DEPARTMENT OF ENERGY
DESIGNATION OF AUTHORITY AND
DELEGATION OF AUTHORITY ORDER NO. 00-022.00B
TO THE DIRECTOR, OFFICE OF PROCUREMENT AND ASSISTANCE MANAGEMENT

1. DESIGNATION. Under the authority vested in me as Secretary of Energy, you are hereby designated as the Senior Procurement Executive (as defined by 41 U.S.C. 414 and Executive Order No. 12931 "Federal Procurement Reform," October 13, 1994) for all Departmental elements, except the National Nuclear Security Administration and the Federal Energy Regulatory Commission. As Senior Procurement Executive you have agency-wide responsibility and authority to: provide overall management direction of the Department of Energy's (Department) procurement system; oversee development of procurement goals, guidelines, and innovation; measure and evaluate procurement office performance against stated goals; and enhance career development of the procurement workforce. As Senior Procurement Executive, you are authorized to approve justifications for other than full and open competition in the case of a contract for an amount exceeding $50,000,000. (41 U.S.C. 253(f)). The authorities contained in this paragraph may not be redelegated or redesignated.

2. DELEGATION. Under the authority vested in me as Secretary of Energy and pursuant to section 642 of the Department of Energy Organization Act (Public Law 95-91, 42 U.S.C. 7252), I delegate to the Director, Office of Procurement and Assistance Management, the authority to take the following actions for all Departmental Elements except the National Nuclear Security Administration and the Federal Energy Regulatory Commission:

2.1 Designate Contracting Officers (48 C.F.R. 1.601, 48 C.F.R. 1.603-1, 48 C.F.R. 901.601).

2.2 Designate a program manager to implement an electronic commerce capability for the Department who shall report directly to the Senior Procurement Executive (41 U.S.C. 252c).

2.3 Designate Heads of Contracting Activities, without further delegation, subject to such thresholds and other limitations as may be appropriate (48 C.F.R. 1.601, 48 C.F.R. 901.601).

2.4 Designate a Senior Competition Advocate to perform the duties required by the Competition in Contracting Act of 1984, Public Law 98-369. This authority may not be redelegated (41 U.S.C. 418, 48 C.F.R. 6.501, 48 C.F.R. 906.501).

2.5 Designate Contracting Activity Competition Advocates to perform the duties required by the Competition in Contracting Act of 1984, Public Law 98-369. This authority may be redelegated no lower than the Heads of Contracting

Activities. A Contracting Activity Competition Advocate shall be appointed for each installation that has been delegated contracting authority (41 U.S.C. 418, 48 C.F.R. 6.501, 48 C.F.R. 906.501).

2.6 Assign contracting functions and responsibilities to another agency, and create joint or combined offices with another agency to exercise acquisition functions, without further delegation (41 U.S.C. 261, 48 C.F.R. 1.601, 48 C.F.R. 901.601).

2.7 Enter into, approve, administer, modify, close-out, terminate, and take such other actions as may be necessary and appropriate with respect to any procurement transaction binding the Department to the obligation and expenditure of public funds.

2.8 Enter into, approve, administer, modify, close-out, terminate and take such other actions as may be necessary and appropriate with respect to any financial assistance agreement, sales contract, or similar transaction, whether or not binding DOE to the obligation and expenditure of public funds. Such action shall include the rendering of approvals, determinations, and decisions, except those required by law or regulation to be made by other authority.

2.9 Approve extraordinary contractual actions, not to exceed $55,000 to facilitate the national defense, pursuant to Public Law 85-804 and Executive Order No. 10789, as amended (48 C.F.R. 50.201).

2.10 Sign applications for permits to procure tax-free spirits from a distilled spirits plant for nonbeverage purposes for use by the Department, as authorized by 26 U.S.C. 5271.

2.11 Exercise the authorities under sections 101(a) of the Defense Production Act of 1950 (50 U.S.C. App. 2071(a)) delegated to the Secretary in Department of Commerce (DOC) Defense Priorities and Allocations System (DPAS) Delegation 2, as amended, contained in the DOC DPAS regulation at 15 C.F.R. Part 700. The exercise of this authority is subject to the concurrence of the Department's General Counsel.

2.12 Designate a task and delivery order ombudsman to perform the duties required by the Federal Acquisition Streamlining Act of 1994 (Title I, section 1054(a) of Public Law 103-355, 41 U.S.C. 253j(e)).

2.13 Serve as my authorized representative to void and rescind contracts in relation to which there has been either: (1) A final conviction for bribery, conflict of interest, disclosure or receipt of contractor bid or proposal information or source selection information in exchange for a thing of value or to give anyone a competitive advantage in the award of a Federal agency procurement; or (2) You have determined, as my designee, that contractor bid or proposal information or source

selection information has been disclosed or received in exchange for a thing of value, or for the purpose of obtaining or giving anyone a competitive advantage in the award of a Federal Agency procurement (18 U.S.C. 218 and 41 U.S.C. 423).

2.14 Subject to the direction of the Secretary or his designee, enter into, administer, modify, closeout, terminate and take such other actions as may be necessary and appropriate when a technology investment agreement (TIA) has been approved pursuant to 10 C.F.R. 603.115, and also to authorize the cognizant Head of Contracting Activity to issue a new warrant of a contracting officer or to revise the current warrant of a contracting officer to authorize the award or administration of a TIA as required by 10 C.F.R. 603.120.

2.15 Enter into long-term utility contracts except areawide contracts, for total terms not to exceed ten (10) years, for all utility services; e.g., electric, natural gas, water, sewage, and steam, pursuant to Delegation of Authority to the Secretary of Energy from the General Services Administrator, reflected in FAR 41.103(b). (40 U.S.C. 501(b), 40 U.S.C. 121(d)).

3. RESCISSION. Delegation Order 00-022.00A is hereby rescinded.

4. LIMITATION.

4.1 In exercising the authority delegated in this Order, a delegate shall be governed by the rules and regulations of the Department of Energy and the policies and procedures prescribed by the Secretary or delegate(s).

4.2 Nothing in this Order precludes the Secretary from exercising any of the authority delegated by this Order.

4.3 Nothing in this Order shall be construed to supersede or otherwise interfere with the authorities provided to the Administrator for Nuclear Security by law or by delegation. Furthermore, nothing herein constitutes authority to exercise authority, direction, or control of an employee of the National Nuclear Security Administration or its contractors.

4.4 Any amendments to this Order shall be in consultation with the Department of Energy General Counsel.

5. AUTHORITY TO REDELEGATE.

5.1 Except as expressly prohibited by law, regulation, or this Order, the Director, Office of Procurement and Assistance Management, may delegate this authority further, in whole or in part.

5.2 Copies of redelegations and any subsequent redelegations shall be provided to the Office of Management, which manages the Secretarial Delegations of Authority system.

6. DURATION AND EFFECTIVE DATE.

6.1 All actions pursuant to any authority delegated prior to this Order or pursuant to any authority delegated by this Order taken prior to and in effect on the date of this Order are ratified and remain in force as if taken under this Order, unless or until rescinded, amended or superseded.

6.2 This Order is effective SEP 2 7 2007.

Samuel W. Bodman
Secretary of Energy