



**UNITED STATES
CONSUMER PRODUCT SAFETY COMMISSION**

DIRECTIVE NUMBER: D207.1

SUBJECT: Delegation of Procurement Authority

DIRECTIVE OWNER: Office of Financial Management, Planning, and Evaluation (EXFM), Division of Procurement Services (FMPS)

EFFECTIVE DATE: May 15, 2019

CERTIFIED CURRENT DATE: May 15, 2019

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- 1) **PURPOSE.** This delegation establishes the criteria for the selection, appointment, and termination of appointment of Contracting Officers (COs) within the Consumer Product Safety Commission (CPSC).
 - 2) **AUTHORITY.** Federal Acquisition Regulation (FAR) Subpart 1.601, 15 U.S.C. 2053(f)(1), and Office of Federal Procurement Policy (OFPP) Policy Letter 05-01 dated April 15, 2005 titled Developing and Managing the Acquisition Workforce.
 - 3) **DEFINITIONS.**
 - a) **Agency Head** – The Chairman or Acting Chairman of the CPSC.
 - b) **Contracting Officer (CO)** - means a person with the authority to enter into, administer, and/or terminate contracts and make related determinations and findings. The term includes certain authorized representatives of the contracting officer acting within the limits of their authority as delegated by the contracting officer.
 - c) **Grants and Cooperative Agreements Authorizing Official (GAO)** - means an official authorized to award and terminate grants.
 - d) **Senior Procurement Executive (SPE)** - the Executive Director, who is appointed pursuant to 41 U.S.C. 1702(c), and responsible for management direction of the CPSC's acquisition system, including implementation of the unique acquisition policies, regulations, and standards of the CPSC.
 - e) **Warrant** - the document, Standard Form 1402 *Certificate of Appointment* (SF-1402), that describes a Contracting Officer appointment, including limitations on authority.

4) **SCOPE.** This delegation applies to those CPSC employees selected for, appointed to, or terminated from a CO position and to individuals holding agency titles linked to specific procurement-related functions.

5) **DELEGATION.**

The agency head appoints the Executive Director as the Commission's Senior Procurement Executive (SPE). This delegation appoints the SPE as the agency head's designee where the FAR indicates that the agency head's procurement authority is delegable.

6) **RESPONSIBILITIES.**

a) **Senior Procurement Executive (SPE).** In issuing warrants to appoint COs, the SPE shall consider the complexity and dollar value of the assigned acquisitions and the candidate's experience, training, education, business acumen, judgment, character, and reputation. Examples of selection criteria include:

- (1) Experience in Government contracting and administration, commercial purchasing, or related fields;
- (2) Education or special training in business administration, law, accounting, engineering, or related fields;
- (3) Knowledge of acquisition policies and procedures, including the FAR and other applicable regulations;
- (4) Specialized knowledge in the particular assigned field of contracting; and
- (5) Satisfactory completion of acquisition training courses.

The SPE must appoint COs in writing on an SF-1402. The delegation and certification must be to an individual, not a position, and must state any limitation on the scope of authority (e.g., dollar thresholds) and specific responsibilities (e.g., authority to delegate).

Additionally, the SPE may appoint a GAO. The SPE must make this appointment in writing, must list any applicable limitations on the GAO's authority, and must state if the authority can or cannot be re-delegated.

b) **Contracting Officers (COs).** Subject to the limitations of the warrant, COs have authority to enter into, administer, or terminate contracts, simplified acquisitions and delivery orders, grants, cooperative agreements and interagency agreements. COs will bind the Government only to the extent of the authority delegated to them. COs must ensure that all requirements of law, executive orders, regulations, and other applicable procedures have been met prior to entering into a contract.

c) **Grants and Cooperative Agreements Authorizing Official (GAO).** This official must ensure that CPSC only enters into grants or cooperative agreements

that meet the applicable requirements of law, executive orders, regulations, and other procedures. The GAO will only issue awards within any limits placed on their authority.

- 7) **CANCELLATION.** This Delegation cancels Order No. 0340.2 dated 1 May 2014, Order No. 0340.3 dated 18 March 2016, and Order No. 0340.4 dated 16 August 2017.

 /s/
Mary Boyle
Executive Director

May 15, 2019
Date

Supporting Policies and Guidance:

F107 SF-1402 Certificate of Appointment

D1001 - Consumer Product Safety Commission (CPSC) Procurement System

Certificate of Appointment

Under authority vested in the undersigned and in conformance with
Subpart 1.6 of the Federal Acquisition Regulation

is appointed

Contracting Officer

for the

United States of America

Subject to the limitations contained in the Federal Acquisition Regulation and to the following:

Unless sooner terminated, this appointment is
effective as long as the appointee is assigned to:

(Organization)

(Agency/Department)

(Signature and Title)

(Date)

(Number)

STANDARD FORM 1402 (10-83)
Prescribed by GSA - FAR (48 - CFR) 53.201-1

