

Delegated Authority Procedure

Applies to: The delegation of general, additional, and interim delegated authority to state agencies for the purchase of goods and services in accordance with DES revised Policy #[POL-DES-090-00](#).

Effective date: April 5, 2019

Last update: N/A

Sunset review date: {5 years from effective date}

OBTAINING GENERAL DELEGATED AUTHORITY

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| DES Risk Analyst | 1. Initiates an agency's risk assessment process by sending appropriate Risk Assessment Tool or Checklist to the agency. |
| Agency | 2. Submits completed procurement risk assessment to DES using the appropriate Risk Assessment Tool or Checklist. |
| DES Risk Analyst | 3. Reviews and analyzes each answer to determine how well the agency's procurement practices manage risks associated with their procurements. As a part of this review, the risk analyst examines several sources of information, including the agency's reported contracts; external audit history; additional delegated authority requests; requests for exemptions; compliance with procurement laws, executive orders, rules, or policies; accuracy of WEBS reporting; quality of sole source and emergency filings (e.g. degree of compliant filings); results of procurement protests; and the extent of the agency's diversity spend. |
| | 4. If necessary, the DES Risk Analyst consults with the agency to clarify discrepancies between answers to questions submitted in the Risk Assessment Tool and data being analyzed by the DES Risk Analyst as outlined in Step 3. |
| Agency | 5. Agency responds to DES Risk Analyst. |
| DES Risk Analyst | 6. Drafts a general delegated authority recommendation to the risk assessment review panel. |
| | 7. Provides draft general delegated authority recommendation to the risk assessment review panel. |
| | 8. Follows up on all risk assessment review panel recommendations. |
| | 9. Provides draft of risk assessment and general delegated authority recommendations to agency. |

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| | 10. After consultation with agency, finalizes general delegated authority recommendation and provides it to Contracts and Procurement Management. |
| C&P Management | 11. Approves or suggests changes to recommendation (repeat Steps 6-10 as needed). |
| DES Director | 12. Issues a letter with the agency's general delegated authority levels, special purchases, applicable conditions, and next review period. |

OBTAINING ADDITIONAL DELEGATED AUTHORITY

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| Agency | 1. Identifies that a procurement will exceed the agency's general delegated authority. |
| Agency Staff | 2. Completes request for additional delegated authority, to include answers to the following questions: <ol style="list-style-type: none"> a. What is the purpose, the scope and the specific nature of the request? b. What is the projected dollar value of the request, including analysis that determined the cost estimate? c. How might the state/agency benefit should the request be approved? d. What are the risks should the request be denied? e. Does the agency possess the necessary experience and expertise to conduct the procurement and/or to manage the contract? If so, explain. f. What measures have been established to ensure that all applicable procurement requirements will be met? g. Contact information of the person responsible for implementing the requested delegated authority included in request. |
| Agency Head | 3. Approves the request for additional delegation of authority and sends to the DES Director. |
| DES Risk Analyst | 4. Confers with the agency to obtain additional information necessary to determine whether to grant the request.

7. Reviews available information to recommend whether agency's request should be granted.

8. Consults with the agency to determine whether: <ol style="list-style-type: none"> a. DES will conduct the procurement; or b. DES will monitor the agency conducting the procurement; or c. The agency will conduct the procurement. |
| DES Director | 7. Issues a letter regarding the agency's request including the amount and duration of any additional delegated authority granted, and applicable conditions. |

OBTAINING INTERIM DELEGATED AUTHORITY

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| DES Policy Team | 1. Receives on-boarding request from the Office of Financial Management when a new agency is created. |
| | 2. Schedules a meeting with the new agency procurement professionals to discuss: <ol style="list-style-type: none">The procurements that the new agency anticipates in its first year of operation (in goods, services, and IT);The procurement staff in the new agency;The amounts of delegated authority needed in the first year of operation. |
| DES Risk Analyst | 3. Drafts interim delegation of authority letter. |
| DES Director | 4. Issues a letter regarding the agency's interim delegated authority including the amount and duration of delegated authority, applicable conditions, and date of agency's first risk assessment. |

History

Adopted

April 5, 2019

Replaces

N/A
