

### Enterprise Services Policy No. POL-DES-090-00

Delegated Authority Policy

**Applies to**: Any state office or activity of the executive branch of state government, including state agencies, departments, offices, divisions, boards, commissions, institutions of higher education as defined in [RCW 28B.10.016](http://apps.leg.wa.gov/RCW/default.aspx?cite=28B.10.016) and correctional and other types of institutions ([RCW 39.26.010(1)](https://app.leg.wa.gov/rcw/default.aspx?cite=39.26.010)) ([RCW 39.26.100](https://app.leg.wa.gov/RCW/default.aspx?cite=39.26.100)) ([RCW 39.26.102](https://app.leg.wa.gov/RCW/default.aspx?cite=39.26.102)) governed by RCW 39.26.

**Authorizing sources**:

* State Law [RCW 39.26.090(5)](https://app.leg.wa.gov/rcw/default.aspx?cite=39.26.090)
* State Law [RCW 28B.10.029](https://app.leg.wa.gov/rcw/default.aspx?cite=28B.10.029)

**See also:** DES Procedures: [PRO-DES-090-00A](https://des.wa.gov/policies-legal/policies-laws-rules-search/delegation-authority-des-090-00); [WaTech PM-01](https://watech.wa.gov/policies/it-investments-approval-and-oversight-policy)

**Effective date:** DATE, 2025

**Last update:** April 5, 2019

**Approved by**: Matt Jones, Director

# Reason for Policy

This policy applies whenever an agency purchases or leases goods and/or services under Chapter 39.26 RCW. The goal is to provide each agency with authority that is tailored to fulfill the agency’s mission and meet agency business needs, while balancing procurement risk.

# Policy

### Purchases of goods and services shall be made in accordance with RCW [39.26.090](http://apps.leg.wa.gov/rcw/default.aspx?cite=39.26.090).

### The DES Director will delegate to agencies authorization to purchase goods and services. The following delegations will be used:

### General Delegated Authority

### Additional Delegated Authority

### Interim Delegated Authority

### Washington State Higher Education Agencies may obtain goods and/or services under separate authority. See [RCW 28B.10.029.](http://app.leg.wa.gov/RCW/default.aspx?cite=28B.10.029)

1. **Each executive agency will receive General Delegated Authority**:
	1. General Delegated Authority is the authority granted by the DES Director to an agency to purchase categories of goods and services.
	2. General Delegated Authority is based on an agency’s Procurement Risk Assessment and its ability to effectively manage procurement-related risk.
	3. Agencies receive their General Delegated Authority, which includes any special purchases, using the procedures listed in PRO-DES-090-00A.
	4. The General Delegated Authority will be specific as to the dollar amount for specific types of goods and services in three general categories: (i) goods, (ii) services, and (iii) Information Technology (IT) goods and services.
	5. Client services contracts are services provided directly to agency clients including, but not limited to, medical and dental services, employment and training programs, residential care, and subsidized housing”. RCW 39.26.010: Definitions: Clients Services contracts must be within an agency’s General Delegated Authority dollar amount limit for services.

The General Delegated Authority dollar amount established by DES applies regardless of the source of the funding.

* 1. DES may impose conditions when granting Additional Delegated Authority to assist the agency in managing procurement-related risks.
	2. An agency’s General Delegated Authority review schedule is provided in the agency’s general delegation letter. The delegation continues until modified in writing by the DES Director.
1. **Agencies may be granted** **Additional Delegated Authority**:
	1. Additional Delegated Authority is authority that must be obtained from the DES Director when an agency does not have sufficient General Delegated Authority to purchase goods or services necessary for the agency to accomplish its mission.
	2. To obtain approval of Additional Delegated Authority, an agency must notify DES before executing a contract that is expected to exceed the agency’s delegated authority using Delegated Authority Procedure PRO-DES-090-00A. DES may impose conditions when granting Additional Delegated Authority to assist the agency in managing procurement-related risks.
	3. DES approvals of Additional Delegated Authority are of limited duration, which will be denoted in a letter from the DES Director granting the authority.
2. **New agencies must obtain Interim Delegated Authority:**
	1. Interim Delegated Authority is temporary authority that is granted to an agency and occurs only between the time an agency is created and its first Procurement Risk Assessment.
	2. Any agency created after the effective date of this policy will work with DES to receive an Interim Delegated Authority.
	3. When applying for Interim Delegated Authority, agencies must use Delegated Authority Procedure PRO- DES-090-00A.
	4. DES approvals of Interim Delegated Authority are valid until a Procurement Risk Assessment is conducted.
3. **Agencies have Unlimited Delegated Authority only when:**
4. Purchasing directly from a DES statewide contract (formerly known as master contract; see FAQ #13) or DES approved cooperative contract.
	* 1. If a statewide contract or DES approved cooperative contract requires a second tier competition, an agency’s delegated authority:
			1. is unlimited if DES conducts the competition; or
			2. is limited to an agency’s delegated authority if that agency conducts the competition; or
			3. making emergency purchases as defined in [RCW 39.26.130](https://app.leg.wa.gov/RCW/default.aspx?cite=39.26.130).

### When using Delegated Authority:

* 1. Agencies must use existing statewide contracts, or DES approved cooperative contracts, unless the contract cannot justifiably satisfy the agency’s needs.
		1. Agencies that do not use available statewide contracts for any reason are encouraged to complete a justification form located on each statewide contract summary page to provide such information to DES.
	2. For contracts that include a combination of goods and services, use the category dollar amount that represents the predominant category for that procurement.
	3. General Delegated Authority dollar amounts are not cumulative; the dollar amounts apply to each contract term or to each purchase event.
	4. For IT goods and services, agencies must also conform to all applicable Washington Technology Solutions (WaTech) policies. Agencies should confer with WaTech as outlined in WaTech’s policies. Similarly, DES will be available to answer the agencies’ IT procurement questions.
	5. Agencies may implement more restrictive procurement and/or contract policies at the agency level so long as they are consistent with Chapter 39.26 RCW and DES procurement policies.

### Compliance

### Agencies with delegated authority (General, Additional, or Interim) from DES are expected to comply with Washington’s Procurement Code for Goods/Services (RCW 39.26), enterprise procurement policies adopted by DES, and their delegation of authority.

### Compliance with all procurement policies will be a consideration in the agency’s Procurement Risk Assessment and may influence the agency’s procurement delegation of authority.

### Outside of procurement risk assessments, DES may communicate with an agency about any noncompliance with enterprise procurement that DES is aware of and, when applicable, identify action steps to enable the agency to comply with DES enterprise procurement policies.

### Agencies, as a condition of their delegated authority, must cooperate with DES to review, assess, and, when applicable, correct agency noncompliance with DES enterprise procurement policies.

History

Replaces

* DES-090-00 Delegation of Authority Policy April 5, 2019, which replaced DES-090-00 Delegation of Authority Policy REV 01-08-15
* DES-090-00 Delegation of Authority Policy REV 01-08-15, which replaced Delegation of Authority Policy DES-090-00 January 1, 2013
* DES-090-00 Delegation of Authority Policy January 1, 2013

Resources:

Statewide Contract : [Contract Search](https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fapps.des.wa.gov%2FDESContracts%2F&data=05%7C02%7Cdavid.jorgensen%40des.wa.gov%7C14be24890d634358de9a08ddea8aeccc%7C11d0e217264e400a8ba057dcc127d72d%7C0%7C0%7C638924604597261925%7CUnknown%7CTWFpbGZsb3d8eyJFbXB0eU1hcGkiOnRydWUsIlYiOiIwLjAuMDAwMCIsIlAiOiJXaW4zMiIsIkFOIjoiTWFpbCIsIldUIjoyfQ%3D%3D%7C0%7C%7C%7C&sdata=P%2B%2BK7j9rxJbB%2FLrwmlL8v8u66pFQpEwcsof7djlx%2B10%3D&reserved=0) (justification forms for each statewide contract are located in each contract summary) .