DEPARTMENT OF ENERGY
NATIONAL NUCLEAR SECURITY ADMINISTRATION
DESIGNATION OF AUTHORITY AND
DELEGATION OF AUTHORITY ORDER NO. 00-003-01C
TO THE DIRECTOR, OFFICE OF ACQUISITION MANAGEMENT

1. DESIGNATION. Under the authority vested in me under Section 3212 of the National Nuclear Security Administration (NNSA) Act(50 U.S.C. 2402), 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 the NNSA. As Senior Procurement Executive you have the responsibility and the authority to provide overall management direction of the Administration's 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 justification for other than full and open competition for a proposed contract over the threshold specified in FAR 6.304(a)(4). The authorities contained in this paragraph may not be redelegated or redesignated.

2. DELEGATION. Under the authority vested in me under Section 3212 of the National Nuclear Security Administration Act (50 U.S.C. 2402) and the procurement authorities delegated to me by the Secretary of Energy under Delegation Order No. 00-003.00B, I delegate to the NNSA Director, Office of Acquisition Management, authority to take the following actions:

   2.1 Designate Contracting Officers (48 CFR 1.601, 48 CFR 1.603-1, 48 CFR 901.601).

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

   2.3 Designate a Senior Competition Advocate to perform the duties required by the Competition in Contracting Act of 1984, Public Law 98-369 (41 U.S.C. 418, 48 CFR 6.501, 48 CFR 906.501).

   2.4 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 USC 418, 48 CFR 6.501, 48 CFR 906.501).

2.5 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), Public Law 103-355, 41 U.S.C. 253j(e)).

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

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

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 procurement transaction binding the National Nuclear Security Administration to the obligation and expenditure of public funds.

2.9 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 the Department of Energy to the obligation and expenditure of public funds. Such actions shall include the rendering of approvals, determinations, and decisions, except those required by law or regulation to be made by other authority.

2.10 Approve extraordinary contractual actions, not to exceed $50,000 to facilitate the national defense, pursuant to Public Law 85-804 and Executive Order No. 10789 (48 CFR. 50.201).

2.11 Sign applications for permits to procure tax-free spirits from a distilled spirits plan for nonbeverage purpose for use by the Administration, as authorized by 26 U.S.C. 5271.

2.12 Determine whether to utilize the authority contained in section 101(a) of the Defense Production Act of 1950, 50 U.S.C. App. 2071(a)(1994), priority contracting authority to expedite procurement actions to promote National Defense. This determination will be made after consultation with the NNSA General Counsel and the DOE Assistant Secretary for Policy and International Affairs.

2.13 Acquire, manage, and dispose of personal property held by the Administration for official use by its employees or contractors.

2.14 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).

2.15 Pursuant to section 1007 of the Energy Policy Act of 2005 (PL 109-58; 42 USC 7256(g) and 10 CFR 603.115, approve the award of Technology Investment Agreements on a transaction-by-transaction basis.

2.16 Subject to the direction of the Secretary or the Deputy Secretary, enter into, administer, modify, closeout and take such other actions as may be necessary and appropriate when a Technology Investment Agreement (TIA) has been approved pursuant to 10 CFR 603.115 and also to authorize the cognizant Head of Contracting Activity (HCA) 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 CFR 603.120.

3. RESCISSION. Delegation Order 00-003.01C is hereby rescinded.

4. LIMITATION.

4.1 In exercising the authority delegated in this Order, a delegate is governed by the applicable rules and regulations of the Department of Energy and the policies and procedures of the Secretary.

4.2 Nothing in this Order precludes the Secretary from disapproving any Administration-specific policy or exercising any of the authority delegated by this Order whenever in the Secretary's judgment the exercise of that authority is necessary or appropriate to administer the functions vested in the Secretary.

4.3 The authorities delegated by this Order shall only be exercised with regard to NNSA employees, contractors, or activities.

4.4 Any amendments to this Order shall be in consultation with the NNSA General Counsel.

5. AUTHORITY TO REDELEGATE.

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

5.2 Copies of redelegations and any subsequent redelegations may be provided to the Office of Management and Operations Support Communications, which manages the Secretarial Delegations of Authority systems.

6. DURATION AND EFFECTIVE DATE.

6.1 All actions taken under any authority delegated before this Order or under any authority delegated by this Order before 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 MAY 17 2011.

Thomas P. D'Agostino
Administrator
National Nuclear Security Administration