

Contracting Officer Appointment Instruction

BPI Appendix 2B

Issued by the Head of Contracting Activity
Bonneville Power Administration



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1 CONTRACTING OFFICER APPOINTMENT INTRODUCTION AND OVERVIEW

1.1 CONTRACTING OFFICER APPOINTMENT PROGRAM INTRODUCTION

The Bonneville Purchasing Instructions (BPI) Appendix 2B Contracting Officer Appointment Instructions provides the guidance to the Bonneville Acquisition Workforce (AWF) by outlining the requirements and processes to be nominated and/or appointed as a warranted Contracting Officer (CO). This authority is generally reserved for AWF members occupying GS-1102-XX Contracting Specialist positions within the Contracts and Strategic Sourcing Organization (NSS).

Note that warrants are not an entitlement. The HCA's decision to grant warrant authority to an individual must take into consideration the total number of active warrants, their dollar limits, anticipated workload and workload profile (dollar values, numbers of transactions, etc.).

Also, note that a warrant is tied to an employee's position/organization and is self-canceling upon the employee's departure or reassignment from that organization.

- (a) The authority to negotiate and enter into contracts, in the name of the United States, is given to the Administrator by the Bonneville Project Act. The Administrator has delegated the authority to purchase goods and services to the Head of the Contracting Activity (HCA), with the power of re-delegation. Appointment of individuals to act as Contracting Officers is accomplished by re-delegation of authority by the HCA to individuals as prescribed in Bonneville Policy.
- (b) A CO is an individual authorized to contractually bind Bonneville as evidenced by a certificate of appointment issued by the Head of the Contracting Activity (HCA). This Warrant has a requirement for an active BPAC-C and/or FAC-C at the appropriate level (see Appendix 2A). The above requirement for an active contracting certification makes the Warrant self-canceling should the underlying BPAC-C and/or FAC-C expire.
- (c) The HCA will review the purchasing manager's request for appointment as a Contracting Officer, and will approve such qualifications before any individual is authorized to serve as a Contracting Officer. Only those persons who have been delegated Contracting Officer authority in this manner may commit the expenditure of Bonneville funds via the BPI or BFAI.
- (d) Any level of Contracting Officer appointment shall not be made without a corresponding contracting certification in either the BPAC-C and/or FAC-C programs as outlined in Attachment 1 of this Appendix.
- (e) The HCA will review all Director of Contracts and Strategic Sourcing (NSS) request(s) for an individual appointment as a Contracting Officer, and will approve such qualifications before any individual is authorized to serve as a Contracting Officer. Only those persons who have been delegated Contracting Officer authority in this manner may commit an expenditure of Bonneville funds via contracts and/or agreements covered under the BPI or BFAI respectively.

1.2 COVERAGE

The qualifications and certifications outlined in this Appendix generally apply to Bonneville Acquisition Workforce (AWF) members in the GS-1102 series. These individuals are involved mainly in the development, execution and administration of contracts and financial assistance instruments for which guidance is outlined in the BPI and BFAI respectively.

1.3 STANDARDS

Bonneville complies with the Office of Personnel Management (OPM) qualifications standards for personnel working in the GS-1102 Contract Specialist and/or Procurement Analyst professional job series. Refer to the OPM standards for detailed information regarding appointment, selections, and qualification and promotion requirements. Personnel in job series GS-1102 grades GS-5 through GS-12 who do not meet the OPM minimum standard may retain their current grades and position if they occupied an equivalent position prior to January 1, 2000 and may advance in the career path to grade GS-12 as deemed appropriate and necessary by Supply Chain Services management.

1.4 EXCLUSIONS

The requirements of this Appendix do not apply to persons who are authorized to execute contracts for the following:

- (a) Purchases made under Field Purchase authority (See BPI 2.3.2);
- (b) Contracts for purchase, disposal, or lease of all interests in real property and facilities;
- (c) Contracts involving power, such as purchase, wheeling, or sale of power, (except power for consumption by Bonneville) purchasing of energy savings, or loans and loan guarantees for the purchasing of power or energy savings;
- (d) Commercial utility service purchases by those granted a limited, written delegation by the HCA (See BPI 2.2.2(g) and 11.2);
- (e) Purchases made by credit cards.
- (f) Order placement or contract modification by Bonneville employees to whom the Contracting Officer has re-delegated specific, limited authority pursuant to the terms of a contract or agreement, whenever such re-delegation is permitted by the BPI. Examples of such re-delegated authority include, but are not limited to, order placement authority pursuant to terms and conditions of an IDIQ contract or blanket purchase agreement; and limited, contract specific authority of a COR or field inspector to make construction contract "field modifications."

2 CONTRACTING OFFICER NOMINATION AND APPOINTMENT

2.1 CERTIFICATE OF APPOINTMENT (WARRANT)

After a contract specialist has been certified with either a BPAC-C and/or FAC-C and the Contracts & Strategic Sourcing Organization's (NSS) management has determined a need for Contracting Officer authority, the HCA can appoint an individual as a Contracting Officer by issuance of a "Certificate of Appointment" referred to within this Appendix as a Warrant. The

warrant shall state any limitation on the scope of authority, dollar threshold and/or other limitations contained in applicable laws or regulations.

2.2 INTERIM CERTIFICATE OF APPOINTMENT (WARRANT)

- (a) Where the applicant does not meet the minimum qualifications, the HCA may issue an interim certificate based on a documented operational need, which will be valid for no more than twelve (12) months. This interim Warrant will be issued based upon the purchasing manager's plan for the nominee CO to attain the minimum requirements within the interim period. During this interim period, the CO working under the interim certificate must have their work products reviewed by a Contracting Officer who possesses a warrant of equal or higher dollar limits and categories of authority. The HCA will not issue interim Warrants for unlimited authority; however the HCA retains the discretion to assign interim warrant authority levels to meet Bonneville's business needs.
- (b) When purchasing management affirms in writing to the HCA that the minimum requirements have been met, the HCA can issue an unconditional Certificate of Appointment to replace the interim certificate at the appropriate level.
- (c) If the HCA does not receive confirmation that the CO has met the minimum requirements to obtain a permanent unconditional Warrant at the higher authority level(s), the interim Warrant will expire and the CO's authority will revert to the most recent permanent Warrant (if any).

2.3 CERTIFICATE OF APPOINTMENT (WARRANT) MINIMUM REQUIREMENTS

In order to be minimally qualified to be nominated and subsequently hold a Contracting Officer Warrant, an individual must have completed:

- (a) Minimum experience timeframe for the respective Warrant,
- (b) All required training,
- (c) Possess required BPAC-C and/or FAC-C for the Warrant level being nominated for; and
- (d) All certifications must be valid at the time of appointment (current CLP's as required).

Any level of Contracting Officer appointment shall not be made without a corresponding contracting certification in either the BPAC-C and/or FAC-C programs as outlined in Attachment 1 of this Appendix.

2.4 PERFORMANCE EVALUATION

- (a) When conducting individual performance appraisals, the supervisor shall consider the Contracting Officer's performance of purchasing and administration duties. Satisfactory or better performance is required to maintain a CO Certificate of Appointment. If the performance falls below the satisfactory threshold a Warrant will not be issued, increased and/or otherwise modified and is subject to being suspended and/or rescinded.
- (b) Effective June 1, 2011: Nominees for CO certification must be on non-probationary status for Bonneville employment purposes as of the date of their certification nomination.

2.5 SUSPENSION OR TERMINATION OF A WARRANT

- (a) The Contracting Officer's Certificate of Appointment may be suspended or terminated by the HCA at any time. Termination of a Contracting Officer Appointment will be by written correspondence, unless the Certificate of Appointment contains other provisions for automatic termination. Reasons for such suspension or termination include, but are not limited to:
- (1) Failure to comply with applicable certification requirements, Statutes, Bonneville Purchasing Instructions policy, or delegated responsibilities.
 - (2) Failure to maintain required training standards after appointment.
 - (3) Violation of a material portion of Appendix 3A, Standards of Conduct Regarding Purchasing and Assistance.
 - (4) The supervisor indicates that the need for a Contracting Officer no longer exists.
 - (5) Reassignment of the appointee to a position where the need for the authority does not exist.
 - (6) Retirement, resignation, or other termination of the appointee's employment.
 - (7) At the request of the CO's supervisor or second level manager, for reasons such as but not limited to: less than satisfactory performance as considered during a management and employee performance appraisal, or temporary reassignment to other duties that do not require a CO Certificate of Appointment.
- (b) It is the responsibility of the Contracts and Strategic Sourcing Organization to inform the HCA of performance and/or other issues in writing to aid in the determination. Additionally, on the recommendation of the Director of Supply Chain and Strategic Sourcing, a Warrant can be suspended and/or rescinded for any of the reasons outlined above.

2.6 CONTRACTING OFFICER FILES

The HCA maintains properly secured files on each Contracting Officer that include all information submitted and considered for initial appointment as a CO, plus all supplemental information received for a change or increase in authority.

2.7 DOCUMENTATION

- (a) The Supply Chain Services organization will maintain the files necessary to verify purchasing experience, training requirements and education for each individual who is certified. The HCA may request to review these files when considering requests for appointment as a Contracting Officer.
- (b) Nominations for a Contracting Officer Certificate of Appointment (warrant) shall be prepared by the performance manager, reviewed and approved by both the second level manager of the nominee's senior business process or procurement analyst (or designee), in accordance with the format shown in Exhibit 2-A-1, Request for Appointment As A Contracting Officer.

2.8 CATEGORIES OF CONTRACTING WARRANT AUTHORITY

Contracting authority is limited to what is needed by the Contracting Officer to operate effectively during a specific assignment. For example, only those Contracting Officers who need construction contracting authority will be granted such authority. When contracting authority is being requested, the category of authority required shall be clearly stated in the nomination request. The specific and customary categories of delegated authority are:

Supplies and Services
 Construction
 Operations Technology/Information Technology (OT/IT)
 Financial Assistance
 Orders Against Existing Bonneville and FSS Schedules

2.9 SPECIAL TRAINING REQUIREMENTS

Occasionally some limited authorities are required for specialized types of contracts. This section outlines those specializations and the additional requirements to qualify for that authority. Specifically to Construction, IT/OT and Financial Assistance type Warrants, the following are requirements that shall be fulfilled before requesting and/or being granted the specific type warrant unless waived by the HCA.

- (a) Construction Warrant: In addition to the standard educational requirements for FAC C Certification and commensurate warrant authority, the nominee must have obtained at least 40 hours of training in construction contracting.
- (b) OT/IT Warrant: In addition to the standard educational requirements for FAC C Certification and commensurate warrant authority, the nominee must have obtained a Digital IT Acquisition Program (DITAP) certificate in order to apply for a BPA OT/IT warrant. This certificate is referenced as a FAC-C-DS certificate. Effective October 1st, 2023, current IT warranted CO's shall have three (3) years, or until October 1st, 2026 to obtain their DITAP certificate. OT/IT warrants are for COs who are predominantly buying OT/IT, or that are located in the IT contracting group.
- (c) Financial Assistance Warrant: Effective December 21, 2012, in addition to the standard educational requirements for FAC C Certification and commensurate warrant authority, the nominee must have obtained at least 40 hours of training in financial assistance.

2.10 REQUIRED LENGTH OF EXPERIENCE

Attachment 2B-1 below defines the minimum required length of relevant working experience and corresponding eligibility for warrant authority.

2.11 DOLLAR LIMITATIONS ON CONTRACTING WARRANT AUTHORITY

- (a) Contracting authority is also defined by dollar amount. The dollar amount of delegated authority is dependent upon the qualifications of the nominee Contracting Officer, as well as the needs of a specific position assignment as determined by the purchasing managers. The dollar amount of authority requested shall be clearly stated in the form nominating the Contracting Officer. The specific dollar amounts of authority for each certification level are shown in Attachment 2B-1 in this Appendix.
- (b) Nominees requesting unlimited certificates of appointments may be requested to present a portfolio of work products to the HCA to affirm proficiency and competency.

2.12 WAIVERS AND INTERIM WARRANTS

A request for waiver from specific requirements mentioned in this Appendix may be submitted for consideration by the HCA. Such requests shall be made in the form nominating the Contracting Officer and must specify the requirements not met and the plans for meeting them. If the HCA approves the request, an interim certificate will be issued as described in 2.2 above.

2.13 PREPARATION OF THE WARRANT NOMINATION

- (a) Prior to submitting a request for Contracting Officer Authority, Supply Chain management should consider several factors:
- (1) Dollar value of typical contract.
 - (2) Type of contracts to be involved.
 - (3) Frequency and number of anticipated contracts.
 - (4) Impact of contracting officer responsibilities on the nominee's program responsibilities.
 - (5) An affirmative determination that the nominee meets the OPM qualification standards for the position and is not on probationary status as a Bonneville employee.
- (b) If consideration of all of these factors results in the decision to request Contracting Officer Authority, the steps outlined below shall be followed. The Contracts and Strategic Sourcing Organization management shall:
- (1) Determine the category/type of authority required to handle the majority of the anticipated workload.
 - (2) Determine the dollar amount of authority required to handle the majority of the anticipated workload (see Attachment 2B-1).
 - (3) Determine whether the Contracting Officer nominee is qualified per the CO Qualification Standard, (see section 2.3). If he or she is not fully qualified, an interim certificate may be requested (see section 2.2).
 - (4) If an interim certificate is requested, and the nominee and management anticipate requesting a subsequent unconditional Certificate of Appointment, the nominee and immediate supervisor should jointly develop a plan to bring the nominee's qualifications up to the required standard within one year. This plan, which may be all or part of the nominee's Individual Development Plan, shall accompany the nomination.
 - (5) Prepare and sign the Request for Appointment form..
 - (6) If this is the first request for Contracting Officer Authority, the nominee must complete a Confidential Financial Disclosure Report (OGE Form 450.0) and submit it to Bonneville Office of General Counsel (OGC). The nominee will receive all future disclosure forms from OGC and must return them to OGC. Do not send the disclosure report to the HCA.
 - (7) The HCA shall review the request for appointment and may request to review the supporting documentation prior to approval. The HCA will notify the Director of Contracts and Strategic Sourcing of the decision.

Attachment 2B-1 – Contracting Officer Warrant Levels & Minimum Requirements

Contracting Officer Warrant Levels

Level	Construction*	Services/Supplies	OT/IT**	Grants & Agreements***	Ordering Against Established Instruments
5	Unlimited	Unlimited	Unlimited	Unlimited	Unlimited
4	\$75,000,000.00	\$75,000,000.00	\$75,000,000.00	\$75,000,000.00	\$100,000,000.00
3	\$35,000,000.00	\$35,000,000.00	\$35,000,000.00	\$35,000,000.00	\$50,000,000.00
2	\$5,000,000.00	\$5,000,000.00	\$5,000,000.00	\$5,000,000.00	\$10,000,000.00
1	\$250,000.00	\$250,000.00	\$250,000.00	\$500,000.00	\$500,000.00
NOMINAL****	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00

Minimum Requirements

Warrant Level	Minimum Years of Contracting Experience	Minimum BPAC-C (Must be current)	Minimum FAC-C Professional (Must be current)
Nominal	1 Year of General Experience and any GS Occupational Series	N/A***	N/A***
1	GS-1102 Series & 1 year Contracting Experience	I	1 Year of General Experience and any GS Occupational Series
2	GS-1102 Series & 2 years Contracting Experience		
3		II	1 Year of General Experience and any GS Occupational Series
4			
5	GS-1102 Series & 4 years Contracting Experience	III	1 Year of General Experience and any GS Occupational Series

*Must complete 40 hours of specific Construction Training before eligible for this Warrant type.

**Must complete FAC-C-DS certificate DITAP program before eligible for this Warrant type.

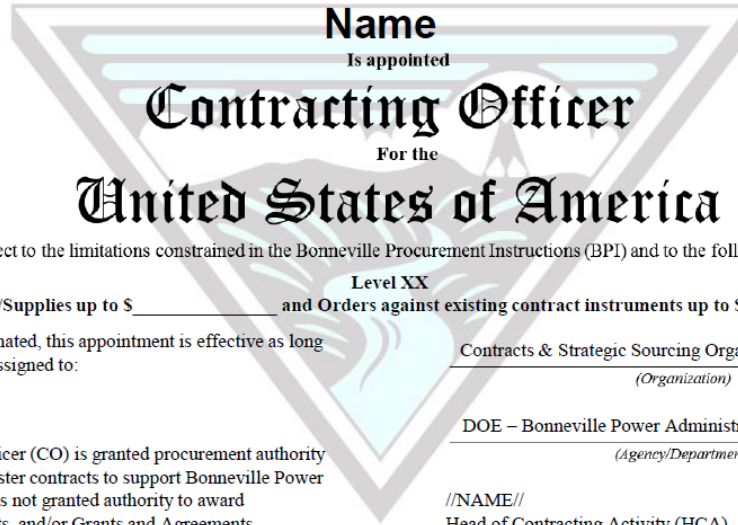
***Must complete 40 hours of specific Grants and Agreements Training before eligible for this Warrant type.

****Must complete Intro to BPI and CON 100 Training courses in order to be eligible for a Nominal Warrant.

Attachment 2B-2 – Contracting Officer Warrant Sample

Certificate of Appointment

Under authority vested in the undersigned and in conformance with
Part 2.2.1 of the Bonneville Procurement Instructions (BPI)



Name

Is appointed

Contracting Officer

For the

United States of America

Subject to the limitations constrained in the Bonneville Procurement Instructions (BPI) and to the following:

Level XX

Services/Supplies up to \$ _____ and Orders against existing contract instruments up to \$ _____

Unless sooner terminated, this appointment is effective as long as the appointee is assigned to:

Contracts & Strategic Sourcing Organization (NSS)
(Organization)

DOE – Bonneville Power Administration
(Agency/Department)

The Contracting Officer (CO) is granted procurement authority to award and administer contracts to support Bonneville Power Administration, but is not granted authority to award construction contracts, and/or Grants and Agreements.

//NAME//
Head of Contracting Activity (HCA)
(Signature and Title)

BPA - FYXXXX
(Date) (No.)

This Certificate of Appointment will expire unless the holder completes the 80 hours of Continuous Learning Points that are prescribed in Departmental policy.

Attachment 2B-3 – Warrant Request Form

All warrant requests and warrant data resides on the CP sharepoint site.