



DELEGATION OF AUTHORITY POLICY

Stakeholder Comments

September 2018 – February 28, 2019

Feedback from 2-28-19

Feedback Number	Feedback	DES Response
1.	Tia Livingood – LCB Are you including definitions: General Delegated Authority	Yes, the policy has been revised to include the definition.
2.	Tia Livingood – LCB Are you including definitions: Additional Delegated Authority	Yes, the policy has been revised to include the definition.
3.	Tia Livingood – LCB Are you including definitions: Interim Delegated Authority	Yes, the policy has been revised to include the definition.
4.	Tia Livingood – LCB Worst case scenario: if an agency doesn't have authority, is DES doing all of its purchasing?	DES will have oversight over the agency's procurements and will work with the agency to determine appropriate action.
5.	Tia Livingood – LCB If all authority is withdrawn, is DES doing all of [the agency's] purchasing?	DES will have oversight over the agency's procurements and will work with the agency to determine appropriate action.
6.	Tia Livingood – LCB If yes, is DES charging for the service at your published rates?	If an agency becomes out of compliance with procurement policies the DES Director may take appropriate action, based on discussions with the agency. Withdrawal or modification of delegated authority will not occur without advance consultation with the agency. Any charges pertinent to the withdrawal will also be the subject of advance consultation with the agency.
7.	Tia Livingood – LCB Should this {DES charging for service if authority is withdrawn} be outlined in the policy?	It is unnecessary to outline this in the policy, as it is a rare event and would be negotiated between DES and the agency at the time of withdrawal.

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8.	<p>DSHS FAQ: The FAQ Question 5 provides examples of client service contracts – All references to DSHS and DEL related to services provided to Children should be changed to DCYF.</p>	<p>DES has changed the examples in the FAQ to be more generic.</p>
9.	<p>DSHS Policy: Risk Assessment Process: The process document has a non-exclusive list of factors that DES will consider in conducting a risk assessment, but not what weight they will be given or how a dollar figure will be determined for a delegation. DES should describe the basis for setting the delegation, and provide an appeal or other opportunity for the agency to respond, and provides additional information.</p>	<p><u>Weighting responses.</u> The Preamble for the Risk Assessment Tool states: “This information will be used by DES to assess your Agency’s procurement and contracting risk management processes. Based on this assessment, DES will determine the purchase authority for your Agency. DES wants to know how your Agency manages the risks associated with your procurement and contracting functions <u>within the context of your Agency mission and operational structure.</u> For this reason, the Tool is a narrative . . .” (emphasis added). The underlined sentence points out that the Tool will be consistently applied to each agency independently, because each agency’s mission and structure is different. DES has learned from experience that it is not practicable to create a general weighting rubric for the risk assessment.</p> <p><u>Determining a dollar amount.</u> The Risk Assessment has always asked agencies what their goods and services procurement needs will be and the agency’s answer is always the beginning point for determining delegation amounts, in consultation with the agency.</p> <p><u>Agency response.</u> Each delegation letter is presented in draft form to an agency so the agency can address any concerns about a delegation before it is finalized. In addition, delegation letters provide a method for an agency to present any dispute regarding a delegation to DES.</p>
10.	<p>DSHS</p>	<p>Through participating in the risk assessment, agencies will learn if they are substantially in compliance with overall procurement</p>

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	<p>Policy: The policy states that the DES director will not delegate authority to an agency that is not in “substantial compliance” (this is a difficult term to apply) with DES “overall procurement policies.” That is very vague and difficult to measure. DES should describe the basis on which the delegation is withheld (what policies, rules, etc. have been violated) and provide for notice and an opportunity the agency to respond or take corrective action.</p>	<p>policies. During the time between risk assessments, if agencies become out of compliance with procurement policies the DES Director may take appropriate action that could include withdrawal of all authority.</p> <p>A determination of whether an agency is in substantial compliance is made by a DES risk analyst, who may review several sources of information, including: an agency’s reported contracts; an agency’s audit history; requests for additional delegations of authority; requests for exemptions from sole source or procurement laws or rules; the accuracy of WEBS reporting; the quality of the agency’s sole source filings; whether emergency filings were correctly provided to DES; whether procurement protests were sustained; and the extent of the agency’s diversity spend. The DES risk analyst works closely with the agency during this process in order to draft the agency’s delegation letter.</p> <p>Each delegation letter is presented in draft form to an agency so the agency can address any concerns about a delegation before it is finalized. In addition, delegation letters provide a method for an agency to present any dispute regarding a delegation to DES.</p>
11.	<p>DSHS Policy: The policy says that DES may at any time and at its discretion withdraw or modify the delegated authority, based on an agency’s compliance, performance or risk profile. That is a fairly drastic action, which should require some notice to the agency and an opportunity to respond or take corrective action. DES should describe the basis upon which such action can be taken, how notice would be provided, and what opportunity the agency would have to take corrective action or appeal the action.</p>	<p>If an agency becomes out of compliance with procurement policies the DES Director may take appropriate action, based on discussions with the agency. Withdrawal or modification of delegated authority will not occur without advance consultation with the agency.</p>
12.	DOL	<p>No other exceptions to the processes are outlined here because RCW 39.26 specifically references 28B.10 and does not call out other statutes.</p>

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	<p>Policy: Section 1. B. " Washington State Higher Education Agencies may obtain goods and/or services under separate authority"</p> <p>Comment: Are there any other exceptions to the processes used in 39.26 that could be outlined here?</p> <p>For example – Public works under 39.04 or RCW 43.82.010 para. 9?</p> <p>In other words, is authority to contract for public works as defined in 39.04.010 para. 4 delegated to agencies under this policy?</p> <p>If not, is delegation of authority under this policy required in order to enter into contracts for public works under 39.04?</p> <p>Does a separate delegation of authority exist for public works?</p> <p>If so, how is the delegation of authority issued, to who, and what are the thresholds?</p>	
13.	<p>DOL Policy: Under History Section states replaces DES-090-00 Direct Buy Policy Rev 01.08.15</p> <p>Comment: Does this really replace the direct buy policy?</p>	This has been corrected in the Policy (it should reference Delegation of Authority).

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14.	<p>DOL Policy: Obtaining General Delegated Authority Step#3 Audit history is listed as a consideration = audit by who? SAO, Internal to Agency, Federal or any of the above or all of the above? Sole Source Filing Quality = subjective not quantitative. What does quality mean for sole source? All questions answered? Time frames met? Emergency Filings Correctly provided to DES = does this mean timely filed? This step is missing any and all reference to state and individual agency work on PCB free procurement for products, products in packaging, SEEP, and any of the SEEP workgroups. This work is important to Gov. Inslee why is none of it included? Field Audit? Is there a check and verify process performed by DES to ensure what is being presented for delegated authority by the agency is actually how the work is performed at the agency?</p>	<p><u>Audit.</u> We have edited the section of the Procedure to state, “external audit”.</p> <p><u>Sole Source Filing Quality.</u> We have edited the section of the Procedure to state, “substantial Sole Source filing errors (e.g. repeated late, incomplete, or non-compliant filings)”.</p> <p><u>Emergency Filings.</u> This means that the purchase meets the emergency definition in statute and complies with the reporting requirements (see RCW 39.26.130).</p> <p><u>Environmental laws and policies.</u> DES has amended Step #3 in the procedure to reflect that the DES risk analyst’s review will include compliance with laws, executive orders, rules, and policies (PCBs, SEEP, etc.) to address this comment.</p> <p><u>Field audit.</u> While DES does not currently conduct a field audit, the DES risk analyst does work with the agency to confirm that the information provided during the risk assessment process is accurate.</p>
15.	<p>DOL Policy: Obtaining Additional Delegated Authority #6 a)DES will conduct procurement.... They should have to conduct with equally or higher qualified staff than the agency was prepared to conduct the procurement with. Agency as a stakeholder. b) Partner vs. Monitor, provide a consultant on DES Goods and Services side of house to have to partner with an agency, this role already exists for DES IT and policy doesn’t distinguish between the two. Obtaining Interim Delegated Authority An agency is not created out of thin air. They are formed from a portion of another agency or agencies. Seems</p>	<p><u>Additional Delegated Authority:</u> DES interprets this comment to refer to the Procedure #6: a) DES works with the agency to determine if it has the qualified personnel to complete the project for which it is seeking additional delegated authority. If not, DES will work with the agency to determine appropriate next steps. b) DES currently has two IT liaisons on staff and have other staff available to consult on goods and services procurements.</p> <p><u>Obtaining Interim Delegated Authority:</u> There are many variables involved when a new agency is created. Therefore, DES will work with the agency to determine appropriate interim delegated authority.</p>

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	logical that they would still be operating with adapted policy, procedure, budget, personal so why isn't this taken into consideration for the interim authority request and delegation? As written DES expects more out of customers than DES was able to do itself when formed.	
16.	DOL: I don't understand Section 2. General Delegated Authority provided to agencies has these characteristics. Either that title doesn't fit the paragraph, or the paragraph doesn't fit the title.	DES has removed the reference to characteristics.
17.	DOL: If an agency is not given delegated authority, or it is revoked, who does procurements for the agency?	DES will work with the agency to determine appropriate next steps.
18.	DOL What is the purpose or definition of "Additional" delegated authority?	Additional delegation of authority requests occur when an agency determines that its general delegated authority is inadequate for a particular business purpose.
19.	DOL Why is the policy and the procedure separate and why do they cover different things? For instance: the information provided under "additional delegated authority" is not provided in the procedure.	When redrafting the policy, we followed the Peabody Method for adopting policy, which separates policy and procedure for clarity.
20.	DOL Section 5: it would be GREAT if we finally gave agencies the definition, or examples of "justifiably".	Agencies are directed to use their discretion and good, sound judgment when making the decision to not purchase from a master contract. For example: the product available from the master contract does not meet the required performance specifications, the contractor's delivery time does not meet the agency's needs, the agency requires different terms (i.e. warranty provisions or insurance requirements), etc. Additional examples are provided in FAQ Question #3.

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21.	DOL Somewhere this should also tie back to Direct Buy.	It is unclear what this comment means regarding the “tie back to Direct Buy”, but we note that an agency’s general delegation of authority will almost always exceed the Direct Buy limit.
22.	DES FAQ - Can you add a question about other conditions included in the letter for delegated authority and maybe what is a DES IT Contracts Liaison and how an agency may work with an IT Contracts Liaison.	These conditions are not generally applicable to all agencies. When an agency receives a delegation of authority that is issued with certain conditions, the delegation letter specifies the nature of the conditions and, where needed, how to contact an IT Contracts Liaison. An IT Contracts Liaison is a DES employee with IT contracting expertise whose role includes consultation regarding IT procurements with agencies.
23.	<p>1. DES FAQ</p> <p>Question: How is delegated authority to be applied to a project that may include multiple contracts?</p> <p>Answer: When an agency must enter into multiple contracts for a single project, each contract is analyzed separately to determine if the contract is within the agency’s delegated authority. For example, a project requires three contracts, one each in goods, services, and IT. To determine if the agency has sufficient delegated authority, the goods contract value is compared to the agency’s delegated authority for goods. A similar comparison is made for the services and IT contracts. [Revised DATE]</p> <p>Does the terminology [in the answer above] align with the policy and procedure?</p>	Yes, DES’ delegated authority levels apply to each contract term for services and information technology goods or services; and per purchase event for goods (see Section 5.d of the policy).

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24.	<p>DES DOA PRO –</p> <p>Under General Delegation of Authority Action Step 9.</p> <p>The DES Director “Issues a letter with the agency’s general delegated authority levels, special purchases, applicable conditions, and next review period.”</p> <p>Comment: How are disputes handled, what would be the process... it may be helpful for agencies to know the process if there is one.</p>	<p>Each delegation letter is presented in draft form to an agency so the agency can address any concerns about a delegation. In addition, delegation letters provide a method for an agency to present any dispute regarding a delegation before it is finalized.</p>
25.	<p>DES DOA PRO</p> <p>Under Obtaining Additional Delegated Authority Step 1.</p> <p>The Agency Identifies that a procurement will exceed the agency’s general delegated authority</p> <p>Comment: [The word “procurement”] needs to be consistent with the policy which refers to a purchase event.</p>	<p>The only time that purchase is used in the policy is in reference to “special purchases”, which is the intent.</p>
26.	<p>DES DOA PRO</p> <p>Under Obtaining Additional Delegated Authority</p> <p>Question 2 b. What is the projected dollar value of the request, including analysis that that determined the cost estimate?</p> <p>Comment: Projected schd/date of the procurement?</p>	<p>In Question 2a DES asks for the scope of the procurement which includes the duration of the delegation and may also include the period of performance. However, projected schedule is rarely relevant to an agency’s request to receiving additional delegated authority.</p>

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27.	<p>DES DOA PRO Under Obtaining Additional Delegated Authority Question 2 g. Contact information of the person responsible for implementing the requested delegated authority included in request</p> <p>Comment: Is this referring to the procurement coordinator? If not, I would also include the contact information of the procurement coordinator.</p>	<p>The requested contact information is intended to have an agency identify the person who will oversee project completion.</p>
28.	<p>DES DOA POL – 1. a.The DES Director will delegate to agencies authorization to purchase goods and services. The following delegations will be used:</p> <ul style="list-style-type: none"> i. General Delegated Authority: ii. Additional Delegated Authority: iii. Interim Delegated Authority: <p>Comment: I think it may be helpful to include a description defining the different types of authority [see i., ii., iii. above] with a link to the procedure documents.</p>	<p>DES agrees. The policy has been revised to include these definitions.</p>
29.	<p>DES POL 3. Agencies may be granted Additional Delegated Authority:</p> <ul style="list-style-type: none"> a. To obtain Additional Delegated Authority an agency must 1) notify DES in advance regarding procurements that may exceed the agency’s delegated authority and 2) Use Delegated Authority Procedure PRO-DES-090-00A. <p>Comment: In reference to the word advance above: What do mean by advance... I think it might be helpful to define (I didn’t see it defined in the procedure either).</p>	<p>An agency’s director should notify the DES Director as soon as they become aware that the authority is going to be exceeded, so DES can work with the agency on this issue.</p>
30.	<p>DES POL 5. D. General Delegated Authority levels are not cumulative; the levels applies to each contract term for</p>	<p>In this context “Purchase event” means transaction.</p>

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	<p>services and information technology goods or services; and per purchase event for goods;</p> <p>Comment: What is meant by purchase event... this term is not used in the procedure or FAQ documents. I recommend carrying through the same terminology throughout all documents.</p>	
31.	<p>OFM POL Section 1. Purchases of goods and services shall be made in accordance with RCW 39.26.090.</p> <p>a. The DES Director will delegate to agencies authorization to purchase goods and services. The following delegations will be used:</p> <ul style="list-style-type: none"> iv. General Delegated Authority v. Additional Delegated Authority vi. Interim Delegated Authority vii. Unlimited Delegated Authority <p>Comment: Add highlighted text above</p>	The policy has been revised to incorporate this suggestion.
32.	<p>OFM POL Section 2. General Delegated Authority provided to agencies has these characteristics</p> <p>Comment: Delete highlighted text</p>	The policy has been revised to incorporate this suggestion.
33.	<p>OFM POL Section 2</p> <p>a. Agencies receive their General Delegated Authority which includes any special purchases using the procedures listed in PRO-DES-090-00A.</p> <p>b. The amount of the General Delegated Authority <u>is based on a Procurement Risk Assessment administered by DES.</u></p> <p>c. <u>An Agency's General Delegation of Authority is communicated by letter from the DES Director and</u> will be specific as to the dollar amount for specific types of goods and services three general categories:</p>	<p>POL Section 2</p> <ul style="list-style-type: none"> a. DES includes the reference to special purchases so agencies can request delegated authority for specific projects that exceed their general delegated authority. b. – i. DES has included these suggested changes to the policy.

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	<p>(i) goods, (ii) services, and (iii) Information Technology (IT) goods and services.</p> <p>d. Client services contracts must be within an agency's General Delegated Authority <u>limits established by DES.</u></p> <p>e. The amount of the General Delegated Authority <u>limits established by DES</u> apply ies regardless of the source of the funding. for the procurement.</p> <p>f. <u>Subject to the Agency's compliance with Chapter 39.26 RCW and policies established by DES, the General Delegated Authority continues until modified in writing by the DES Director.</u></p> <p>g. <u>An agency's General Delegated Authority is subject to periodic review by DES according to a schedule that is provided in the agency's general delegation letter, and the delegation continues until modified in writing by the DES Director.</u></p> <p>h. An agency's General Delegated Authority does not relieve the agency from compliance with Chapter 39.26 RCW or from policies established by DES.</p> <p>i. If an agency is not in substantial compliance with the overall procurement policies as established by DES, the DES Director will not delegate authority to purchase goods and services to that agency.</p> <p>h. <u>At the discretion of the DES Director an agency's General Delegated Authority may be and at his/her discretion, withdrawn or modified by an agency's General Delegated Authority based upon the agency's procurement compliance with chapter 39.26 RCW, with the overall procurement policies established by DES, performance and/or the agency's risk profile.</u></p>	
34.	3. Agencies may be granted Additional Delegated Authority	The policy has been revised to include all but the first suggestion.

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	<ul style="list-style-type: none"> a. To obtain Additional Delegated Authority an agency must 1) notify DES in advance regarding of any procurements that may is <u>expected to</u> exceed the agency's delegated authority and 2) Use Delegated Authority Procedure PRO-DES-090-00A. b. DES may impose conditions when granting Aadditional Ddelegated Aauthority to assist the agency to manage procurement-related risks. c. Grants of Aadditional Ddelegated Aauthority are of limited duration, which is <u>will be</u> denoted in the a letter from the DES Director granting the authority. 	
35.	<ul style="list-style-type: none"> 4. Only certain agencies may obtain Interim Delegated Authority: <ul style="list-style-type: none"> a. Any agency created after the effective date of this policy will work with DES to receive an Interim Delegated Authority. b. When applying for Interim Delegated Authority, agencies must use Delegated Authority Procedure PRO-DES-090-00A. c. Grants of Interim Delegated Authority are of limited duration, until a <u>Procurement Risk Assessment</u> is conducted. 	The policy has been revised to include all but the first suggestion.

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36.	<p><u>OFM POL Suggesting to add new section 5:</u></p> <p>5. Unlimited Delegation of Authority</p> <p>d. Agencies have unlimited delegated authority when:</p> <ul style="list-style-type: none"> viii. purchasing directly from a DES master contract or DES approved cooperative contract; 1. if a master contract or DES approved cooperative contract requires a second tier competition, an agency's delegated authority: <ul style="list-style-type: none"> a. is unlimited if DES conducts the competition; or b. is limited to an agency's delegated authority if that agency conducts the competition. <p>Comment: Recommend adding this type of delegation</p>	DES has added this new section to the policy.
37.	<p>DES POL 5.e. 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. DES will also be available to assist agencies.</p> <p>Comment: [In regards to the highlighted section above] Not sure what this means as it relates to this statement regarding OCIO.</p> <p>Comment: [In regards to strikeout] This information is superfluous to the issue of compliance.</p>	DES has added the following language to the policy to address this comment: "Similarly, DES will be available to answer the agencies' IT procurement questions."

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38.	OFM suggests the following changes to POL Section 5.f: f. Agencies may implement additional more restrictive procurement and/or contract policies restrictions or requirements at the agency level so long as they are <u>foundationally</u> consistent with Chapter 39.26 RCW and DES procurement policies.	DES has adopted all but the last suggested change.
39.	Heidi Whisman – DOR POL, Section 1.a.i-iii - Please consider defining these somewhere.	The policy has been revised to include these definitions.
40.	Heidi Whisman – DOR POL, Section 3.b – suggested the following edits: <u>When granting additional delegated authority</u> , DES may impose <u>procurement-related</u> conditions when granting additional delegated authority to assist the agency to <u>in</u> managing procurement-related risks.	Adopted one of the suggested changes. DES did not adopt the “procurement-related” suggestion, as there may be other conditions (e.g. related to contract language) imposed when granting additional authority.
41.	Heidi Whisman – DOR POL, Section 3.c – suggested the following edits: Grants of additional delegated authority are <u>will be granted for a specified</u> limited duration, which is <u>will be</u> denoted in the letter from the DES Director granting the authority.	Revisions have been made to this section, based on other suggestions received.
42.	Heidi Whisman – DOR POL, Section 5.b - The wording of this is weird with it coming under “...includes adherence to the following:” Maybe it should be a separate section about delegated authority amounts in various situations.	DES has created a new section for unlimited delegated authority.
43.	Heidi Whisman – DOR POL, Section 5.d – This (“each contract term”) is confusing. Does it mean I look at the value for the initial term of the contract compared to the DA; then do that again if we are extending the contract for an additional term; and so forth?	Yes. The delegation applies to each contract term as opposed to the cumulative amount of the contract terms.

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44.	<p>Heidi Whisman - DOR POL, Section 5.e. – Suggested the following changes: 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 <u>as outlined in the policy</u>. DES will also be available to assist agencies.</p> <p>Comment: I don't think this policy should insinuate that agencies call the OCIO for every DA question; but instead, only those that meet the criteria in OCIO Policy 121.</p>	DES has included this suggested change.
45.	<p>Lislie Sayers – DNR PRO, Obtaining General Delegated Authority Steps 3-4 Comments: Recommend adding a step(s) between steps 3-4 to allow DES and the agency to work together to ask/respond to questions and to crosswalk any gaps in how the agency answered the questions compared to what information DES is utilizing to base the draft delegated authority recommendation to the review panel. Suggested Language or Approach: Step x – DES Risk Analyst consults with Agency to clarify discrepancies between Agency answers to questions submitted in the Risk Assessment Tool and data being analyzed by the DES Risk Analyst as outlined in Step x. Step xx - Agency responds to DES Risk Analyst. Step xxx - DES Risk Analyst updates draft risk assessment based on Agency responses, prior to submitting to the risk assessment review panel.</p>	These steps have been added to the procedure.
46.	<p>Elena McGrew – DES POL, Section 3.a. 1) - Is there an expectation about how much in 'advance' should they notify us?</p>	An agency's director should notify the DES Director as soon as they become aware that the authority is going to be exceeded, so DES can work with the agency on this issue.

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47.	Elena McGrew – DES POL, Section 5.d – should the word “applies” by “apply”?	DES has included this suggested change.
48.	Elena McGrew – DES POL, Section 5.e. (last sentence) - Maybe a clarification, since DES will probably not be able to confirm if OCIO approval is required without reaching out to OCIO.	The language has been changed to clarify that DES “will be available to answer the agencies’ IT procurement questions.”
49.	Elena McGrew – DES PRO, Action #9 under Obtaining General Delegated Authority (Action by DES Director) – in reference to “special purchases” - Wasn’t this removed from the Policy?	Special <u>Delegated Authority</u> was removed because the delegation is “additional delegated authority.” Special purchases is used so that agencies can obtain the additional delegation during the general delegation authority process.
50.	Elena McGrew – DES PRO, Action #6.a. under Obtaining Additional Delegated Authority (Action by DES Risk Analyst) – Does this still happen? I thought we don’t do procurements for agencies any more?	DES no longer conducts procurements for other agencies as a separate service. When seeking Additional Delegated Authority if DES determines the agency doesn’t have the expertise to conduct the procurement DES may assign someone from DES to assist with the procurement or may require the agency to obtain assistance from other resources.
51.	Mark Gaffney – ECY PRO, Actions 2.c. and 2.d. under Obtaining Additional Delegated Authority (Action by Agency Staff) - I don’t see the need for these questions. These questions seem apparent, agency would not be requesting additional authority if there wasn’t a benefit and risk for not receiving the additional authority. The answers to these questions would normally be implied in question 2. a.	Asking agencies to specifically articulate the benefit and risk ensures the information is included in the record and helps DES to form a decision. While the benefit and risk may be implied in question 2, including that information may not be apparent to all.

Feedback from 9-19-18 – 9-26-18

General Comments

Feedback Number	9-19-18 Workshop Comment	Response
1.	You mentioned you feel good about the level did you consider the idea that some agencies didn't request additional delegation because it is hard to do or could they have figure out a different way to do it or maybe decided not to bother to do so.	DES believes that the level referenced is the delegation of authority level, therefore the response is based on this belief. Based on the recent procurement risk assessment process, which includes a review of whether agency contracts were within their delegated authority, our review showed that agencies did not exceed their delegation.
2.	Process is a bit laborious – could be simpler. Getting all of the people together to meet is challenging and takes a lot of coordination. Should be based on risks not on additional dollar amount. It is a lot of work.	DES acknowledges that some agency personnel have found that the additional delegation of authority process is difficult and could be streamlined. DES welcomes specific improvement suggestions. DES' review of an agency's additional delegation request is based in part on the agency's plan for how they will manage the procurement risks involved.
3.	We are setting up to buy a brewing machine that will be manufactured. Cost of the equipment is not determined just yet so we cannot ask for the additional delegation.	In special circumstances such as this, DES recommends that agencies contact the DES Procurement Policy Team, which has successfully assisted agencies that have encountered this issue.
4.	Are we tapping into the LTU conversations that are brought up about policy	The teams that are conducting the LTU conversations have provided input related to the policies to the DES Procurement Policy Team.
5.	Asked for additional delegation of authority and it didn't take a lot of time. DES was very receptive; questions were not difficult; process was smooth; it went well.	Thank you! DES will continue to welcome feedback on improvements and areas that are working well.
6.	Additional authority is not timely to meet purchase needs (SPSCC)	In special circumstances such as this, DES asks agencies to consult with the DES Procurement Policy Team to help the agency meet its needs.

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7.	Can you please identify changes between the current policy and the draft provided?	The red line version has been provided by email on 9/20/18.
8.	Can you please identify changes between the current policy and the draft provided?	The red line version has been provided by email on 9/20/18.
9.	<p>The new policy in section 2 (e) indicates that delegated authority may be provided for a specific category of goods/services. Is this required?</p> <p>For example, if we have multiple contracts with multiple vendors for the same service that the total value of all contracts exceed your delegated authority, is additional authority required? Or is it acceptable for agencies to only request additional authority when one single contract for that service exceeds authority?</p>	The delegated authority applies to each contract. Agencies need to request additional authority when a single contract exceeds the agency's delegated authority.
10.	With regards to the policy item #5, how long would a newly formed agency be in interim status? Maybe include how/when their delegated authority is determined.	When new agencies are created, DES works with the new agency regarding the timing of the initial risk assessment. At which time, the interim authority will be replaced by the authority delegated through the risk assessment process.
11.	Also, are operating leases included as part of this policy. If so, can it be clarified in the policy? An Agency I worked with was bounced around to several agencies attempting to do the right thing.	Yes, if the operating lease is for goods that fall under RCW 39.26, then they would apply under this policy. DES has provided clarification in the introduction to the policy.
12.	Overall format - The updated format is hard to read and the flow is off. Suggest returning to the current format.	DES is adopting a new format, which addresses the state's accessibility requirements.

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13.	<p>Delegation of Authority Policy (Update) – Never have understood why Higher Ed gets to procure/contract under separate authority.</p> <hr/> <p>This Delegation doesn't make any sense. If the Master Contract was run properly, we should be able to run the 2nd Tier Competition with unlimited delegated authority. By having to stick to an agency's established (not warranted) delegation of authority, it undermines the time spent by DES. Why did they even run a competition? For what purpose? It's not like they vet the vendors anyway.</p> <p>Referring to DES' vetting (lack of vetting) process, how can they in turn mandate that agencies use these improperly competed contracts?</p> <hr/> <p>Aren't we mandated to gain OCIO approvals for all IT procurements/contracts/projects/competitions? We've already implemented add'l. restrictions and requirements, didn't we?</p> <hr/> <p>So, we have to confer with DES....It doesn't specify need their approval... (left up to their whim?)</p> <p>Oh, I see their consultation will determine if they run it, or we run it.</p> <p>They're conflicting with themselves. They say we must confer with DES, but then turn around and make it a form request process as it is now. No change. Doesn't make sense. Why do we have to take all of their trainings but still have to confer with them? Shouldn't it be, "confer with DES if needed."?</p> <hr/> <p>As for the dollar amounts, why does a Large agency have the same delegated authority as a Micro, Small, or Medium agency? Doesn't make sense.</p>	<p>Institutions of Higher Education have independent purchase authority under RCW 28B.10.029.</p> <hr/> <p>The reason for the limited authority on two-tier contracts is related to the additional risk associated with the competitive process.</p> <p>The questions in this section relate specifically to two-tier master contracts. These comments have been shared with the master contract teams that are responsible for two-tier contracts for inclusion in the improvements they are currently developing based on feedback from the Listening to Understand (LTU) sessions.</p> <hr/> <p>The purpose of OCIO Policy #121 is to establish the roles and responsibilities of the OCIO and state agencies in the planning and implementation of major IT investments. This policy seeks to ensure the success and transparency of all business-driven major IT investments. Depending on the oversight level established using the OCIO's Severity and Risk Assessment tool, an agency may need additional approval from the OCIO for the acquisition of IT goods/services.</p> <hr/> <p>DES' role is to develop policies and standards governing the acquisition and disposition of IT goods and services.</p> <p>It appears this refers to Section 4.b, which relates to additional delegation of authority requests for both IT and non-IT goods and/or services. The intent of Section 4.b is to direct agencies to consult with DES if they need to obtain additional delegated authority to purchase goods and/or services, as DES will work with the agency to determine whether DES will conduct or monitor the procurement.</p>

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	<p>An agency's delegated authority should increase in value: Commodities: Micro = \$50,000 (makes sense); Small = \$75,000 – \$100,000; Medium = \$150,000; Large \$250,000 Services: Micro = \$50,000; Small = \$250,000; Medium = \$750,000; Large \$3,000,000 IT: Micro = \$50,000; Small = \$250,000; Medium = \$750,000; Large \$3,000,000</p> <hr/> <p>Further, they state, "The initial amount of delegated authority may be modified based on several considerations, including whether agency staff (i) has completed relevant procurement training and (ii) has experience conducting procurements necessary to conducting the new agency's business."</p> <hr/> <p>We've met these conditions for years. Why doesn't our delegated authority go up? So, it this referring to a new agency, or all agencies? How does an established agency go about gaining an increase to their delegated authority? Why doesn't DES have to live by the same rules?</p> <hr/>	<hr/> <p>It appears this comment relates to Section 5, which is the interim delegation of authority for a new agency. In this case, a risk assessment has not been conducted.</p> <hr/> <p>After review of this feedback, the table in Section 5 will be removed and the policy language changed to reflect that new agencies will work with DES to receive an interim delegation of authority.</p> <hr/> <p>After review of this feedback, this language in Section 5.a will be removed. The conditions in 5.a were referring to interim authority for new agencies.</p> <hr/> <p>Regarding how an agency obtains an increase in their delegation of authority is through the risk assessment process or through an additional delegation of authority request.</p> <hr/>

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	<p>When you go back out to the main page, they ask some other questions. The last one is, “Is the new format simpler and easier to use?”. Did you see changes from the current policy? I didn’t. I may not be fully aware of any changes because I haven’t paid that close of attention to the levels for other sizes of agencies.</p>	<p>The red line version has been provided by email on 9/20/18.</p>
<p>14.</p>	<p>Destabilizes – Creates Inconsistency</p> <ol style="list-style-type: none"> 1. This isn’t so much a policy as it is a procedure. There are hardly any policy statements that DES is committing to, since every policy statement is followed by a caveat that it’s subject to change w/o notice. (See 2.h and 5.a) 2. Section 2.h should clarify who will make the determination, how an agency will be notified, and it should include an opportunity to discuss and/or cure. <ol style="list-style-type: none"> a. The policy should be clear as to who has the authority to determine another agency’s compliance – and, that agency should have clear statutory authority to do so. 3. The proposed policy removes the “General Delegated Authority” levels (Current Policy Section #3). The “General Delegated Authority” provide a stabilizing aspect and allow reasonable continuity of agency operations, including: <ol style="list-style-type: none"> a. A minimum authority agencies can expect, barring some egregious reason to deviate from the policy. b. A valuable “fall back” authority during the slow risk assessment & delegation processes. 	<ol style="list-style-type: none"> 1. A policy describes a management decision. In Section 2.h, DES has decided that it is important to reserve the right to withdraw or modify an agency’s delegated authority in order to effectively manage statewide procurement risks. (5.a is being eliminated). 2. If an agency becomes out of compliance with procurement policies the DES Director may take appropriate action, based on discussions with the agency. <ol style="list-style-type: none"> a. RCW 39.26.090 provides DES authorization to delegate purchasing authority based on a risk assessment. Clarifications have been made to Section 3. Part of the reason DES is revising the policy is to remove confusion created by the old General Delegated Authority, Section #3. The purpose of Section #3 was to provide interim delegated authority to all agencies at a time before the risk assessment process was finalized and implemented. Now that all agencies have received their delegated authority through the risk assessment process, Section #3 of the current policy is no longer necessary. <ol style="list-style-type: none"> a. As above. b. The general delegation continues until modified in writing by the DES Director.

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	<p>The proposed changes remove the element of consistency, creating the opportunity for a variety of authority levels based on the highly subjective risk assessment process.</p> <p>4. Section 5.a. should be removed. Either establish a minimum interim authority or don't. There's little value in establishing minimum levels if the policy goes on to say that DES may modify them.</p>	<p>4. Agreed. Section 5.a is removed.</p>
<p>15.</p>	<p>Section 2g "...Substantial Compliance" Should be Clarified</p> <p>1. What does "substantial compliance" look like and who determines?</p> <p style="padding-left: 40px;">a. What is the determination based on? Is it facts, such as an SAO finding or the subjective experience and viewpoint of a DES analyst?</p> <p style="padding-left: 40px;">b. Who has statutory authority to determine compliance? I'm not sure it's provided in DES's statutes. (as opposed to SAO)</p> <p>This is an area in the statute that is vague and is precisely the type of thing the DES Director should clarify in policy.</p>	<ul style="list-style-type: none"> • Through participating in the risk assessment, agencies will learn if they are substantially in compliance with overall procurement policies. During the time between risk assessments, if agencies become out of compliance with procurement policies the DES Director may take appropriate action that could include withdrawal of all authority. <ul style="list-style-type: none"> a. The risk analysts also reviews the following sources of information: agency's reported contracts; an agency's audit history; requests for additional delegations of authority; requests for exemptions from sole source or procurement laws or rules; the accuracy of WEBS reporting; the quality of the agency's sole source filings; whether emergency filings were correctly provided to DES; whether procurement protests were sustained; and the extent of the agency's diversity spend. b. RCW 39.26.090(5) requires DES to delegate to agencies authorization to purchase goods and services. The authorization must specify restrictions as to dollar amount or to specific types of goods and services, based on a risk assessment process developed by the department. Acceptance of the purchasing authorization by an agency does not relieve the agency from conformance with this chapter or from policies established by the director. Also, the director may not delegate to a state agency the authorization to purchase goods and services if

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		the agency is not in substantial compliance with overall procurement policies as established by the director.
16.	<p>Section 4 is Too Vague to be Helpful</p> <ol style="list-style-type: none"> 1. Please clarify 4.a. "...notify in advance". What does that look like? DES's interpretation of whether or not an agency notified them in advance has a profound impact on the agency's delegated authority. Because of the consequence of non or poor compliance, this requirement should be more clearly defined. 2. Please update the questions for additional authority in 4.c. to: <ol style="list-style-type: none"> a. Provide DES with the info they need to reduce delays and requests for more info. b. Structure the questions around sound risk management practices. 3. The questions for additional delegated authority should include factors like: <ol style="list-style-type: none"> a. What risks has the agency identified? b. How likely are they to occur? c. What is the impact should they occur? d. What mitigation strategies has the agency put in place? 	<ol style="list-style-type: none"> 1. Agencies are not authorized to enter into agreements that exceed their delegated authority. Section 4.a notifies agencies about the appropriate steps to take when they discover they will be exceeding their authority. In this circumstance, an agency's director should notify the DES Director as soon as they become aware that the authority is going to be exceeded, so DES can work with the agency on this issue. Clarification has been added to the policy Section 3 and Additional Delegation Procedure to address this comment. 2. <ol style="list-style-type: none"> a. Generally DES receives the information needed to process additional delegated authority requests in a timely fashion. DES will contact the agency if additional information is necessary. • b. The current questions for additional delegated authority are designed to address risk in the procurement process and not risk associated with the overall project. DES has considered the proposed changes to the questions and determined the factors address risks other than procurement-related risks. 4. It appears this refers to Section 4, which relates to additional delegation of authority requests. DES' role is to work with agencies to ensure they have adequate delegated authority to achieve their mission.

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	<ul style="list-style-type: none"> e. What is the agency prepared to do in the event of a worst-case scenario? f. Does the agency view the risks as acceptable? <p>4. The title, "...must confer with DES" is not accurate. There's no conferring. We must seek approval which is either granted, or not.</p>	
17.	<p>Section 6: Exceptions – Should Include Sole Source.</p> <ul style="list-style-type: none"> 1. It seems redundant and inefficient for agencies to complete both the sole source and additional delegated authority processes. 	<p>Because the information DES needs to approve an additional delegation of authority is very different from the information it needs to approve a sole source filing, it is unlikely efficiencies would be gained by combining these processes.</p>

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18.	<p>General Concern – The Layout is Confusing</p> <p>The new version changes the format / layout of the policy, which was clear and easy to navigate.</p> <p>A policy should clarify and flesh-out a statute, rather than mostly restate it.</p> <p>The new format is crowded, convoluted, and includes a fair amount of non-value add language that essentially just repeats the statute.</p>	DES has adopted a new format, which addresses the state’s accessibility requirements.
19.	<p>Additional section re delegated authority and risk assessment</p> <p>Consider adding a section that explains that an agency’s delegated authority will be stated in the results from the risk assessment. Also, that once granted, the delegated authority is effective until changed in writing (this would happen when DES provides the results from the next risk assessment, or the delegated authority is changed per 2h.</p>	<p>The general delegation continues until modified in writing by the DES Director.</p> <p>These clarifications have been added to Section 2.</p>
20.	<p>Additional section – clarity on how the delegated authority amount is applied</p> <p>Perhaps another subsection in 2</p> <p>Need statement of how the delegated authority amount applies to existing agencies, since section only applies to new agencies. Consider something like:</p> <ul style="list-style-type: none"> • The delegated authority limit applies individually to each purchase (or procurement) event. It is not meant to be a cumulative limit for all purchases/procurements/contract in [xx time period]. • When the purchase/procurement/contract specifies an initial term, as well as known or possible subsequent terms, the delegated authority limit only applies to the 	<p>DES interprets this comment as relating to Section 2 of the policy.</p> <p>DES is proposing the following language in Section 5.d of the revised policy to address this comment: “general delegated authority levels are not cumulative; the levels applies to each contract term for services and information technology goods or services; and per purchase event for goods.”</p>

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	dollar amount associated with the initial terms. It is not meant to be a cumulative limit for the life of the contract.	
21.	<p>2d re different categories –</p> <p>(i) Here states “goods”, but “commodities is used elsewhere in the document. Consider using one word on the other consistently in the document.</p>	Agreed. Revisions made to ensure consistency.
22.	<p>Another possible addition for section 2</p> <p>Consider clarifying what category of delegated authority an agency is to use if the purchase/procurement/contract crosses multiple categories, such as goods and services. Such as: “if the purchases that involve a combination of categories, apply the category threshold that represent the predominant category for that procurement.”</p> <p>It is helpful that IT is just one category and not separated out by IT goods and IT services, as they often go together. Perhaps this approach can be used for other areas.</p>	This clarification has been added to Section 5.c.
23.	<p>4a re notifying DES for additional delegated authority</p> <p>Add details of who in DES the communication should be directed to.</p>	An agency’s director should notify the DES Director as soon as they become aware that the authority is going to be exceeded, so DES can work with the agency on this issue. Clarification has been added to the Policy 3.a and Additional Delegated Authority Procedure to address this comment.
24.	<p>Additional subsection for 4</p> <p>Consider adding a section that explains what an agency should do if they find a procurement is going to be more than their delegated authority (unexpectedly).</p> <p>For example, if an agency started a competitive solicitation that was expected to be within the delegated authority but then responses are coming in over the delegated authority</p>	An agency’s director should notify the DES Director as soon as they become aware that the authority is going to be exceeded, so DES can work with the agency on this issue. Clarification has been added to the Policy 3.a and Additional Delegated Authority Procedure to address this comment.

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25.	<p>New formatting seemed to lead to many questions and concerns DES had a style (similar to the sole source policy style) that style worked really nicely!! - People don't do well with change only for the sake of change or change for the sake of putting one's own personal stamp on something (please know I am NOT saying that is what is happening here) the DES (SSJ type visual style) really works well. I am not saying that, but when they don't see the benefit to themselves it tends to be where their mind starts traverses toward.</p> <p>I really like the hyperlinks (RCW's) and other policies; as long as you keep a cross walk/spreadsheet with hyperlinks used to update changes as they happen. Nothing worse than a broken hyper link.</p> <p>Someone asked, but I don't know there is much need to publish all the current DOA info for each administration. I think you might have an easier time of NOT doing so.</p>	<p>DES has adopted a new format, which addresses the state's accessibility requirements.</p> <hr/> <p>Thank you. This is feedback that can be managed outside of the policy that DES will consider.</p>
26.	<p>Safe Harbor Provision: The policy needs a section/provision that grants great interpretative discretion to the covered agencies. End.</p>	<p>DES is the agency responsible for implementing procurement law by creating policies. A safe harbor provision is not necessary. If agencies need assistance, DES is available to provide any requested consultation.</p>
27.	<p>Problem Escalation: The policy needs a problem escalation procedure that details the formal process for resolving disputes. The process should be performed outside of the Enterprise Policy Team and allow for increasing levels of escalation. End.</p>	<p>DES' practice in these circumstances is to consult the DES Contracts & Procurement Assistant Director.</p>
28.	<p>Additional Master Contracts: If DES had a viable and sustainable number of master contracts, I would have a much less need for Direct Buy purchases or for requesting Additional Delegation or Sole Source contract approval. For every master contract that DES does not have, the item must be procured by the customer agency. When the customer agency is forced to procure it often means increased engagement with DES for additional delegation, performing competitions or sole source contracts, which has proven to be challenging, time-consuming, adds risk, and impacts other mission objectives. DES recently made a decision to create a</p>	<p>The comments in this section are similar to what our master contract teams heard when they obtained feedback during Listening to Understand (LTU) sessions that were held with several agencies. These comments relate specifically to master contracts and therefore have been shared with the master contract teams for inclusion in the improvements.</p>

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	<p>master contract only if it has \$1 million in spend annually and/or serves three or more customers. DES made this decision unilaterally and without the meaningful input of the customer agencies and may not know how it impacts customer agency operations. Essentially what is a great approach for DES is bad for customer agencies. Or, said another way, it is not a process improvement if all you have done is transfer the risk, work, or burden to the customer agency. It seems there's a failure to understand that the customer is caught between the pinchers of Master Contracts and Enterprise Policy Team. There doesn't appear that there was any alignment discussion between these units on what or how Enterprise Policy Team was going to reduce/relax the requirements on customer agencies so that customer agencies could absorb and can handle the additional work/risk/burden that it received when Master Contracts discontinued some master contracts. If memory serves, in 2005 DES (OSP at the time) had close to 400 goods and services contracts but today there's only about 215 (these numbers do not include the IT contracts that were part of the DIS portfolio and were not part of the original 400). DES has an army of Contracts Specialist and this should not be a problem to attain a much higher number. While I don't favor outsourcing the work via cooperative agreements, that may be the best and most expedient way to solve the master contract gap. Another way is to create master contracts based on high-level general categories and employing a multiple-supplier approach in tandem with a discount on list approach (I'm happy to present on this issue if you need additional detail). Customer agencies need a great deal of relief. Thus far, it does not seem that customer agencies are faring very well under the era of Procurement Reform. I do not see how the current practice is in alignment with the DES (Strategic Clarity) Strategic Anchors, Values and Goals; I'm not seeing how DES is bringing down the overall cost of governmental operations. End.</p>	

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	<p>The bulk of the goods & service contracts being done at DOL are from Master Contracts (both one & two-tier). The two-tier process is not very effective as it still requires the customer agencies to perform a solicitation, vendor walk through, question period, interviews, review of proposals, debrief, ASB notifications etc. Even though the agencies are performing this work, the master contract fee is still applied. The \$1 Million in annual spend and serving three agencies definitely is a lost opportunity for an increased pool of Master Contracts. Looking into WEBS will provide solicitations posted by agencies and in many cases they are for similar, if not, the exact same good or service. Those are lost opportunities for increasing the efficiency levels in the agencies as well as increasing the return on the Master Contract fee. Another request for the Master Contracts is to increase the amount of small businesses. Finally, as mentioned by Michael, if there is a larger pool of Master Contracts available, the need for Direct Buy purchases is decreased.</p>	
29.	<p>Who is the statutory customer: Supporting state agencies is DES' primary responsibility: If memory serves, the statute commands that while master contracts may be used by political subdivisions, the primary purpose of DES/Master Contracts is to serve the needs of state agencies. More and more, I'm hearing Master Contracts Specialists and C&P leaders say that that the master contract was structured in this way to accommodate the polysub. Polysubs are not DES's statutory responsibility, state-level agencies are the purpose and reason C&P and Master Contracts exists. End.</p>	<p>DES appreciates the feedback and notes that this feedback is outside the scope of this policy. These comments have been shared with the master contract teams for their review.</p>

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30.	<p>Thresholds for goods/services/IT: The policy has a serious flaw with section 5. It displays a table that perpetuates a myth that somehow goods are far riskier than services and IT as it continues to reflect a \$50,000 threshold for goods while reflecting a \$1,000,000 threshold for services and IT. Goods are the least risky contracting anyone performs. Goods are highly regulated, have consumer protections, tend to be standardized since it comes off a line or a press or mold. Goods are reviewed by national private sector firms such as Underwriters Laboratory, have MSDS's, and are covered by a consistent set of law (The Uniform Commercial Code). By contrast, services are only as good as the supervisor or the staff and because it is far more dynamic, it is far less consistent and is far riskier. By contrasts IT purchases are complex and often need specialized help to ensure the equipment or software configures into an existing system of works out of the box. Using an inverse mathematics design Goods should have a \$4,000,000 dollar threshold because it is only 1/4 as risky as services and IT. End.</p>	<p>The table in Section 5 creates some confusion and has been removed.</p>
31.	<p>Calculation model for determining authority thresholds: There is continued confusion on how to calculate delegate authority. We've seen words like "by contract", "by project", or "by annualized" something. I suggest it be clearly written into policy that the manner of calculating is based on the period of exposure and the amount within that exposure; it is not cumulative. The question should be if for any given contractual period am I obligating the agency to an amount greater than my authority? Here's my thinking: Assume I have \$1,000,000 of authority and my contract runs from 1/1/19 to 12/31/2020 (2 years) and is \$950,000. As that work is performed and paid, what was a \$950,000 risk is diminished and paid down. If the next term is 1/1/21 to 12/31/23 (another 2 years) and is for another \$950,000 that's only \$950,000 worth of risk; there is no cumulative risk. Over the years DES has offered several ways to calculate but has never committed a method of calculation to writing. Also, get rid of that annualized stuff, it's pointless. This would also resolve that</p>	<p>DES is proposing the following language in Section 5.d of the revised policy to address this comment: "general delegated authority levels are not cumulative; the levels applies to each contract term for services and information technology goods or services; and per purchase event for goods."</p>

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	the phrase "(projected amount per purchase event" and "(projected amount of the initial contract term)" only appears in section five. This concept needs to apply to all agencies and not just newly created ones. End.	
32.	<p>Section 4a: Agencies must notify DES in advance regarding procurements that may exceed the agency's delegated authority". This phrase is a trap for customer agencies. It is ambiguous and subjective. I'll just say it raw, it provides little guidance and can't easily be performed especially when the policy does not set a calculation model for determining authority thresholds. Further, so much of a large-dollar procurement occurs months or maybe years before a contracts and procurement unit becomes involved; how are these disciplines to know when to reach out to DES. It is not nearly as simple as you may think. End.</p> <p>It is not as black and white as you might expect and there are numerous ways that this is not feasible.</p>	<p>Section 4.a notifies agencies about the appropriate steps to take when they discover they will be exceeding their authority. In this circumstance, an agency's director should notify the DES Director as soon as they become aware that the authority is going to be exceeded, so DES can work with the agency on this issue.</p> <p>Clarification has been added to the policy Section 3.a and Additional Delegated Authority Procedure to address this comment.</p>
33.	<p>Disclosure of Summary from input: I would like to see and time to review the summarized input. Will this be made available? Please let me know. If it is not in the current timeline, I'd like to make a request for additional time to the C&P AD. End.</p>	<p>The goal of stakeholder review of the summarized input is to ensure DES accurately captured all feedback. DES will allow ample for review.</p>
34.	<p>Redline Document: During the workshop, someone asked if DES could provide a redline of the "substantive" differences from the current to the draft? I'm asking to go one step further, I'd like to see the difference from current to draft to draft stemming from workshop input. If it is not in the current timeline please let me know, I'd like to make a request for additional time to the C&P AD. End.</p> <p>One more step further... if the input is not accepted, can the stakeholders receive the feedback as to why it was not accepted?</p>	<p>The red line version showing the differences from current to the initial draft has been provided by email on 9/20/18.</p> <p>A red line version showing the substantive differences from the initial draft to the next proposed draft, showing changes made as a result of the workshop/e-mail input received, will be provided to stakeholders for the next round of review.</p> <p>Yes, DES' goal is to respond to all feedback through this document.</p>

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35.	<p>An appropriate amount of draft policy review time is needed: Once the new set of drafts are designed from the input, I really believe there needs to be an adequate amount of time for the customer agencies to review and if they are finding the draft to be a challenge, it will allow us to engage DES at a higher level. If this is not in the current timeline, please let me know and I will make a request for additional time to the C&P AD. End</p> <p>This hits the point about the purpose behind having the work sessions/stakeholder meetings... if we invest the time to meet and discuss, we should also have appropriate time to review and submit feedback prior to the final version being sent out.</p>	DES will provide an adequate amount of time for review when there are substantive changes to a draft policy or a new policy is drafted.
36.	<p>When a mistake in calculation happens: Guidance is needed on what to do when the cost estimate was believed to be under the threshold but the competitions responses come back higher and also over the threshold. End.</p> <hr/> <p>Furthermore, what about the scenarios of an agency having a delegation for \$50K for a good but the good involves a service to maintain/update the good? The delegation might be \$50K for a good but \$1 million for the service... Where would it fit</p>	<p>Section 3.a notifies agencies about the appropriate steps to take when they discover they will be exceeding their authority. In this circumstance, an agency’s director should notify the DES Director as soon as they become aware that the authority is going to be exceeded, so DES can work with the agency on this issue.</p> <p>Clarification has been added to the policy 3.a and Additional Delegation of Authority Procedure to address this comment.</p> <hr/> <p>This clarification has been added to Section 3.a: “For contracts that include a combination of goods and services, apply the category threshold that represents the predominant category for that procurement.”</p>

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37.	<p>When a mistake in calculation happens after the grant of delegation: Guidance is needed on what to do when the cost increase more than was first believed and specified in the grant of delegation. End.</p> <p>This could easily occur when an agency has a low level of delegation ie \$50K for a good.</p>	<p>Section 3.a notifies agencies about the appropriate steps to take when they discover they will be exceeding their authority. In this circumstance, an agency’s director should notify the DES Director as soon as they become aware that the authority is going to be exceeded, so DES can work with the agency on this issue.</p> <p>Clarification has been added to the policy Section 3.a and Additional Delegation of Authority Procedure to address this comment.</p>
38.	<p>Section 2 d describes 3 types of “goods & services”. They are (i) goods, (ii) services, and (iii) Information technology (IT) goods and services. Would it be helpful to the ready to have a definition of each specific type of “goods and service”</p> <hr/> <p>In Section 3 a what is the definition of a qualified master contract as opposed to master contract? Would a definition be helpful?</p> <hr/> <p>In Section 3a. I thought only DES could establish a master contract. Is that not true? Section 3 a. 2. Talks about “...is limited to an agency’s delegated authority for the agency (not DES) conducts the completion.”</p> <hr/> <p>In Section 3c. would suggest the following edits.</p> <ul style="list-style-type: none"> ○ Current sentence: “Agencies should confer with their assigned OCIO consultant.” Suggested edit: Replace with: “Agencies should confer with the OCIO and confirm if OCIO approval is required prior to contract signature and purchase. Contact the OCIO by sending email to the ociodlconsultants@ocio.wa.gov” 	<p>Definitions are provided in statute as follows:</p> <p>RCW 39.26.010(12) states that goods “means products, materials, supplies, or equipment provided by a contractor.”</p> <p>RCW 39.26.010(21) states that services “means labor, work, analysis, or similar activities provided by a contractor to accomplish a specific scope of work.”</p> <p>RCW 43.105.020(9) states that information technology “includes, but is not limited to, all electronic technology systems and services, automated information handling, system design and analysis, conversion of data, computer programming, information storage and retrieval, telecommunications, requisite system controls, simulation, electronic commerce, radio technologies, and all related interactions between people and machines.”</p> <hr/> <p>Qualified master contracts include master contracts as defined in RCW 39.26.010(15) and cooperative contracts entered into by DES on behalf of the state and as authorized by RCW 39.26.060. DES has made the change in the policy Section 5.</p> <hr/> <p>This is correct. Only DES can establish a master contract. In addition, DES has made changes to the policy in Section 5 to address this comment.</p>

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	<hr/> <ul style="list-style-type: none"> In Section 3c. what is a DES IT liaison? Would a definition help? 	<p>DES agrees this provides clarification and has adopted this language in part in Policy Section 5.c.</p> <hr/> <p>A DES IT liaison is a member of the DES Contracts & Procurement Division that has IT procurement experience. Overall their role is to provide assistance to agencies for IT procurements. For clarity, we have deleted the reference to IT liaison in the policy.</p>
39.	<p>Although the new format is easier to read, we would like to note several areas of improvement that would clarify this policy and its application.</p> <ul style="list-style-type: none"> The policy sets out how agencies obtain delegated authority. However, there is nothing in the policy that speaks to whether the delegation is perpetual, or if there is a regular review and reevaluation and on what schedule that would occur. Details related to this topic would be helpful to know. Paragraph 2.h. provides for the Department of Enterprise Services (DES) withdrawing or modifying the delegated authority. Whether added to the policy or included in a separate process document, DES should describe the basis upon which such action can be taken, how notice is provided and what opportunity the agency has to contest the action. Paragraph 6 lists a number of items that are exempt from Chapter 39.26 RCW. This paragraph seems out of place. There does not seem to be a connection between this paragraph and the subject of this policy. If this list is meant to show those items that are exempt from the delegation of authority limit, then I would suggest changing the lead-in sentence. 	<ul style="list-style-type: none"> The general delegation continues until modified in writing by the DES Director. Special delegation of authority letters from the DES Director contain a time limitation. The revised policy reflects this in Section 2 and Section 3. If an agency becomes out of compliance with procurement policies the DES Director may take appropriate action, based on discussions with the agency. Withdrawal or modification of delegated authority will not occur without advance consultation with the agency. This section has been removed from the policy.
40.	<p>DSHS requests that a note stating that the delegated amounts are set for the initial contract term or per purchase event (similar to that in proposed Section 5 for interim delegation of</p>	<p>DES is proposing the following language in Section 5.d of the revised policy to address this comment: “general delegated authority levels are not cumulative; the levels applies to each</p>

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	authority) is added to the main body of the policy to avoid confusion.	contract term for services and information technology goods or services; and per purchase event for goods.”
41.	<p>1. Comments: If the DES Director has the authority to delegate agencies authorization to purchase goods and services, then it has the authority to audit, rescind the delegated authority. DES Director then should enforce its authority Procurement Policy and ascertain precedence of master contracts that were competitively bid and administered by WA State.</p> <p>1b) The WA State Higher Ed from my experience gets away with a few of the procurement policy guidelines because there is no audit in place and no measurements of accountability. DES needs to be monitoring their delegated authority spend that it is not going to AMAZON or other third-party platforms that does not return the investment to local businesses and community. I will have a few examples for you how they know how to circumvent the system and know the loop holes of the processes.</p> <p>Comments: 2a. How often is this risk assessment done, can you publicly disclose this? Can you identify who in the DES Staff has this responsibility?</p> <p>Can any private citizen or any small business file a complaint how the agency poorly or inadequately exercised its due diligence or guidelines for a fair, transparent and equitable decision-making process?</p> <p>Comments:</p> <p>2b. Please provide process of risk assessment: Execution, monitoring and penalty.</p> <p>2e. How is delegated authority used? When is it used? What kind of training is provided to the Purchasing Staff of the agency?</p>	<p>DES policy requires agencies to use master contracts or DES approved Cooperative Contracts unless the contract cannot justifiably satisfy the agency’s needs.</p> <p>1b) DES is responsible for delegating authority to purchase goods and services to state agencies; higher education does not receive their purchasing authority from DES (refer to RCW 28.10B.029).</p> <p>DES conducts a procurement risk assessment to determine state agencies’ delegated authority. In conducting the risk assessment, DES requires agencies to provide the steps they use for auditing their internal procurement functions. DES also reviews procurement-related external audits, any relevant findings, and examines the agency’s remedial plan of action for those findings.</p> <p>2a. An agency’s general delegated authority review schedule is determined by the agency’s risk rating. Currently high risk agencies are assessed every 12 months, medium-high risk agencies are assessed every 18 months, medium-low risk agencies are assessed every 24 months, and low risk agencies are assessed every 30 months.</p> <p>DES’ Policy Team conducts the procurement risk assessment reviews.</p> <p>Private citizens or any business may file a complaint about an agency’s activities.</p> <p>2b. The risk assessment process is outlined in the General Delegated Authority Task document.</p>

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	<p>This delegated authority if used to increase spend on WA small business, MWBE and Veteran Owned businesses should clearly state its goal. I am very concerned that this delegated authority will benefit AMAZON and other larger and publicly held corporations.</p> <p>2g. Please be very specific on how the delegated authority is suspended or rescinded. Provide criteria? My most recent experience with DSHS should be the perfect example that delegated authority is cancelled. Please let me know if you need the full details of this very disturbing experience with DSHS. If you intend to suspend or cancel, please provide a transparent system on how the agency can regain its delegated authority from suspension or cancelation.</p> <p>2h DES may at any time and at its discretion withdraw or modify an agency’s delegated authority based upon the agency’s procurement compliance, performance, and/or risk profile. Agencies are encouraged to implement agency-wide requirements and processes that best ensure that the agency conforms to applicable procurement requirements. <i>Comments: Request for remedy steps when an agency is operating out of their authority. If there is a dispute, do you advise the agency to go back and use the master contract</i></p> <p>3. Proper use of delegated authority complies with all applicable Washington State procurement requirements and includes adherence to the following:</p> <ul style="list-style-type: none"> a. agencies have unlimited delegated authority when purchasing directly from a [[qualified master contract]]; <ul style="list-style-type: none"> i. if a qualified master contract requires a second-tier competition, an agency’s delegation of authority: 	<p>2e. How: When using their delegated authority, agencies are expected to track, monitor and ensure compliance with all applicable procurement laws, rules and policies. As part of the risk assessment process, DES specifically asks what outreach, inclusion or other activities an agency does to ensure its procurement strategies engage and support small, veteran-owned and diverse businesses.</p> <p>When: RCW 39.26 delegated authority is generally used anytime a state agency purchases goods and/or services.</p> <p>Training: Purchasing staff are required to complete training, which is described on the DES website at https://des.wa.gov/services/contracting-purchasing/policies-training/contracts-procurement-training-development.</p> <p>2g. During the time between risk assessments, if agencies become out of compliance with procurement policies the DES Director may take appropriate action that could include withdrawal of all authority. Appropriate action in this context would depend upon the degree to which the agency is out of compliance.</p> <p>2h If DES learns that an agency is in violation of its assigned delegated authority, DES will review the circumstances and take appropriate action.</p> <p>3.a.i.1. Certain master contracts with a second-tier require agencies to conduct a competitive solicitation. Because of the risks involved with conducting the competitive solicitation, the agency’s general delegation applies.</p> <p>It is unclear what this comment means regarding the “master contract holder”, but we note that a second-tier master contract</p>

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	<p>1. is unlimited if DES conducts the competition; or <i>Comments: Can you please explain why is there a requirement for a second-tier competition from a master contract to accommodate delegated authority? Master contract holder should be initially engaged with the end user when there is an intent to do a special delegated authority purchase.</i></p> <p>2. is limited to an agency's delegated authority if the agency (not DES) conducts the competition;</p> <p>b. agencies must use existing [[qualified master contracts]] unless the contract cannot justifiably satisfy the agency's needs; <i>Comments: I agree but who monitors this? Who has authority to determine if the agency failed to follow the protocol, who is the enforcer? How do you let the agency know that they inappropriately used this process?</i></p> <p>c. 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 their assigned OCIO consultant. DES IT liaisons will also be available to assist agencies; and</p> <p>d. agencies may implement additional procurement restrictions or requirements at the agency level. <i>Comments: Please be more specific on this as such</i></p>	<p>is not a special delegation of authority unless it exceeds the agency's general delegation.</p> <p>3.b. DES reviews an agency's procurement practices, including their use of master contracts, through the risk assessment process. In addition, the State Auditor's Office (SAO) periodically audits state agencies' procurement practices. DES also reviews SAO audit findings, and examines the agency's remedial plan of action for those findings. An agency's audit history informs DES' grant of delegated authority.</p> <p>3.d. This clarification has been added to Section 3.</p> <p>4.a Section 3.a notifies agencies about the appropriate steps to take when they discover they will be exceeding their authority. In this circumstance, an agency's director should notify the DES Director as soon as they become aware that the authority is going to be exceeded, so DES can work with the agency on this issue. Clarification has been added to the policy and FAQ to address this comment.</p> <p>4.b.iii. When an agency receives additional delegated authority, an agency is required to comply with all applicable procurement laws, rules and policies. This compliance requires transparency, fairness, and equity.</p> <p>4.c.vii. DES welcomes and regularly receives constructive feedback from stakeholders, who contact us at our Contracts and Purchasing Resource Center. Contact information - e-mail: contractingandpurchasing@des.wa.gov, or phone: (360) 407-2210. The Contracts and Purchasing Resource Center transmits all communications to the relevant procurement professionals.</p>

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	<p style="text-align: center;"><i>it will create another loop hole in the system. It is important to provide examples.</i></p> <p>4. To obtain additional delegated authority to purchase goods and/or services, agencies must confer with DES:</p> <p>a. Agencies must notify DES in advance regarding procurements that may exceed the agency’s delegated authority; <i>Comments: Be more specific: provide in advance 30 days, 2 weeks is too short, or the agency will slow things to accommodate their preferred method or vendor.</i></p> <p>b. DES will consult with the agency to determine whether:</p> <ul style="list-style-type: none"> i. DES will conduct the procurement; or ii. DES will monitor the agency conducting the procurement; or iii. the agency will conduct the procurement. <i>Comments: I think DED needs to monitor and conduct the determination to be as transparent, fair and equitable process.</i> <p>c. If an agency requests additional authority, the agency head must submit the request directly to the DES Director, and the request must include answers to the following questions:</p> <ul style="list-style-type: none"> i. What is the purpose, the scope and the specific nature of the request? ii. What is the projected dollar value of the request, including analysis that determined the cost estimate? iii. How might the state/agency benefit should the request be approved? iv. What are the risks should the request be denied? 	<p>As provided in this policy, an agency’s delegated authority may at any time be withdrawn or modified. If DES learns that an agency is in violation of its assigned delegated authority, DES will review the circumstances and take appropriate action.</p> <p>This policy requires agencies to use existing master contracts or DES approved cooperative contracts unless the contract cannot justifiably satisfy the agency’s needs. The policy also provides agencies with unlimited authority when purchasing from master contracts.</p>

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	<p>v. Does the agency possess the necessary experience and expertise to conduct the procurement and/or to manage the contract? If so, explain.</p> <p>vi. What measures have been established to ensure that all applicable procurement requirements will be met?</p> <p>vii. Contact information of the person responsible for implementing the requested delegation of authority. <i>Comments: DES Director shall inquire from other sources like: MASTER Contract Holders and the Business Community that there has been no derogatory record or disturbing procurement experience with the requesting agency. This is to include the agency risk assessment and again how often do you do a review of each agency's risk assessment?</i> <i>I think DES has no place or person to send anonymous procurement experience like a PROCUREMENT Authority HOTLINE. DES needs to respond to a complaint re procurement challenges with an agency in a timely manner.</i></p> <p><i>General Comment:</i> <i>When an agency is out of bounds regarding the delegated authority or procurement authority, what is the remedy and improvement plan, so no master contract is infringed?</i></p> <p><i>The delegated authority should protect the master contract and the master contract should take precedence from all other purchase options. I think we confuse the agencies, its mid management and its front liners because we have not given them examples.</i></p>	

Does the policy create barriers?

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42.	What is the time limit for delegated authority, because the current policy is silent?	The general delegation continues until modified in writing by the DES Director. Special delegation of authority letters from the DES Director contain a time limitation. The revised policy reflects this in Section 2 and Section 3.
43.	In the event there is a gap in the delegation of authority what happens? Does it disappear?	The general delegation does not disappear, it continues until modified in writing by the DES Director. Special delegations of authority have a time limit. The revised policy reflects this in Section 2 and Section 3.
44.	Time line should be expressed in the policy – 30 months – low risk; etc.	DES interprets “time line” to refer to the frequency of an agency’s risk review. An agency’s general delegated authority review schedule is provided in the agency’s general delegation letter, and continues until modified in writing by the DES Director.
45.	In the risk assessment if an agency violated procurement rules and they are downgraded and they correct it do you go back to previous delegated levels?	The delegated authority levels are reviewed and adjusted during the next risk assessment review. At that time a determination will be made whether the general delegation will return to the previous level.
46.	Does DES have the discretion to share its assessment guidelines? And would you?	This is included in the General Delegated Authority Task
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47.	<p>The risk assessment should be applied equally to all state agencies in a consistent manner. The risk assessment should be clear and concise as to what measure of risk is being assessed. Agencies should be measured against these risks solely and without external influence or conditions not outlined in the risk assessment.</p> <p>Please clarify how agencies determine “... X\$ per project or contract value or annualized purchase contract” - these seem to be three different things - can agencies pick which of these values they want to use for their delegated limit?</p>	<p>The Risk Assessment process is included in the General Delegated Authority Task. This process uses pertinent information for assessing all agencies.</p> <p>DES has revised the policy to address this comment.</p>

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48.	Can DES please clarify and put into the policy how long it will take for an agency to go through the risk assessment process and the time frame for DES to review and assign the delegation of authority?	Each agency risk assessment is unique because each agency has a separate mission, size, geographic scope, budget, funding method(s), procurement needs, staff expertise, etc. Therefore, the timeframe varies from agency to agency.

Does the policy support your business needs?

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49.	Section 4C – III & IV. Seems obvious – what is purpose of these questions? (ECY)	The questions have been moved to the Additional Delegated Authority Procedure and are designed to collect information that will help DES determine whether additional delegation of authority will be granted.
50.	Current delegation seem to be a throwback from 43.19. Especially goods which are low risk at \$50,000. Not the same as IT which is more volatility.	As part of the risk assessment process, DES asks agencies to tell us what delegated authority they need to acquire goods. The goal is to provide each agency with authority that is tailored to fulfill the agency's mission.
51.	Questions related to Section 4c: How would you benefit and what if it is denied. Can this be covered in the purpose? DES can give direction on how to write the answer.	This is additional detail DES needs and may be different than what is provided in the purpose section. The questions are drafted broadly to address the breadth of the state's mission and business needs. Answers will vary depending on the agency but generally should articulate the benefits and risk associated with the request. Following this process will assist the agency and DES in creating a comprehensive record if this procurement later comes under scrutiny.
52.	Authority Levels: #5 Could blow through the \$100,000 in a week or two; the \$50,000 in a day. \$50,000 is ridiculously low unless there are risks. Should increase the delegation for goods. Often we do not know how many of something we will be buying. Should it be different based on agency size? If RCW 28b went away this would not work for us.	DES is proposing the following language in Section 2.g of the revised policy to address this comment: "general delegated authority levels are not cumulative; the levels applies to each contract term for services and information technology goods or services; and per purchase event for goods."

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		Delegated authority is not based on agency size, rather it is based on the risk assessment and the agency's business needs.
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53.	Clarify what this section is about – new agency.	It appears this is referring to Section 5 (interim delegation). The revised policy reflects a clarification in Section 4.
54.	DSHS requests that a note stating that the delegated amounts are set for the initial contract term or per purchase event (similar to that in proposed Section 5 for interim delegation of authority) is added to the main body of the policy to avoid confusion.	DES is proposing the following language in Section 5.d of the revised policy to address this comment: "general delegated authority levels are not cumulative; the levels applies to each contract term for services and information technology goods or services; and per purchase event for goods."

Does the updated policy improve clarity on using an agency's delegated authority?

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55.	Add clarification around the initial contract value whether a new agency or not a new agency; or guidance around the discussion for what agencies ask for.	Clarification has been added to the policy to address these comments.
56.	If we are purchasing something that are mixed categories add something about predominant purpose?	This clarification has been added to Section 5.c: "For contracts that include a combination of goods and services, apply the category threshold that represents the predominant category for that procurement."
57.	Info on what general delegations are going to be should be stated in the policy.	The goal is to provide each agency with authority that is tailored to fulfill the agency's mission. Therefore, there are no general delegations to be stated in the policy. The goal of the policy has been added to the introduction to the revised policy.
58.	Guidance on anticipating new delegation should be part of the risk assessment.	For General Delegation of Authority this topic is covered in Forecasting and is currently included in the risk assessment tool (Questions #5 & #10). DES analysts provide this guidance when

		working with agencies to determine if the general delegation will be sufficient for the duration of the delegation.
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59.	How would substantial be defined if not in compliance with the law and what would the withdrawal look like?	Through participating in the risk assessment, agencies will learn if they are substantially in compliance with overall procurement policies. During the time between risk assessments, if agencies become out of compliance with procurement policies the DES Director may take appropriate action that could include withdrawal of all authority, based on discussions with the agency.
60.	Paragraph 6 of the policy talks about exemptions. When exempt from competition does this mean an agency has unlimited delegated authority? Or is it limited to your delegated authority? This answer might help clarify the policy.	Section 6 has been removed from the policy. Acquisitions that are exempt from competition are subject to the agency's delegation of authority.
61.	<p>Policy Section 2A:</p> <ul style="list-style-type: none"> • What is the schedule for each agency to be reviewed? • Is the current risk assessment tool being reviewed also? 	<ul style="list-style-type: none"> • An agency's general delegated authority review schedule is provided in the agency's general delegation letter, and continues until modified in writing by the DES Director. The revised policy clarifies this in Section 2.e. • The current risk assessment tool will be updated before the next risk assessment cycle. DES will be working with stakeholders for feedback in order to refresh the risk assessment tool.
62.	<p>Policy Section 2e: It is unclear on how DES will offer delegated authority to mixed categories and at what threshold would it be determined to be either goods/services (i.e. 60%/40%).</p> <p>Suggest adding language to clarify the intent of which delegated authority threshold dollar value mix categories fall under.</p>	This clarification has been added to Section 5.c: "For contracts that include a combination of goods and services, apply the category threshold that represents the predominant category for that procurement."

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63.	Policy Section 3B: <ul style="list-style-type: none"> • “Cannot justifiably satisfy the agency’s needs” – What would be a few examples of this? 	For example, all agencies have been encouraged to increase their diverse spend. If a diverse spend option is not available on a master contract and an agency has identified a diverse spend option that meets its needs and complies with all procurement rules, then the agency would be justified to purchase outside of a master contract. Additional examples are provided in the FAQ Question #4.
64.	Policy Section 4A: <ul style="list-style-type: none"> • More detail needed. <ul style="list-style-type: none"> ○ Who do you call? ○ How far in advance? ○ Is there a timeline? 	Section 3.a and the Additional Delegated Authority Procedure notifies agencies about the appropriate steps to take when they discover they will be exceeding their authority. In this circumstance, an agency’s director should notify the DES Director as soon as they become aware that the authority is going to be exceeded, so DES can work with the agency on this issue.
65.	Policy Section 4C: <ul style="list-style-type: none"> • i. <ul style="list-style-type: none"> ○ Submit via email? • iii. & iv. <ul style="list-style-type: none"> ○ These 2 questions should be obvious based on the answer to i. Move under i. to ensure i. is answered thoroughly. ○ The agency wouldn’t be asking or going through the process for additional DA if we didn’t need it. DES doesn’t know our business. The agency needs to expand answer i. for DES to evaluate quickly and effectively. • vi. <ul style="list-style-type: none"> ○ What additional measures are they indicating? Procurement Professionals should be following the procurement requirements with each transaction. 	<ul style="list-style-type: none"> • Yes, e-mail is acceptable. • Questions iii & iv are necessary because they identify the benefits and risks associated with the approval or dis-approval of the request for additional delegation of authority. DES’ experience in reviewing these questions from state agencies demonstrates their value. These questions are used to prompt agencies to conduct appropriate benefit/risk analysis. • This question intends to understand the agency’s experience with procuring the goods/services requested for additional delegation of authority. The word “measures” as used in the question refers to risk mitigation strategies that are going to

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	Additional DA transactions shouldn't be an exception to how you conduct the transaction.	be put in place to ensure that all applicable procurement requirements are met.
66.	<p>Policy Section 5:</p> <ul style="list-style-type: none"> • Commodities (goods) should also have a staggered authority. Goods are straight forward when compared to a service or IT. The more employees an agency will impact the per purchase event, especially if the agency is trying to bulk buy their purchases to maximize budgetary funds. • Goods purchases are lower risks. A higher amount should be considered for the low risk purchases without lowering the services and IT purchases. • Term? (per purchase, per contract, per calendar year) • Initial contract term – if we go over that amount due to small project delays, can we do an amendment for the micro-amount needed or do we have to go back to bid for the additional amount needed? Consider the time of an amendment versus the cost required to finish the contract. • Will DES be posting a matrix for procurement training requirements for the various procurement roles? 	<p>Section 5 applies to interim delegation of authority for new agencies only.</p> <p>After review of feedback, the table in Section 5 will be removed and the policy language changed to reflect that new agencies will work with DES to receive an interim delegation of authority. See Interim Delegated Authority Procedure.</p>
67.	<p>Policy Section 6:</p> <p>DES compiling a list of exemptions in one reference point is helpful to all agencies for efficient and effective procurement practices. Suggest adding (if applicable) the listed items as an exemption to the DES Sole Source Policy, or determining another location that is better suitable for an exemption list.</p>	<p>Section 6 of the policy has been deleted. The exemptions applicable to the DES Sole Source Policy are not related to the exemptions listed in other policies. Therefore, it would not be beneficial to have a centralized exemption list.</p>