

**U. S. DEPARTMENT OF ENERGY
OFFICE OF SCIENCE - CHICAGO OFFICE**

ORDER

SC-CH O 541.1D

Issued: 12/29/08

Sunset Review: 01/26/09

Expires: 12/29/09

**SUBJECT: CONTRACTING AUTHORITY AND
RESPONSIBILITIES**

1. OBJECTIVE. To identify the Office of Science-Chicago Office (SC-CH) Contracting Officers by name, position, and functional area and limitations on their authority in accordance with Paragraph 4.k. of DOE Order 541.1B.
2. CANCELLATION. CH Order 541.1C, Contracting Authority and Responsibilities, issued 10/04/04.
3. APPLICABILITY. The provisions of this Order apply to all elements of SC-CH, Ames Site Office, Argonne Site Office, Berkeley Site Office, Brookhaven Site Office, Fermi Site Office, Princeton Site Office, and New Brunswick Laboratory.
4. DISCUSSION. This document is not a delegation of authority. Among other things, this document covers the Contracting Officer appointment process and limitations of authority. SC-CH Contracting Officers and SC Site Office Contracting Officers receiving their certificates of appointment through SC-CH are subject to the requirements and limitations contained herein.
 - a. Disclaimer. This issuance does not confer, modify, or terminate authorities or responsibilities. Site Office Managers, SC-CH assistant managers, and directors have full responsibility and authority for their functional areas. For Contracting Officers under their supervision, they may impose whatever administrative limitations they deem necessary provided there is no conflict with this Directive.
 - b. Delegation. The Deputy Director for Field Operations (DDFO), Office of Science (SC) has been designated the SC Head of Contracting Authority (HCA), as authorized by memorandum dated September 19, 2008.
 - c. Appointment. Anyone designated as DDFO, SC or as Acting DDFO, SC, provided that such acting authority is designated in writing, is the SC-HCA and is a Contracting Officer, subject to the limitations set forth in the redelegation authorization. All other Contracting Officer appointments are issued by the SC-HCA and are made by individual Certificates of Appointment designating the Contracting Officer by name and the position held and identifying the functional area or areas for which the exercise of Contracting Officer authority is authorized. To the extent such individuals hold valid Certificates of Appointment and occupy the designated positions, they are Contracting Officers and are subject to the limitations for the applicable position set forth herein. All nominations for appointment of a Contracting Officer shall be reviewed by the Director, Support Division, Office of Acquisition and Assistance (ACQ), SC-CH, concerning verification of Personal Qualifications pursuant to DOE Order 541.1B and the

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Site Office Employees

INITIATED BY: Office of Acquisition and Assistance

Acquisition Career Management Program Handbook. Also, Conflict of Interest clearance shall be obtained from the Chief Counsel or the Deputy Chief Counsel, SC-CH, and the Designating Official before any appointment is made where the employee was not previously designated a "supervisory employee" pursuant to 10 CFR Part 1010 (i.e., DOE Conduct of Employees Regulations).

- d. General Limitations of Authority. All Contracting Officer appointments are subject to the following general limitations:
- (1) the limitations contained in the Federal Acquisition Regulation, DOE Acquisition Regulation, DOE Financial Assistance Rules, ACQ acquisition and assistance policies and procedures and other official implementing issuances and communications including, but not limited to, those issued by the Office of Science DDFO and/or the Manager, SC-CH;
 - (2) the limitations contained in other applicable laws, regulations and Executive Orders;
 - (3) the requirements and procedures contained in the current DOE Order 541.1B, Subject: Appointment of Contracting Officers and Contracting Officer's Representatives;
 - (4) the requirements and procedures contained in the current CH Order 971.1C, Subject: Review and Approval of Acquisition and Assistance Actions;
 - (5) nondefinitive prime actions require the prior written approval of the Assistant Manager, ACQ;
 - (6) termination of prime actions requires the prior written approval of the Assistant Manager, ACQ;
 - (7) limitations contained in the Procurement Executive's redelegation of authority to the SC HCA; and
 - (8) any action may be required to be submitted to the HCA or his designee for prior approval.
- e. Specific Limitations of Authority. Attachment A of this Order sets forth specific limitations on the exercise of Contracting Officer authorities; in no event shall the aggregate amount (i.e., the price or estimated cost of performance) involved in any one action, including amounts funded by sources other than DOE, exceed the pertinent specified limitation without obtaining the necessary review/approval. The specified limitations are inapplicable to modifications to instruments when they involve only periodic increases (or decreases) of funds obligated when funds for such purposes have been allotted and set forth in an approved financial plan.

- f. Defined Limitations of Authority. Subject to the limitations of authority described above, the authority of Site Office Contracting Officers is limited to that authority necessary to carry out all actions required for site maintenance and operation. This includes the authority to carry out all requirements of the Performance-based Management Contract (including subcontracts, Cooperative Research and Development Agreements, Work for Others review/approval, and execution of special bank account agreements), as well as authorization to execute and manage site-related Military Interdepartmental Procurement Requests (MIPRs), Interagency Agreements (whether funds-in or funds-out), simplified acquisitions, utility contracts, and other prime contracts (e.g., for site security, maintenance, and other support services).

- g. Contracting Officer Representative (COR) Appointments. Contracting Officers have authority to appoint CORs as required by DOE Order 541.1B by means of a formal designation letter. Heads of Departmental elements have been requested to name only a project manager/initiator who has satisfied the qualifications for COR designation. Contracting Officers should obtain a copy of the individual's Federal Acquisition Certification – Contracting Officer Technical Representative (FAC-COTR) certification prior to issuing the Designation of Technical Manager Letter (AA-50).

- h. Termination of Appointment. Upon a Contracting Officer receiving a notice of Termination of Appointment, the Contracting Officer must immediately return the original Contracting Officer Certificate of Appointment to the Assistant Manager, ACQ.

CONTRACTING OFFICER LIMITATIONS

<u>Office/Name</u>	<u>Position</u>	<u>Functional Area</u>	<u>Limitation Footnotes</u>
<u>Office of the Manager</u>			
Johnnie D. Greenwood	Deputy Manager, Chicago Office	Procurement Contract Sales Contracts Assistance Instruments	1, 2, 3 14 4, 5, 6, 7
<u>Office of Acquisition and Assistance</u>			
Patricia J. Schuneman	Deputy Assistant Manager, Acquisition and Assistance	Procurement Contracts Sales Contracts Assistance Instruments	1, 2, 3 14 4, 5, 6, 7
James R. Bieschke	Director, Support Division	Procurement Contracts Sales Contracts Assistance Instruments	1, 2, 3 14 4, 5, 6
Eric M. Simpson	Director, Operations Division	Procurement Contracts Sales Contracts Assistance Instruments	1, 2, 3 14 4, 5, 6
Cynthia A. Anderson	Team Leader	Procurement Contracts Assistance Instruments	3 6
Gaile A. Higashi	Team Leader	Procurement Contracts Assistance Instruments	3 6
Marlene E. Martinez	Team Leader	Procurement Contracts Assistance Instruments	3 6
Vicki L. Phillips	Team Leader	Procurement Contracts Assistance Instruments	3 6
Christopher D. Swierczek	Team Leader	Procurement Contracts Assistance Instruments	3 6
John P. Motz	Team Leader	Procurement Contracts Assistance Instruments	3 6
Dennis L Wilson	Team Leader	Procurement Contracts Assistance Instruments Sales Contracts	1, 2, 3 6 14
Roberta D. Ahlberg	Procurement Analyst	Procurement Contracts Assistance Instruments Sales Contracts	1, 2, 3 6 14

<u>Office/Name</u>	<u>Position</u>	<u>Functional Area</u>	<u>Footnotes</u>
Tanga R. Baylor	Contract Specialist	Assistance Instruments	8
Michael Hill	Contract Specialist	Assistance Instruments	8
Lynda Keammerlen	Contract Specialist	Assistance Instruments	9
Earlette M. Robinson	Contract Specialist	Assistance Instruments	8
Mary Lou Zambrano	Contract Specialist	Assistance Instruments	9
Pamela R. Rapcan	Purchasing Agent	Simplified Acquisitions	11
<u>Human Resources Services</u>			
Linda C. Media	Purchasing Agent	Simplified Acquisitions	11
<u>New Brunswick Laboratory</u>			
Kimberly Johnson-Miller	Purchasing Agent	Simplified Acquisitions	11
<u>Ames Site Office*</u>			
Thomas J. Harrison	Contract Specialist	Procurement Contracts Sales Contracts	1, 2, 3 14
<u>Argonne Site Office*</u>			
Sergio E. Martinez	Team Leader	Procurement Contracts Sales Contracts	1, 2, 3 14
Jennifer A. Stricker	Laboratory Mgmt. Specialist	Procurement Contracts Sales Contracts	1, 2, 3 14
<u>Berkeley Site Office*</u>			
Aundra Richards	Site Office Manager	Procurement Contracts Sales Contracts	1, 2, 3 14
Charles W. Marshall	Contract Specialist	Procurement Contracts Sales Contracts	1, 2, 3 14
Maria C. Robles	Contract Specialist	Procurement Contracts Sales Contracts	1, 2, 3 14

<u>Office/Name</u>	<u>Position</u>	<u>Functional Area</u>	<u>Footnotes</u>
<u>Brookhaven Site Office*</u>			
Robert P. Gordon	Supervisory Contract Specialist	Procurement Contracts Sales Contracts	1, 2, 3 14
Evelyn Landini	Contract Specialist	Procurement Contracts Sales Contracts	1, 2, 3 14
Kim Nekulak	Purchasing Agent	Simplified Acquisitions	11
<u>Fermi Site Office*</u>			
Rory S. Simpson	Contract Specialist	Procurement Contracts Sales Contracts	1, 2, 3 14
Kristin E. Palmer	Contract Specialist	Procurement Contracts Sales Contracts	1, 2, 3 14
<u>Princeton Site Office*</u>			
Raymond M. Kimble	Administrative Team Leader	Procurement Contracts Sales Contracts	1, 2, 3 14
Kimberly E. Tafe	Contract Specialist	Procurement Contracts Sales Contracts	1, 2, 3 14
Sarah M. Lawson	Contract Specialist	Procurement Contracts Sales Contracts	1, 2, 3 14

*See Paragraph 4.e., on Page 2 of this Order for Defined Limitations of Authority.

LIMITATION FOOTNOTES

<u>Type of Action</u>	<u>Highest Required Prior Review/Approval Level</u>
1. <ul style="list-style-type: none"> ● Prime Acquisition Actions greater than \$50M ● Subcontracts (Consent or Approval) greater than \$50M ● Competitive acquisition solicitations which may result in a contract or multiple contract awards having a total value of greater than \$50M 	Director, Office of Procurement and Assistance Management & the SC Deputy Director for Field Operations/HCA
2. <ul style="list-style-type: none"> ● Prime Acquisition Actions greater than \$25M to \$50M ● Subcontracts (Consent or Approval) greater than \$25M to \$50M ● Prime Acquisition Plans, Solicitations and Subcontract Acquisition Plans and Solicitations having a total value of greater than \$25M to \$50M (Consent or Approval) 	SC Deputy Director for Field Operations/HCA & Assistant Manager or Acting Assistant Manager Office of Acquisition and Assistance
3. <ul style="list-style-type: none"> ● Prime Acquisition Actions from \$5M to \$25M ● Subcontracts, Non- M&O Only (Consents or Approvals) from \$10M to \$25M 	Assistant Manager or Acting Assistant Manager Office of Acquisition and Assistance
4. <ul style="list-style-type: none"> ● Prime Assistance Actions greater than \$50M ● Funding Opportunity Announcements which may result in a Financial Assistance or Financial Incentive award or multiple awards having a total value of greater than \$50M 	Director, Office of Procurement and Assistance Management & the SC Deputy Director for Field Operations/HCA
5. <ul style="list-style-type: none"> ● Prime Assistance Actions from greater than \$25M to \$50M 	SC Deputy Director for Field Operations/HCA & Assistant Manager, or Acting Assistant Manager, Office of Acquisition And Assistance
6. <ul style="list-style-type: none"> ● Prime Assistance Actions from \$5M to \$25M ● Subcontracts (Consents and Approvals) from \$10M or greater 	Assistant Manager, or Acting Assistant Manager, Office of Acquisition and Assistance/or Director, Operations Division
7. <ul style="list-style-type: none"> ● Financial Assistance – Other Transaction Authority – Technology Investment Agreements or any other type of transaction conducted under this Authority 	Director, Office of Procurement and Assistance Management

<u>Type of Action</u>	<u>Highest Required Prior Review/Approval Level</u>
8. <ul style="list-style-type: none"> ● New and Renewal Prime Assistance Actions where the value of the proposed project period is ≤\$5M and the nature of the project is research, development, or demonstration or a research-related conference with a domestic educational or non-profit institution and revision amendments to those awards where the value is ≤\$5M on an individual basis. 	None
<ul style="list-style-type: none"> ● Other New and Renewal Prime Assistance Actions where the value of the proposed project period is ≤\$1M and revision amendments to those awards where the value is ≤\$1M on an individual basis. 	None
9. <ul style="list-style-type: none"> ● New and Renewal Prime Assistance Actions where the value of the proposed project period is ≤\$2,000,000 and the nature of the project is research, development, or demonstration or a research-related conference with a domestic educational or non-profit institution and revision amendments to those awards where the value is ≤\$2,000,000 on an individual basis. 	None
<ul style="list-style-type: none"> ● Other New and Renewal Prime Assistance Actions where the value of the proposed project period is ≤\$500,000 and revision amendments to those awards where the value is ≤\$500,000 on an individual basis. 	None
10. <ul style="list-style-type: none"> ● Simplified Acquisition Threshold, not to exceed \$25K 	None
11. <ul style="list-style-type: none"> ● Simplified Acquisition Threshold, not to exceed \$25K and a GSA SMARTPAY Purchase Card with a single purchase limit up to \$25,000. 	None
12. <ul style="list-style-type: none"> ● GSA SMARTPAY Purchase Card with a single purchase limit up to \$25,000. 	None
13. <ul style="list-style-type: none"> ● Simplified Acquisition Threshold, (See FAR 13.101) 	None
14. <ul style="list-style-type: none"> ● Sales Contracts 	None

Notes:

- Prime Acquisitions and Prime Assistance Actions, include competitive and non-competitive actions which exceed the threshold.
- The dollar threshold for Prime Acquisition actions includes the value of all options or estimates of un-priced options, any type of awardee cost share, any loans, loan guarantees, price support agreements, interagency agreements, and change orders and their definitization modifications.
- The dollar threshold for Prime Assistance Actions includes the total value for the current project period, including any type of awardee cost share.
- The dollar threshold for Competitive Acquisition Solicitation and Funding Opportunity Announcement actions includes the anticipated value of all priced or un-priced options, and required or anticipated awardee cost share for the expected duration of the acquisition or assistance awards.
- Assistant Manager approval is documented as follows:

Financial Assistance Acquisition	Signature on Negotiation Memorandum
	Signature on Pre-negotiation Memorandum
	Signature on Post Negotiation Summary
M&O Sub Contract Actions (Consent or Approval)	Acceptable IRB review or Alternate Review

- Director, Office of Procurement and Assistance Manager and SC DDFO approval is documented as provided by respective offices.