



DEPARTMENT OF THE NAVY

NAVAL SEA SYSTEMS COMMAND
1333 ISAAC HULL AVE SE
WASHINGTON NAVY YARD DC 20376-0001

IN REPLY TO

NAVSEAINST 4205.3D
Ser 02/035
3 MAR 04

NAVSEA INSTRUCTION 4205.3D

From: Commander, Naval Sea Systems Command

Subj: DELEGATION OF CONTRACTING OFFICER AUTHORITY

Ref: (a) Federal Acquisition Regulation (FAR) Subpart 1.6
(b) Navy Marine Corps Acquisition Regulation Supplement
Subpart 5201.603
(c) Defense Federal Acquisition Regulation Supplement
(DFARS) Subpart 201.603
(d) NAVSEA ltr Ser 02/010 of 27 Feb 04

1. **Purpose.** To revise procedures for the delegation of contracting officer authority within the Naval Sea Systems Command (NAVSEASYSKOM).

2. **Cancellation.** NAVSEAINST 4205.3C of 01 June 1995

3. **Background.** The procedures established by this instruction represent the Deputy Commander for Contracts' implementation of reference (a) under the delegation of authority contained in reference (b) as Head of Contracting Activity (HCA). Contracting officer authority delegated under this instruction is subject to the requirements and limitations of references (a and (c). Reference (c) reflects implementation of P.L. 101-510 Title XIII, 10 U.S.C. 1701-1764 National Defense Authorization Act of 1991, Subchapter 2, Section 1724.

4. **Scope.** This instruction applies to NAVSEA Headquarters (HQ), affiliated Program Executive Offices (PEOs), and NAVSEA field activities and other contracting officers outside of NAVSEASYSKOM who obtain their warrant authority from Commander, Naval Sea Systems Command.

5. **Delegation of Authority.** Under reference (d), Commander, Naval Sea Systems Command appointed the Deputy Commander for Contracts (SEA 02) and the Executive Director for Contracts (SEA 02B) as his designees to select, appoint, and terminate appointments of NAVSEASYSKOM contracting officers and other contracting officers outside of NAVSEASYSKOM who obtain their warrant authority from Commander, Naval Sea Systems Command.

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SEA 02 and SEA 02B may re-delegate this authority to a level no lower than Chief of Contracting Office for warrant issuance within their respective contracting activities.

All previously issued warrants remain in effect until re-issued, modified or terminated in accordance with this instruction.

6. Use of Delegated Authority. Contracting officers are agents of the Government, and when acting within the scope of their authority, bind the Government by their actions. Therefore, contracting officer authority shall be exercised with great care and circumspection. Actions taken beyond the scope of authority can result in the contracting officer being held personally liable. Contracts shall conform to all requirements of law, executive orders and regulations, as well as other applicable procedures such as clearances and approvals.

7. Types of Contracting Officer Authority. Contracting officer authority will be granted as unlimited or with specific limitations depending on the scope of the authority to be exercised. The authority will be based on the need expressed in the application documentation for the particular warrant. The scope of the warrant will be delineated on the Certificate for Appointment, Standard Form (SF) 1402.

8. Application Requirements and Procedures

a. Qualifications

(i) Nominees shall be certified members of either the contracting or purchasing career field, as applicable. Certification procedures, checklists and forms are located at the website for Director, Acquisition Career Management (DACM), <http://dacm.secnav.navy.mil>.

(ii) Nominees for appointment as contracting officers shall meet the minimum qualifications of reference (c) for the grade or rank requiring the warrant. Nominees shall possess sufficient experience in their assigned career field with the requisite knowledge and training to perform at a level commensurate with the authority requested.

(iii) GS 1102 nominees shall also meet the qualification standards contained in Office of Personnel Management (OPM) X-118.

(iv) For security contracting officer warrants, since these warrants do not convey the authority to obligate any funds and the DAWIA contracting officer warrant requirements apply to contracts over the simplified acquisition threshold, nominees for these warrants do not need to meet the requirements in (i) and (ii) above. However, nominees shall possess sufficient experience in their assigned career field with the requisite knowledge and training to perform at a level commensurate with the authority requested.

b. Application Documentation - Application shall include the following information and documentation:

(i Full name and code of nominating organization

ii Full name of the nominee as it should appear on the SF 1402.

(iii Nominee's grade/rank and organizational code.

(iv) Except for security contracting officer nominees, an approved application for certification to the contracting or purchasing career field, as applicable.

(v) A written determination that the nominee meets the minimum standards for the appointment as delineated under Paragraph 8.a. above, including documentation supporting the determination and fulfillment of the applicable qualification requirements (i.e., copies of SF50s, transcripts, diplomas, training certificates, etc.).

(vi) Specific contracting officer warrant authority requested, including any limitations, to be stated on the SF 1402.


c. Procedures - Applications shall be forwarded to SEA 021 by the requesting organization. SEA 021 will analyze the application and may request any other supporting documentation necessary to determine the qualifications of the nominee. SEA 021 will prepare, serially number, and forward their recommendation for appointment to SEA02/02B for approval and signature. Appointments as contracting officer will be made on an SF 1402. SEA 021 will maintain a copy of each SF 1402 approved by SEA 02/02B.

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9. Termination of Warrants. Contracting officer warrant authority previously delegated will remain in effect until terminated, revoked or modified in writing by the proper authority. Upon departure of the contracting officer from his/her activity, contracting officer warrants will automatically terminate. Contracting officer warrants may also be terminated due to reassignment of contracting officer to other divisions or programs, or due to unsatisfactory performance. For routine terminations, e.g., retirements or departure from activity, NAVSEA 021 will document such terminations. For terminations associated with unsatisfactory performance, the Commanding Officer will be notified before the termination is finalized. Documentation of termination may be transmitted by email or other electronic means.

10. Waivers. Requests for waivers from the requirements of this instruction must be supported utilizing the procedures form found at the aforementioned DACM website. Such waivers shall be submitted to NAVSEA 021 for processing.

11. Inquiries. Inquiries concerning these procedures shall be forwarded to SEA 021.


R. F. SWEENEY
CAPTAIN, SC, USN
DEPUTY COMMANDER FOR CONTRACTS

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