment.

3.5 Contracting Officer Files.

The HCA maintains properly secured files on each Contracting Officer that include all information submitted and considered for initial appointment as a CO, plus all supplemental information received for a change or increase in authority.

3.6 Documentation.

(a) The Supply Chain Services organization will maintain the files necessary to verify purchasing experience and training requirements education for each individual who is certified at Level, I, II, or III. The HCA may request to review these files when considering requests for appointment as a Contracting Officer.

(b) Nominations for a Contracting Officer Certificate of Appointment (warrant) shall be prepared by the performance manager, reviewed and approved by both the second level manager of the nominee senior business process or procurement analyst (or designee), in accordance with the format shown in Exhibit 2-A-1, Request for Appointment As A Contracting Officer.

3.7 Categories of Contracting Authority.

Contracting authority is limited to what is needed by the Contracting Officer to operate effectively during a specific assignment. For example, only those Contracting Officers who need construction contracting authority will be granted such authority. When contracting authority is being requested, the category of authority required shall be clearly stated in the nomination request. The specific and customary categories of delegated authority are:

Supply;

Service;
Construction; and
Financial Assistance.

3.8 Amount of Contracting Authority.

Contracting authority is also defined by dollar amount. The dollar amount of delegated authority is dependent upon the qualifications of the nominee Contracting Officer, as well as the needs of a specific position assignment as determined by the purchasing managers. The dollar amount of authority requested shall be clearly stated in the memorandum nominating the Contracting Officer. The specific dollar amounts of authority for each certification level are shown in Attachment 1 to this Appendix.

(c) Nominees requesting unlimited certificates of appointments may be requested to present a portfolio of work products to the HCA to affirm proficiency and competency.

3.9 Waivers and Interim Certificates.

A request for waiver from specific requirements mentioned in this Appendix may be submitted for consideration by the HCA. Such requests shall be made in the memorandum nominating the Contracting Officer (Exhibit 2-A-1) and must specify the requirements not met and the plans for meeting them. If the HCA approves the request, an interim certificate will be issued as described in 3.2.

3.10 Preparation of the Nomination.

3.10.1 General.

(a) Prior to submitting a request for Contracting Officer Authority, Supply Chain management should consider several factors:

- (1) Dollar value of typical contract;
- (2) Type of contracts to be involved;
- (3) Frequency and number of anticipated contracts;
- (4) Impact of contracting officer responsibilities on the nominee's program responsibilities.
- (5) An affirmative determination that the nominee meets the OPM qualification standards for the position and is not on probationary status as a BPA employee.

(b) If consideration of all of these factors results in the decision to request Contracting Officer Authority, the following steps shall be followed.

3.10.2 Specific Steps.

(a) Supply Chain management shall:

- (1) Determine the category of authority required to handle the majority of the anticipated workload (see 3.7).
- (2) Determine the amount of authority required to handle the majority of the anticipated workload (see Attachment 1).

(3) Determine whether the nominee Contracting Officer is qualified per the OPM Qualification Standard, (see 1.4 of this Appendix). If he or she is not fully qualified, an interim certificate may be requested (see 3.2). If an interim certificate is requested, and the nominee and management anticipate requesting a subsequent unconditional Certificate of Appointment, the nominee and immediate supervisor should jointly develop a plan to bring the nominee's qualifications up to the required standard within one year. This plan, which may be all or part of the nominee's Individual Development Plan, should accompany the nomination.

(4) Prepare and sign the Request for Appointment memo according to the notes and instructions in Exhibit 2-A-1.

(b) If this is the first request for Contracting Officer Authority, the nominee must complete a Confidential Financial Disclosure Report (OGE Form 450.0) and submit it to BPA Office of General Counsel (OGC). The nominee will receive all future disclosure forms from OGC and must return them to OGC. Do not send the disclosure report to the HCA.

(c) The HCA shall review the request for appointment and may request to review the supporting documentation prior to approval. The HCA will notify Supply Chain Services management of the decision. This entire process should take approximately 10 working days.

EXHIBIT 2-A-1 - TEMPLATE TO REQUEST APPOINTMENT AS A CONTRACTING OFFICER

(INSTRUCTION: Prepare as a BPA Memorandum.)

TO: **Name**, Head of the Contracting Activity – (Routing Code)

THRU: **Name** of Second Level Performance Manager– (Routing Code)

FROM: **Name** of Performance Manager of Nominee Contracting Officer – (Routing Code)

SUBJECT: Request for Appointment as a Contracting Officer - (**INSTRUCTION: insert name of nominee CO**)

1. There is a clear and convincing need to appoint a Contracting Officer for the following reason(s): (**explain why contracting officer authority is needed.**)

2. The type of warrant and dollar amount requested is identified below

Supplies _____	Amount _____
Services _____	Amount _____
Construction _____	Amount _____
Financial Assistance _____	Amount _____

The basis for the type of warrant and dollar amount requested is: (**explain why a particular warrant type is required, and explain, based on transactional data, the dollar level requested**).

3. The nominee is currently certified at (**check one**):

Level I _____
Level II _____
Level III _____

The nominee either:

_____ meets or exceeds the OPM Qualification Standard, possesses the pertinent knowledge, skills, and abilities, and has obtained training and experience for Certification; or

_____ does not meet the minimum qualifications in education and/or experience. An interim certificate for the period of (**fill in time period**) is requested, and the enclosed plan indicates how the minimum requirements will be met (if a subsequent unconditional certificate of appointment is desired).

4. The nominee's conflict of interest disclosure statement (OGE Form 450.0) is on file with BPA Office of General Counsel (OGC).

5. By signing below the supervisor is attesting to:

- a. The nominee's knowledge of and ability to implement the requirements of the Bonneville Purchasing Instructions (BPI) and/or the Bonneville Financial Assistance Instructions (BFAI);
- b. The nominee's business acumen, judgment, character, reputation and ethics;
- c. The nominee's proficiency in each of the competencies identified in the nominee's SEDI plan; and
- d. The nominee is not in probationary status as a BPA employee.

The control utilized by the supervisor to make such attestation is: ***(explain the control that is utilized)***.

Signature of Supervisor: _____ (date)

Concurrence of Supervisor: _____ (date)