

Delegated Authority Policy

Applies to: Any state office or activity of the executive branch of state government, including state agencies, departments, offices, divisions, boards, commissions, institutions of higher education as defined in [RCW 28B.10.016](#) and correctional and other types of institutions

Authorizing sources:

- State Law [RCW 39.26.090](#)
- State Law [RCW 28B.10.029](#)
- State Law [RCW 39.26.130](#)
- [OCIO Policy #121](#)

See also: DES Procedures: PRO-DES-090-00A

Effective date: April 5, 2019

Last update: N/A

Sunset review date: {5 years from effective date}

Approved by: _____ Chris Liu, Director

Reason for Policy

This policy applies whenever an agency purchases or leases goods and/or services under Chapter 39.26 RCW. The goal is to provide each agency with authority that is tailored to fulfill the agency's mission.

POL-DES-090-00 Delegated Authority Policy

1. Purchases of goods and services shall be made in accordance with RCW [39.26.090](#).

- The DES Director will delegate to agencies authorization to purchase goods and services. The following delegations will be used:
 - General Delegated Authority
 - Additional Delegated Authority
 - Interim Delegated Authority
- Washington State Higher Education Agencies may obtain goods and/or services under separate authority. See [RCW 28B.10.029](#).

2. Each executive agency will receive **General Delegated Authority :**

- General Delegated Authority is the authority granted by the DES Director to an agency to purchase categories of goods and services.
- General Delegated Authority is based on an agency's Procurement Risk Assessment and its ability to effectively manage procurement-related risk.
- Agencies receive their General Delegated Authority, which includes any special purchases, using the procedures listed in PRO-DES-090-00A.

- d. The General Delegated Authority will be specific as to the dollar amount for specific types of goods and services in three general categories: (i) goods, (ii) services, and (iii) Information Technology (IT) goods and services.
- e. Client services contracts must be within an agency's General Delegated Authority dollar amount limit for services.
- f. The General Delegated Authority dollar amount established by DES applies regardless of the source of the funding.
- g. An agency's General Delegated Authority review schedule is provided in the agency's general delegation letter. The delegation continues until modified in writing by the DES Director.
- h. At the discretion of the DES Director, an agency's General Delegated Authority may be withdrawn or modified based upon the agency's compliance with Chapter 39.26 RCW, procurement policies established by DES, and/or the agency's risk profile.

3. Agencies may be granted **Additional Delegated Authority:**

- a. Additional Delegated Authority is authority that may be obtained from the DES Director when an agency does not have sufficient General Delegated Authority to purchase goods or services necessary for the agency to accomplish its mission.
- b. To obtain Additional Delegated Authority an agency must notify DES in advance of any procurement that is expected to exceed the agency's delegated authority using Delegated Authority Procedure PRO-DES-090-00A.
- c. DES may impose conditions when granting Additional Delegated Authority to assist the agency in managing procurement-related risks.
- d. Grants of Additional Delegated Authority are of limited duration, which will be denoted in a letter from the DES Director granting the authority.

4. New agencies must obtain **Interim Delegated Authority:**

- a. Interim Delegated Authority is temporary authority that is granted to an agency and occurs only between the time an agency is created and its first procurement risk assessment.
- b. Any agency created after the effective date of this policy will work with DES to receive an Interim Delegated Authority.
- c. When applying for Interim Delegated Authority, agencies must use Delegated Authority Procedure PRO-DES-090-00A.
- d. Grants of Interim Delegated Authority are of limited duration, until a Procurement Risk Assessment is conducted.

5. Agencies have **Unlimited Delegated Authority only when:**

- a. purchasing directly from a DES master contract or DES approved cooperative contract;
 - i. if a master contract or DES approved cooperative contract requires a second tier competition, an agency's delegated authority:
 - a. is unlimited if DES conducts the competition; or
 - b. is limited to an agency's delegated authority if that agency conducts the competition; or
- b. making emergency purchases as defined in RCW 39.26.130.

6. When applying delegated authority:

- a. Agencies must use existing master contracts, or DES approved cooperative contracts, unless the contract cannot justifiably satisfy the agency's needs.
- b. For contracts that include a combination of goods and services, use the category dollar amount that represents the predominant category for that procurement.
- c. General Delegated Authority dollar amounts are not cumulative; the dollar amounts apply to each contract term or to each purchase event.
- d. For IT goods and services, agencies may also be required to receive approval from the Office of the Chief Information Officer (OCIO) per [OCIO Policy #121](#). Agencies should confer with the OCIO and confirm if OCIO approval is required as outlined in the policy. Similarly, DES will be available to answer the agencies' IT procurement questions.
- e. Agencies may implement more restrictive procurement and/or contract policies at the agency level so long as they are consistent with Chapter 39.26 RCW and DES procurement policies.

History

Adopted

April 5, 2019

Replaces

DES-090-00 Delegation of Authority Policy REV 01-08-15
