

Date: April 28, 2016

From : Associate Deputy Assistant Secretary for Procurement Policy, Systems and Oversight and Deputy Senior Procurement Executive

Subj: VA PROCUREMENT POLICY MEMORANDUM (2016-02) – VA-Wide Procedures Regarding the Use of Ordering Officers (VAIQ 7696245)

To: See Distribution

1. **Purpose:** This Procurement Policy Memorandum (PPM) establishes Department of Veterans Affairs (VA) procedures regarding the use of ordering officers (OOs).
2. **Background:** This PPM identifies and establishes Department-wide procedures to ensure consistency regarding the use of OOs while still providing Heads of the Contracting Activity (HCAs) the flexibility to establish procedures specific to their contracting activities. This PPM clarifies, reinforces and standardizes VA's procedures regarding the use of OOs.
3. **Effective Date:** May 15, 2016.
4. **Expiration Date:** This PPM expires once incorporated into the revised Veterans Affairs Acquisition Regulation (VAAR) or the new Veterans Affairs Acquisition Manual (VAAM) or if rescinded.
5. **Applicability:** This PPM applies to contracts and agreements with terms and conditions permitting the use of OOs.
6. **Exceptions:** None.
7. **Action Required:** VA acquisition workforce, including HCAs, Contracting Officers (COs), OOs and other VA acquisition professionals involved in procurements requiring the use of OOs shall comply with this PPM.

a. **Training:**

(1) OOs shall complete the following two VA Learning University (VALU) online courses available through the Talent Management System (TMS) at <https://www.tms.va.gov/learning/user/login.jsp>, before the contracting officer

issues the appointment letter. OOs shall complete the courses identified below annually.

- (a) Unauthorized Commitments VA 1701572;
- (b) Annual Government Ethics Training VA 3812493.

(2) The CO shall conduct a briefing to appointed OOs regarding specifics of the contract/agreement at the time of the appointment.

b. Nomination:

(1) OOs may be nominated for Indefinite Delivery Vehicles (IDVs) where the HCA has determined the use of OOs to be in the best interest of the government.

(2) An OO nomination shall be initiated by the employee's supervisor for each contract or agreement the OO will be authorized to use. In addition, an OO nomination may be made by the manager one level above the supervisor of the employee to be nominated.

c. Appointment Letter: Prior to the OO issuing any orders, the CO responsible for the VA contract or agreement shall sign the appointment letter. For contracts or agreements issued by another agency, the guidance prescribed in that agency's contract and appointment letter may not include contracts or agreements assigned to multiple COs. This would include Designated Agency Representatives (DARs) for contracts such as the Networx program. The appointment letter shall:

- (1) State that the OO's authority shall not be delegated further;
- (2) Detail the limitations of delegated authority, such as the contract/agreement number, special instructions, contract-specific ordering procedures, type of transaction, dollar value, and other order limitations; and
- (3) Require the appointed OO to acknowledge receipt of his/her appointment. OOs may acknowledge the appointment electronically.

d. Dollar Thresholds: HCAs may authorize the use of OOs to order supplies and services in accordance with the ordering limits identified in the contract or agreement or the specific ordering guide.

e. Clauses/Language: If the CO determines prior to award that OOs will be authorized to place orders against a contract or agreement, the CO will furnish the contractor with the names of individuals delegated OO authority by separate letter upon issuance of the contract. When CO's appoint OOs after award, the

CO will furnish the contractor with an updated list of individual OOs authorized to place orders against the contract or agreement. OOs may not negotiate contract terms and conditions, determine price reasonableness, or determine best value. OOs are responsible for issuing and administering orders placed under the contract or agreement identified in the appointment letter. OOs do not have authority to modify any of the terms and conditions in the contract or agreement. The CO must approve any changes in or deviations from the terms and conditions of the contract or agreement in writing prior to placing orders invoking those terms and conditions. The CO shall ensure the contractor is notified to accept orders against the contract or agreement only from the CO or authorized OOs and fulfilling orders from persons other than the CO or OO may result in an unauthorized commitment.

f. **Federal Procurement Data System (FPDS) Reporting:** The OO shall provide a report monthly to the CO, or more frequently as required by the CO. The report shall include orders placed, number of actions, obligated/deobligated amount, award/order date, source of data, and program office description. The CO must submit a Contract Action Report (CAR) with the information obtained from the OO reports. The CAR must be submitted not later than the 10th day of the following month in Electronic Contract Management System (eCMS) for reporting to FPDS using Express Reporting capabilities for consolidated multiple action reports. The CO responsible for the contract or agreement must compare the report of orders placed by the OO to the FPDS entries to ensure accurate reporting into FPDS.

g. Ordering Officer Records:

(1) The OO shall retain all documentation pertaining to OO training, appointment, and ordering activity. The OO shall maintain records consisting of:

- (a) OO Appointment Letter;
- (b) Training records; and
- (c) Executed orders with supporting documentation such as funding documents, invoices, and other documents as appropriate.

(2) Upon request by the CO, termination of appointment, and/or departure from the organization, the OO shall ensure all records are contained in an electronic file.

h. CO Review:

(1) For all contracts or agreements with OOs, the CO responsible for administering the contract/agreement or his/her designee must conduct quarterly reviews that include the following:

- (a) Review OO files for accuracy; and
- (b) Ensure adherence to all procedures.

(2) HCAs/COs may provide additional guidance/requirements regarding file reviews as needed.

8. Questions or Concerns: Direct questions regarding this PPM to the Procurement Policy and Warrant Management Service via email at vacovaproc@va.gov or (202) 632-5288.

/s/

Sheila P. Darrell

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