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## **CHAPTER 3. Contracting Authority**

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### **3.1 Policy**

Only Contracting Officers appointed in writing are authorized to enter into, administer, terminate, and otherwise manage contracts subject to any approval thresholds on behalf of the Authority.

### **3.2 Chief Contracting Officer Authority**

The General Manager is the Chief Contracting Officer for the Authority. The Chief Contracting Officer is authorized to enter into, administer, terminate and otherwise manage contracts subject to any approval thresholds that may be established by the Board. The Chief Contracting Officer has the authority to delegate contracting authority to one or more other Contracting Officers and / or Contracting Officer Representatives. The Chief Contracting Officer determines the qualifications of other Contracting Officers and Contracting Officer Representatives. The Chief Contracting Officer delegates contracting authority in writing, specifying the limits of the authority granted in whole or in part.

### **3.3 Contracting Officer and Contracting Officer Representative Authority**

A Contracting Officer and a Contracting Officer's Representative have only that authority as delegated in writing by the Chief Contracting Officer.

### **3.4 Authority and Responsibilities of Contracting Officers**

Contracting Officers have the authority to enter into, administer, terminate, manage contracts, and make related determinations and findings subject to any approval thresholds or delegation of authority limitations. Contracting Officers have the discretionary authority to determine procurement methods, project delivery, and contract types to use for each requirement subject to any delegation of authority limitations.

Contracting Officers are responsible for ensuring performance of all necessary actions for effective procurement, ensuring compliance with the terms of the contract, and safeguarding the interests of the Authority. Contracting Officers are responsible for ensuring all requirements of law, regulations, and all other applicable procedures, including clearances and approvals, are met prior to entering into a contract on the Authority's behalf

### **3.5 Authority and Responsibilities of Contracting Officer Representatives**

Contracting Officer Representatives have limited, post-award construction contracting authority to perform administrative contract functions, and issue field changes and execute contract modifications pursuant to the delegation of functions and within the delegated monetary thresholds for modifying contracts.

### **3.6 Contracting Officer and Contracting Officer Representative Delegations**

Contracting Officer Delegations shall be made by the Chief Contracting Officer in writing on the Authority letterhead. The Letters of Delegation shall clearly state any limits of the delegated authority. Delegations are effective the date signed by the Chief Contracting Officer and remain in effect until terminated in writing, unless the Contracting Officer Delegation contains other provisions for automatic termination. Contracting Officer Delegations may not be further delegated.

Contracting Officer Representative Delegations may be made by the Chief Contracting Officer or the Contracting Officer if the authority to redelegate is granted by the Chief Contracting Officer in its letter of delegation to the Contracting Officer.



### **3.7 Delegation of Authority to Contracting Officer's Technical Representative**

Contracting Officers may appoint in writing a Contracting Officer's Technical Representative (COTR) to provide such management oversight and technical direction for a particular Goods or Services procurement or contract as the Contracting Officer shall determine is necessary or useful. COTRs do not have the authority to enter into, administer, terminate, manage contracts, and make related determinations.

### **3.8 Unauthorized Procurements**

Only Contracting Officers or designees (including the designation by the Director of Procurement of Purchase Card holders up to their respective limits as described in the chapter on Purchase Cards) are authorized to procure goods or services, including construction services, on behalf of the Authority. The Authority may not accept a financial obligation for transactions made pursuant to an unauthorized procurement.

Unauthorized procurements will require ratification by the Contracting Officer. The appropriate procurement action, including a complete procurement record, must be developed in order for the vendor/contractor to receive compensation for goods or services provided.