

Reclamation Manual

Policy

Subject:	Acquisition Roles and Responsibilities and Acquisition Management Reviews (AMR)
Purpose:	To state responsibilities and limitations of contracting officers and program personnel and describe purpose and requirements of the Bureau of Reclamation's AMRs. The benefits intended to be realized are to ensure the integrity of the acquisition process.
Authority:	Office of Federal Procurement Policy Act of 1974 (Pub. L. 93-400), as amended by Pub. L. 96-83; Department of the Interior Acquisition Regulation (DIAR) 1401.603, 1401.670, and 1401.7001-4 and -5; Office of Management and Budget (OMB) Circular A-123 - <i>Management Accountability and Control</i> ; Executive Order (EO) 12931 - <i>Federal Procurement Reform</i>
Approving Official:	Commissioner
Contact:	Mission Support Organization (84-27000)

1. **Introduction.** A contracting officer possesses specific warranted authority to enter into and administer contracts on behalf of Reclamation. In addition, program personnel retain certain roles, responsibilities, and limitations to assist the contracting officers in a technical capacity during contract award and performance. Program personnel may include (but are not limited to) contracting officer's representatives and interagency acquisition technical representatives.
 - A. **Federal Acquisition Certification in Contracting.** As established in Reclamation Manual (RM) *Delegations of Authority* (Delegations), Paragraph 4.A.(1)(b)(iii), Reclamation's Head of the Contracting Activity and Manager, Acquisition Assistance Management Division (84-27800) has the authority to recommend Federal Acquisition Certification in Contracting for Department of the Interior (Department) approval and issuance.
 - B. **Contracting Officer's Certificate of Appointment (COA).** A contracting officer must possess a COA, also referred to as a warrant, to enter into and administer contracts under the authority of the Federal Acquisition Regulation (FAR). Contracting officers must have a Federal Acquisition Certification in Contracting level equivalent to the COA they hold and be individuals who demonstrate the knowledge, skills, and abilities to successfully enter into and administer contracts that are legally sound, and that comply with applicable laws, regulations, and policies.
 - C. **COA Delegation.** As established in RM Delegations, Paragraph 4.A.(1)(b)(i), contracting officers are appointed in writing by the Head of the Contracting Activity.

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COAs give contracting officers authority to enter into and administer FAR contracts and interagency acquisitions, subject to any limitations in the scope of their authority. COA appointments are made to a designated contracting officer on Standard Form (SF) 1402, *Certificate of Appointment*.

- D. **Program and Project Managers.** As established in RM Delegations, Paragraph 4.A.(1)(b)(iii), the Head of the Contracting Activity has the authority to recommend Federal Acquisition Certification for Program and Project Manager certifications for Department approval and issuance.
- E. **Contracting Officer's Representative.** As established in RM Delegations, Paragraph 4.A.(1)(b)(iv), the Head of the Contracting Activity has the authority to approve and issue Federal Acquisition Certification for Contracting Officer's Representative certifications.
- F. **Program Personnel.** Contracting officer's representatives, program, and project managers, as well as other program personnel do not have the authority to formally or informally perform, authorize, or direct anything that changes the terms and conditions of the contract, including time and money, such as –
- (1) Award, agree to, or execute any contract, contract modification, or notice of intent.
 - (2) Obligate funds on contract or make payment on behalf of the Government (Note: For micro- purchase requirements, only program personnel with a Government purchase card may place orders/obligate funds on behalf of the Government).
 - (3) Conduct negotiations with the contractor that changes the terms and conditions of the contract.
 - (4) Make a final decision on any contract matter which is subject to the FAR contract Disputes clause (FAR 52.233-1). In general, this clause covers the process and requirements for any claims by the contractor against the Government (or vice versa) seeking the payment of money, the adjustment or interpretation of contract terms, or other relief arising under or relating to the contract.
 - (5) Terminate, for any cause, the contractor's right to proceed.
 - (6) Order acceleration of work.
- G. **AMR.** The purpose of AMRs is to ensure that:
- (1) Reclamation acquisition programs are achieving their intended results.

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- (2) Resource use is consistent with Reclamation's mission.
 - (3) Resources are protected from waste, fraud, and mismanagement.
 - (4) Laws and regulations are followed.
 - (5) Reliable and timely acquisition management information is maintained, reported and used for decision-making.
2. **Applicability.** This Policy applies to contracting officers, contracting officer's representatives, interagency acquisition technical representatives, and program personnel.
 3. **Policy.** To fulfill Reclamation's mission, Reclamation's acquisition staff will work in collaboration with contracting officer's representatives, program and project managers, and other program personnel as one Reclamation team. To ensure the integrity of the acquisition process, Reclamation's Acquisition Assistance Management Division will conduct annual management reviews in accordance with Paragraph 4.C. below, providing feedback and support to maintain and improve the quality of acquisition services.
 4. **Requirements and Responsibilities.**
 - A. **Contracting Officers.** Contracting officers are responsible for ensuring the integrity of the acquisition process by awarding, modifying, terminating, and closing out contracts and interagency acquisitions.
 - B. **Program Personnel.** Contracting officer's representatives, program and project managers, as well as other program personnel are responsible for:
 - (1) Serving as the technical expert and the technical representative of the contracting officer, to monitor contract performance and compliance;
 - (2) Functioning as a technical expert associated with the type of product, commodity, or service being acquired;
 - (3) Providing technical advice to the contracting officer; and
 - (4) Overseeing the contractor's performance under the contract from a technical standpoint.
 - C. **Head of the Contracting Activity.** The Head of the Contracting Activity is responsible for:
 - (1) Performing annual risk assessment in accordance with Department and Reclamation guidelines/requirements in order to determine which acquisition assessable units require an AMR; and

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- (2) Conducting AMRs in accordance with Department and Reclamation guidelines/requirements as deemed necessary in accordance with the results of the annual risk assessment.

5. **Definitions.**

COA – Certificate of Appointment. This is also referred to as a contracting officer’s “warrant,” which allows for the contracting officer to enter into contracts on behalf of the Federal Government. The COA states any limitations on the scope of authority to be exercised as well as a ceiling dollar threshold of actions that the contracting officer is allowed to enter into.

FAR – Federal Acquisition Regulation. The FAR is established for the codification and publication of uniform policies and procedures for acquisition by all executive agencies. The Federal Acquisition Regulation System consists of the FAR, which is the primary document, and agency acquisition regulations that implement or supplement the FAR (e.g., the Department of the Interior Acquisition Regulations, or DIAR).

6. **Review Period.** The originating office will review this release every four (4) years.

RECLAMATION MANUAL TRANSMITTAL SHEET

Effective Date: _____

Release No. _____

Ensure all employees needing this information are provided a copy of this release.

Reclamation Manual Release Number and Subject

Summary of Changes

NOTE: This Reclamation Manual release applies to all Reclamation employees. When an exclusive bargaining unit exists, changes to this release may be subject to the provisions of collective bargaining agreements.

Filing instructions

Remove Sheets

Insert Sheets

All Reclamation Manual releases are available at <http://www.usbr.gov/recman/>

Filed by: _____

Date: _____