DEPARTMENT OF ENERGY
REDELEGATION/DESIGNATION ORDER NO. 00-002.17-01B
TO SEAN I. PLASYNSKI
AS HEAD OF CONTRACTING ACTIVITY (HCA)
FOR THE NATIONAL ENERGY TECHNOLOGY LABORATORY

1. DELEGATION/DESIGNATION. Department of Energy (DOE) Delegation of Authority Order 00-002.17A sets forth various authorities delegated to the Director, Office of Acquisition Management (herein referred to as the "Director"), and provides that these authorities may be further delegated in whole or in part as may be deemed appropriate. The Deputy Director and Chief Operating Officer, National Energy Technology Laboratory, is hereby designated as the Head of the Contracting Activity (HCA) for the National Energy Technology Laboratory, in accordance with Federal Acquisition Regulation (FAR) 1.601. Except as expressly stated herein, you may not further delegate your HCA authority; however, HCA authority is conferred to individuals serving in your stead as Deputy Director and Chief Operating Officer, National Energy Technology Laboratory, provided that such acting authority is designated in writing.

The delegated authorities set forth herein are conditioned upon your full conformance with applicable laws, the FAR, the DOE Acquisition Regulation (DEAR), DOE Directives and policies and procedures, including Acquisition Letters and the DOE Acquisition Guide, notably Chapter 71, which prescribes actions requiring Headquarters review and the process for their selection. In determining whether an action is within a delegated monetary authority, the determination must be based on the total value, including options, in-kind contributions and contractors/recipients cost share. Moreover, where actions involve a combination of additional work and deductive work, the total value shall be based on the absolute value of the work contemplated. The delegated authorities are set forth below:

1.1 ACQUISITION

(A) (i) Enter into, approve, administer, modify, close-out, terminate, and take such other actions as may be necessary and appropriate with respect to procurement transactions including competitive acquisitions, non-competitive acquisitions, contract modifications, interagency agreements, and consent to subcontracts that bind DOE to the obligation and expenditure of public funds. The acquisition authorities described in this paragraph may be delegated only to a Contracting Officer (CO) (in accordance with section 1.5, Contracting Officers) without the power of further delegation.

(ii) Actions exceeding the delegated monetary authority specified below or that meet the requirements prescribed in Acquisition Guide Chapter 71 shall have the prior approval, or waiver thereof, of the Director, or designee.

Actions within the delegated monetary authority specified below that exceed $25 million and that are not subject to business clearance, shall have the prior approval of the HCA for the actions identified in Acquisition Guide Chapter 71. Authority to approve transactions at this level and that meet these conditions is non-delegable. Authority to approve actions below $25 million that are not subject to business clearance is re-delegable at the discretion of the HCA.

Type of Acquisition	Delegated Monetary Authority
Competitive Acquisitions	$50 million
Non-Competitive Acquisitions	$50 million
Contract Modifications[1]	$50 million
Interagency Agreements where a servicing agency will award or modify a contract on behalf of DOE (includes award and modification[2])	$50 million
Subcontracts (solicitation, award, modification, and termination[3])	$50 million

Notes 1, 2, and 3: Administrative modifications, e.g., funding modifications are not subject to the limitation in the delegated monetary authority

(iii) Serve as Source Selection Authority (SSA) or appoint another individual to serve as SSA for a particular acquisition or group of acquisitions within your delegated monetary authority for competitive acquisitions.

(B) Designate a Competition Advocate, in accordance with DEAR 906.5, to perform the duties required by FAR 6.5. Such designation(s), if below the GM/GS-15 level, shall be approved by the Director. The authority to designate a Competition Advocate may not be further delegated.

(C) Appoint a Contracting Activity Ombudsman for task and delivery order contracts in accordance with FAR 16.505(b)(6) as authorized by DEAR 916.505(b)(6)(ii). The FAR requires that the person be a senior agency official who is independent from the CO and the DEAR requires that the person appointed be a senior

manager. This authority may be delegated to the same person serving as Competition Advocate discussed in paragraph 1.1(B) above.

(D) Waive the requirement for submission of cost or pricing data, in accordance with, FAR 15.403-1(c)(4) without power of further delegation. Prior to approving such a waiver, the HCA shall obtain written concurrence from the Director for all procurement actions over $5 million in value.

(E) Exercise all other authorities specifically granted to the HCA by the FAR and DEAR. In some cases, FAR specified authorities are modified by the DEAR. These HCA authorities may be further delegated unless expressly prohibited by either the FAR or DEAR.

1.2 ASSISTANCE

(A) (i) Enter into, approve, administer, modify, close out, terminate, and take such other actions as may be necessary and appropriate with respect to financial assistance agreements including grants and cooperative agreements whether or not binding DOE to the obligation and expenditure of public funds. These assistance authorities may be delegated only to a CO (in accordance with section 1.5, Contracting Officers) without the power of further delegation.

(ii) Actions exceeding $50 million shall have the prior approval, or waiver thereof, of the Director or designee. Additionally, any funding opportunity announcement which may result in financial assistance with a collective value of $50 million or more, including cost share, shall have prior approval, or waiver thereof, of the Director or designee.

Actions within the delegated monetary level specified above that exceed $25 million and that are not subject to business clearance, shall have the prior approval of the HCA for the actions identified in Acquisition Guide Chapter 71. Authority to approve transactions at this level and that meet these conditions is non-delegable. Authority to approve actions below $25 million that are not subject to business clearance is re-delegable at the discretion of the HCA.

(iii) Serve as Selection Authority (SA) or appoint another individual to serve as SA for a particular funding opportunity announcement within your delegated monetary authority ($50 million).

1.3 OTHER TRANSACTIONS

(A) (i) Subject to the approval of the Secretary or his designee, enter into, administer, modify, close out, terminate, and take such other actions as may be

necessary and appropriate with respect to other transactions whether or not binding DOE to the obligation and expenditure of public funds. These other transactions authorities may be delegated only to a CO (in accordance with section 1.5, Contracting Officers) without the power of further delegation.

(ii) Actions exceeding $50 million shall have the prior approval, or waiver thereof, of the Director or designee.

Actions within the delegated monetary level specified above that exceed $25 million and that are not subject to business clearance, shall have the prior approval of the HCA for the actions identified in Acquisition Guide Chapter 71. Authority to approve transactions at this level and that meet these conditions is non-delegable. Authority to approve actions below $25 million that are not subject to business clearance is re-delegable at the discretion of the HCA.

(iii) Serve as Selection Authority (SA) or appoint another individual to serve as SA for a particular other transaction or group of other transactions within your delegated monetary authority ($50 million).

1.4 SALES AND REIMBURSABLE WORK

Enter into, approve, administer, modify, close out, terminate, and take such other actions as may be necessary and appropriate, with respect to agreements committing the Department to the sale of products and services, including funds-in interagency agreements and other agreements with non-DOE entities. These authorities are contingent upon the existence of statutory, other legal, and regulatory authority for sale of products or to perform reimbursable work. Authorization by the designated official responsible for such work, and your full compliance with all applicable laws, executive orders, regulations, and directives governing policies and procedures is also required. These authorities may be delegated with power of further delegation to a CO (in accordance with section 1.5, Contracting Officers) or to another official who shall be no more than two levels below the HCA, without the power of further delegation.

1.5 CONTRACTING OFFICERS

Appoint COs for acquisition, assistance actions, other transactions, sales (as described above), and interagency agreements (funds-in or funds-out) in accordance with DOE O 541.1C, entitled, "Appointment of COs and Contracting Officer Representatives," and any subsequent revisions.

The monetary limitations prescribed in delegation paragraph 1.1 Acquisition, 1.2 Assistance and 1.3 Other Transactions, do not preclude the issuance of CO warrants

that provide for unlimited signatory authority provided that the warrants do not exceed the general scope of authority delegated to the HCA, and that transactions above the delegated monetary limit have, in accordance with Acquisition Guide Chapter 71, been approved or waived by the Director, or designee. In designating COs, you shall consider the qualification standards set forth in the FAR, and such other applicable regulations, DOE Directives and Policy.

1.6 SECTION 301 NOTICES

Pursuant to section 301 of the Energy and Water Development and Related Agencies Appropriations Act, 2018, Division D, Title III, Section 301 for Contract, Financial Assistance, or Other Transaction Agreement Actions to Include Related Congressional Notifications for Prior Fiscal Years' Appropriations Act, notify the Committees on Appropriations of the Senate and House of Representatives at least three full business days in advance of making a grant allocation, discretionary grant award, discretionary contract award, Other Transaction Agreement, or issuing a letter of intent totaling in excess of $1,000,000 or to announce publicly the intention to make such an award, including a contract covered by the Federal Acquisition Regulation.

This authority may be re-delegated to your Procurement Director(s), but may not be re-delegated below the Procurement Director.

2. RESCISSION. Redelegation Order No. 00-002.17-01A is hereby rescinded.

3. LIMITATION.

3.1 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.

3.2 Nothing in this Order precludes the Secretary or the delegated official(s) from exercising any of the authority delegated by this Order.

3.3 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 delegation. Furthermore, nothing herein constitutes authority to exercise authority, direction, or control of an employee of the National Nuclear Security Administration or its contractors.

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

4. AUTHORITY TO REDELEGATE. Except as expressly prohibited by law, regulation, or this Order, the Delegatee may delegate this authority further, in whole or in part. Copies of redelegations and any subsequent redelegations shall be provided to the Office of Management, which manages the Secretarial Delegations of Authority system.

5. DURATION AND EFFECTIVE DATE.

5.1 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.

5.2 This Order is effective 12/13/18.

John R. Bashista
Director
Office of Acquisition
Management