

Exhibit A Tiered Procurement Delegation

Policy: Under this Agreement, Exhibit A establishes the authority of the Agency’s Designated Procurement Officer (DPO) to sub-delegate specific procurement authority to Procurement and Contract Specialist 2s (PCS 2s) and Procurement and Contract Specialist 3s (PCS 3s) to conduct Procurements, including contract administration, in accordance with the Table below. This Delegation is for agency-specific work and does not include statewide price agreements.

1. **Sub-Delegation.** The DPO is responsible for determining the appropriate procurement authority levels. The DPO must take into account a PCS 2’s or 3’s experience, training, education, business expertise, and judgment as described in the Table below. Prior performance of a PCS 2 or 3 may be considered when determining sub-delegation of procurement authority. The requirements described in the Table are not satisfied by positions other than PCS 2 and 3.

The following Table lists the minimum requirements that a PCS 2 or 3 must meet for a sub-delegation of procurement authority. Using the information contained in this sub-delegation, a DPO may designate or terminate a sub-delegation.

The DPO must not sub-delegate procurement activities to a PCS 2 beyond Level 1 under any circumstances. If the Agency does not have a PCS 3 that meets the qualifications for a sub-delegation of procurement authority at a particular Level, the Agency must forward a purchase request to SPO for the work.

Level and Title	Complexity and Contract Value	Types of Work	Requirements: Experience, Training, and Certification
<u>Level 1</u> Journey Professional I	<ul style="list-style-type: none"> • Develops, negotiates, and administers contracts <u>with few elements</u> • <u>Lack of:</u> in-depth analysis, planning, problem spotting, unknowns, change, or conflict • <u>Over \$150,000 and not over \$500,000</u> 	<ul style="list-style-type: none"> • <u>Simple or routine solicitations</u> • <u>Simple or routine contract administration</u> • <u>Amendments for time and dollars</u> • <u>Templated contracts for Qualified Rehabilitation Facilities (QRF)</u> 	<ul style="list-style-type: none"> • PCS 2 or PCS 3 • 1 year of Oregon public procurement experience • A Oregon Contract Administration Certificate (OCAC) • Completion of a DAS SPO Statement of Work class by the end of the 1st year after sub-delegation • Maintains certification
<u>Level 2</u> Advanced Professional II	<ul style="list-style-type: none"> • <u>Independently</u> develops, negotiates and administers contracts <u>with different and complex elements</u> • <u>Minimal risk:</u> 	<ul style="list-style-type: none"> • <u>Solicitations and contracts,</u> including negotiated and templated QRF contracts • <u>Contract administration</u> 	<ul style="list-style-type: none"> • PCS 3 • 2 years of Oregon public procurement experience • An OCAC • Completion of a DAS SPO Statement of Work class • An Oregon Procurement

	<ul style="list-style-type: none"> visibility or multiple factors <u>In-depth</u> analysis, planning, problem spotting, unknowns, changes, and conflicts Over \$150,000 and not over \$500,000 		<p>Basic Certification (OPBC)</p> <ul style="list-style-type: none"> Maintains certifications
<p><u>Level 3</u></p> <p>Advanced Professional III</p>	<ul style="list-style-type: none"> <u>Specialized</u> Independently develops, negotiates and administers contracts <u>with moderately different and complex elements</u> <u>Moderate risk</u>: visibility or multiple factors In-depth analysis, problem spotting, unknowns, changes, and conflicts <u>More planning and coordinating</u> <u>Over \$500,000 and not over \$1,000,000</u> 	<ul style="list-style-type: none"> Solicitations and contracts, including negotiated and templated QRF contracts Contract administration <u>Specialized work</u> 	<ul style="list-style-type: none"> PCS 3 3 years of Oregon public procurement experience An OCAC Completion of a DAS SPO Statement of Work class An OPBC Completion of a DAS SPO approved Negotiation training Maintains certifications
<p><u>Level 4</u></p> <p>Advanced Professional IV</p>	<ul style="list-style-type: none"> Specialized Independently develops, negotiates and administers contracts <u>with highly complex elements</u> <u>Advanced risk</u>: visibility, <u>politically sensitive</u>, or multiple factors <u>More planning and coordinating</u> In-depth analysis, 	<ul style="list-style-type: none"> Solicitations, contracts and <u>price agreements</u>, including negotiated and templated QRF contracts Contract administration Specialized work 	<ul style="list-style-type: none"> PCS 3 4 years of Oregon public procurement experience; or 3 years of Oregon public procurement experience and 1 year of other public sector experience An OCAC Completion of a DAS SPO Statement of Work class An OPBC Completion of a DAS SPO approved

	<ul style="list-style-type: none"> problem spotting, unknowns, changes, and conflicts • <u>Over \$1,000,000 and not over \$5,000,000</u> 		<ul style="list-style-type: none"> Negotiation training • An Oregon Procurement Advanced Certificate (OPAC) or a national certification • Maintains certifications
<p><u>Level 5</u></p> <p>Advanced Professional V</p>	<ul style="list-style-type: none"> • <u>Unlimited complexity</u> • Independently develops, negotiates and administers contracts <u>with highly complex elements</u> • <u>High risk</u>: visibility, politically sensitive, or multiple factors • In-depth analysis, problem spotting, unknowns, changes, and conflicts • In-depth planning and coordinating • <u>Over \$5,000,000</u> 	<ul style="list-style-type: none"> • <u>Unlimited</u> types of solicitations, contracts and price agreements • Contract administration 	<ul style="list-style-type: none"> • PCS 3 • 5 years of Oregon public procurement experience; or 3 years Oregon public procurement experience and 2 years of other public sector experience • An OCAC • Completion of a DAS SPO Statement of Work class • An OPBC • Completion of a DAS SPO approved Negotiation training • An OPAC • A national certification • Maintains certifications

Note: See the DAS SPO training policy for certification maintenance requirements.

2. Maintenance of Sub-Delegation Authority. Maintaining current practices and procedures is critical for successful procurements. Any PCS 2 or 3 with sub-delegated authority must meet the requirements outlined in the Table, including the annual procurement skills maintenance, and perform the activities successfully and in accordance with ORS 279ABC (Public Contracting Code), related Rules, DAS policies and the Conditions of the Delegation Agreement no. [].

3. Procedures.

a. Sub-delegation of Procurement Authority. Sub-delegations must be made in writing, using the attached Certificate of Sub-Delegation Form. The document must state any limitations on the scope of authority (other than limitations contained in applicable law, rule or policy). DPOs may not sub-delegate to a PCS 2 or 3 who has not met all of the requirements specified in the Table.

b. Expiration Dates. All sub-delegations must contain an expiration date that does not exceed the expiration date of the Delegation Agreement no. [].

c. **Files.** DPOs must maintain files that contain the following:

- i. Copies of all Sub-Delegations; and
- ii. Documentation of experience and current training used to obtain and maintain the sub-delegates' procurement authority.

d. **DPO Review and Discretion.** The DPO is responsible for reviewing the sub-delegations on at least an annual basis to ensure that a continuing need exists for the sub-delegation and that all sub-delegates maintain eligibility and meet the requirements outlined in the Table. DPOs maintain the flexibility, judgment and discretion to determine which PCS 2 or 3s are granted sub-delegation and to limit the scope and time of the sub-delegation.

4. **Termination of Individual Sub-Delegations:**

a. The DPO may terminate any individual sub-delegation if:

- i. The sub-delegatee fails to meet the requirements outlined in the Table;
- ii. The state procurement statutes or rules change;
- iii. The employee is reassigned or is no longer employed by Agency;
- iv. The employee shows unsatisfactory performance; or
- v. The employee has violated ethics or standards of conduct of OAR 125-246 or ORS 244.

b. The DAS SPO's Chief Procurement Officer may terminate individual sub-delegations at his or her discretion.

c. All terminations under this section 4 must be in writing.