

# Reclamation Manual

## Policy

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<b>Subject:</b>	Acquisition Roles and Responsibilities and Acquisition, Assistance, and Property Management Reviews (AAPMR)
<b>Purpose:</b>	To state responsibilities and limitations of contracting officers and program personnel and describe purpose and requirements of the Bureau of Reclamation's AAPMRs. The benefits intended to be realized are to ensure the integrity of the acquisition process.
<b>Authority:</b>	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>
<b>Approving Official:</b>	Commissioner
<b>Contact:</b>	Management Services Offices (84-27000)

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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 6.A.(1)(b)(iii), Reclamation's Bureau Procurement Chief and Manager, Acquisition and Assistance Management Division (84-27800) has the authority to recommend Federal Acquisition Certification in Contracting for department approval and issuance.
  - B. **Contracting Officers 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 the FAR, regulations, and policies.
  - C. **COA Delegation.** As established in RM Delegations, Paragraph 6.A.(1)(b)(i), contracting officers are appointed in writing by the Bureau Procurement Chief. COA's give contracting officers authority to enter into and administer FAR

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contracts and interagency agreements, 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 6.A.(1)(b)(iii), the Bureau Procurement Chief has the authority to recommend Federal Acquisition Certification for program and project manager certifications for department approval and issuance.
- E. **Contracting Officer Representative.** As established in RM, Paragraph 6.A.(1)(b)(iv), the Bureau Procurement Chief has the authority to approve and issue Federal Acquisition Certification for contracting officer representative certifications.
- F. **Program Personnel.** Contracting officer representatives, program, and project managers, as well as other program personnel do not have the authority to:
- (1) Award, agree to, or execute any contract, contract modification, or notice of intent.
  - (2) Obligate, in any way, the payment of money by the Government.
  - (3) 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.
  - (4) Terminate, for any cause, the contractor's right to proceed.
  - (5) Order acceleration of work.
- G. **AAPMR.** The purpose of AAPMRs is to ensure that:
- (1) Reclamation acquisition programs are achieving their intended results.
  - (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.

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2. **Applicability.** This Policy applies to contracting officers, contracting officer representatives, and program personnel.
3. **Definitions.** There are no terms to define for this Policy.
4. **Responsibilities.**
  - A. **Contracting Officers.** Contracting officers are responsible for ensuring the integrity of the acquisition process by awarding or modifying contracts or entering into, modifying, terminating, or closing out contracts or interagency acquisitions;
  - B. **Program Personnel.** Contracting officer 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. **Bureau Procurement Chief.** The Bureau Procurement Chief is responsible for:
    - (1) performing annual management control assessments/reviews of 25 percent of its contracting activity, so that by the end of 4 years, 100 percent of the contracting activity will have been reviewed, assessed, and applicable corrective actions taken; and
    - (2) conducting AAPMRs in two of Reclamation's five regions or the Denver Office each fiscal year to comply with the above annual management control assessment/review requirements and in accordance with OMB Circular A-123.
5. **Policy.** To fulfill Reclamation's mission, Reclamation's acquisition staff will work in collaboration with contracting officer representatives, program and project managers, and other program personnel as one Reclamation team. To ensure the integrity of the acquisition process, Reclamation will conduct annual management reviews, providing feedback and support to maintain and improve the quality of acquisition services.

## 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: \_\_\_\_\_