



DEPARTMENT OF THE NAVY
SPACE AND NAVAL WARFARE SYSTEMS COMMAND
4301 PACIFIC HIGHWAY
SAN DIEGO, CA 92110-3127

4200
Ser 2.0/498
1 May 15

From: Commander, Space and Naval Warfare Systems Command
To: Director of Contracts, Code 2.0
Deputy Director of Contracts, Code 2.0A

Subj: DELEGATION OF AUTHORITY FOR PROCUREMENT MATTERS

Ref: (a) SPAWAR Memo 4200 Ser 2.0/309 of 4 Oct 2010
(b) SPAWARINST 5402.1V

Encl: (1) Head of Contracting Activity (HCA) Delegations

1. Reference (a) is hereby superseded. You are hereby authorized to act for the Commander, Space and Naval Warfare Systems Command, in matters relating to contracting, which are not required by regulation or directive of higher authority to be acted upon personally by the Commander, as Head of the Contracting Activity. Specific authority is hereby delegated to each of you for the reviews, signatures, approvals, determinations and certifications delineated in enclosure (1) and all related Federal and Navy acquisition regulations and memoranda.

2. In addition, specific authority is granted to the Director for Contracts, or in her absence to the Deputy Director for Contracts, to disseminate contracting policy and implement procedural guidance for issues under their purview to SPAWAR field activity contracting personnel.


DAVID H. LEWIS

HEAD OF CONTRACTING ACTIVITY (HCA) DELEGATION

SUBJECT	REGULATION/CITATION	DESCRIPTION	DELEGATION	OTHER APPROVALS
Acquisition Estimates	FAR 5.404-1(a)	Approval to release long-range acquisition estimates.	2.0/2.0A	
Acquisition Plan	NMCARS 5207.103	Determine and ensure that the acquisition planning meets the Government requirements in the most effective, economical and timely manner.	2.0/2.0A	>\$100M DASN(AP)
Advertisements	DFARS 205.502	Authority to approve paid advertisements.	2.0/2.0A	
Appointment/Select/Terminate of Contracting Officers	NMCARS 5201.603-1	Select, appoint and terminate contracting officers.	2.0/2.0A	
Award Fee Contract/Incentive Contracts	FAR 16.4 NMCAR 5216.4	Determine if incentive and award-fee contracts are justified and in the best interest of the Government.	2.0/2.0A	
Buy American Act	FAR 25.103(b)(2) DFARS DFAR 225.103(b)(ii)	Approve a determination that the Buy American Act is not applicable because an article, material, or supply is not mined, produced, or manufactured in the US in sufficient and reasonable commercial quantities of a satisfactory quality. Approve determination that no domestic source is available.	2.0/2.0A	
Claims Settlements	NMCARS 5233.9001	Review and approval of proposed claim settlements and final decisions of the contracting officer.	2.0/2.0A	>\$25M DASN(AP)
Clauses	FAR 12.302 (c) NMCARS 5201.304 (4) (B)	Approve changes to standard clause that do not constitute deviations to FAR/DFAR/NMCARS. Tailoring clauses inconsistent with customary commercial practice.	2.0/2.0A	
Economy Act within Navy/DoD Agencies (For MIPRS/IPRS Only)	NMCARS 5217.502-2	Authorize to place an order with a major organizational unit within the same agency or another DoD agency for goods or services.	2.0/2.0A	
Determinations and Findings	VARIOUS VARIOUS	Various documents included in the SPAWAR Contract Policy Procedure Manual	2.0/2.0A	
Certain Foreign Purchases	DFARS 225.70	Approve determination of waivers to 10 USC 2534 of certain foreign purchases.	2.0/2.0A	
Improper Business Practices and Conflicts of Interest	FAR Part 3 NMCARS 5203	Determine if Government business will be conducted in a manner above reproach and, except as authorized by statute or regulation, with complete impartiality and with preferential treatment for none.	2.0/2/2.0A	
Individual Deviations from Contract Clauses	NMCARS 5201.403(2)	Authority to grant individual deviations from contract clause, provided that no change in intent, principle, or substance is made. In the case of a purchase or contract by an offshore contracting activity with a foreign made outside the United States.	2.0/2.0A	
Interagency Acquisitions	NMCARS 5217-5	Approve business decision to use assisted services of any non-DoD Agency.	2.0/2.0A	
Justification and Approval	FAR 6.304	Justify and obtain appropriate level approvals to contract without providing for full and open competition as required by the Federal Acquisition Regulation (FAR).	2.0	
Major Weapon System	NMCARS 5234.7002	Submission of the written determination to acquire a Major Weapon System as a Commercial Item.	2.0/2.0A	
Multi-year Contracts	FAR DFARS 17.105 217.1	Authority to Award Multi-year Contracts	2.0/2.0A	
Non-performance of Base Acquisition of Services	DFARS 237.170.2 NMCARS 5237.170-2	Approval of non-performance based acquisition of services.	2.0/2.0A	>\$85.5M DASN(AP)
Personal Services Contract	DFARS 237.104	Approval to enter into a personal services contract.	2.0/2.0A	
Price or Determining Cost Realism	FAR 15.403-3	Determine that an award to an offeror is in the best interest of the Government when unable to obtain adequate information listed at FAR 15.403-3(a)(1) for evaluating the reasonableness.	2.0/2.0A	
Pricing In Multi-Year Contracts	FAR 17.106-3	Approve variable unit pricing in multi-year contracts.	2.0/2.0A	
Protest, Disputes, and Appeals	FAR Part 33	Review the objection filed by an "interested party," defined as someone whose interests are being or about to be harmed by a procurement procedure or award of an agency of the federal government.	2.0/2.0A	

SUBJECT	REGULATION/CITATION	DESCRIPTION	DELEGATION	OTHER APPROVALS
Unauthorized Commitments	FAR 1.602-3	Ratification of unauthorized commitment	2.0/2.0A	<\$100K to 2.0/2.0A
Single Award Task or Delivery Order Contracts	NMCARS 5216.504-90	Approval of single award task or delivery order contracts.	2.0/2.0A	
SPAWAR Component Clauses	NMCARS 5201-304	Approve SPAWAR Component Clauses in accordance with the Navy Control Plan For Component Clause Use.	2.0/2.0A	
Special Emergency Procurement Authority	FAR 12.102(f)(1) 13.201(g)	Determination that supplies/services are in support of contingency operation.	2.0/2.0A	
Tailor FAR Clause 52.212-4	FAR 12.302 DFARS 212.302	Tailor FAR clause 52.212. inconsistent with customary commercial practice, if wavier is approved and no new terms or conditions are added IAW Navy Control Plan.	2.0/2.0A	
Time and Materials Contracts	FAR 16.601.(d)(ii)	Approve the use of a time and materials contract type.	2.0/2.0A	
Unfixed Contracts	DFARS 217.7404-1	Approve unfixed contract actions.	2.0/2.0A	
Unsolicited Proposals	DFARS 206.302-1 (a)(2)(i)(1)	Approval to Enter into a contract of an unsolicited proposal without providing for full and open competition.	2.0/2.0A	

Please Note: Disputes and Appeals (Face of a Claim) DFARS 233.215(3) HCA determines to continue performance if necessary in the face of a claim. HCA
Only items specifically stated in regulations or other official memoranda as not HCA re-delegable are not included in this the subject delegation authority.



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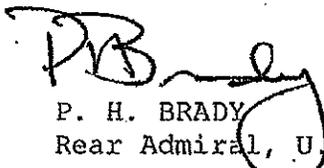
MEMORANDUM FOR THE DIRECTOR AND DEPUTY DIRECTOR FOR CONTRACTS

Subj: DELEGATION OF AUTHORITY FOR PROCUREMENT MATTERS

Ref: (a) SPAWAR Memo 4200 Ser 02-41/06 of 13 March 2006

Encl: (1) Head of Contracting Authority (HCA) Delegations

1. You are hereby authorized to act for the Commander, Space and Naval Warfare Systems Command, in matters relating to contracting, which are not required by regulation or directive of higher authority to be acted upon personally by the Commander, as Head of the Contracting Activity.
2. Specific authority is hereby delegated to each of you for the reviews, signatures, approvals, determinations and certifications delineated in enclosure (1).
3. In addition, specific authority is granted to the Director for Contracts, or in his absence to the Deputy Director for Contracts, to disseminate contracting policy and implement procedural guidance for issues under their purview to SPAWAR field activity contracting personnel.
4. This memorandum supersedes reference (a) in its entirety.


P. H. BRADY
Rear Admiral, U.S. Navy

Copy to:
Central files

Head of Contracting Authority (HCA) Delegations:

Citation	Responsibility	Delegation
FAR 12.102 (f) (1), FAR 13.201 (g)	Special Emergency Procurement Authority. Determination that supplies/services are in support of a contingency operation	2.0/2.0A/SSC CCO
DFARS 225.7703-2	Determination for the Authority to Acquire Products and Services Produced in Countries along a Major Route of Supply to Afghanistan.	2.0/2.0A
NMCARS 5201.603-1	Select, appoint, and terminate contracting officers	2.0/2.0A
NMCARS 5207.103(h)	Approval of SPAWAR Acquisition Plans	2.0/2.0A
DFARS 217.7404-1	Authorize Undefined Contract Actions	2.0/2.0A
NMCARS 5237.170-2 (b)(1)	Acquisition of services through Non-DoD agency	2.0/2.0A
FAR 1.602-3 (B)	Ratification of Unauthorized Commitments	2.0/2.0A/SSC CCOs
FAR 16.401(d) NMCARS 5216.401 (d)(1)	Determine that the use of an award-fee contract is in the best interest of the Government	2.0/2.0A
DFARS 237.170-2 NMCARS 5237.170-2	Approval of non-performance based acquisition of services	2.0/2.0A
DFARS 237.104 (b) (iii)(2)	Approval to enter into a personal services contract	2.0/2.0A
FAR 15.403-3 (a)(4)	Determine that an award to an offeror is in the best interest of the Government when unable to obtain adequate information listed at FAR 15.403-3(a)(1) for evaluating the reasonableness of the price or determining cost realism.	2.0/2.0A
NMCARS 5216.504-90	Approval of single award task or delivery order contracts	2.0/2.0A
FAR 16.601(d)(ii)	Approve the use of a time-and-materials contract type	2.0/2.0A
DFARS 206.302-1 (a)(2)(i)(1)	Entering into a contract of an unsolicited proposal without providing for full and open competition	2.0/2.0A
DFARS 225.103 (a)(i)(B)(2)	Authority to grant public interest exemption to the Buy American Act	2.0/2.0A
DFARS 225.103 (b) (i) (ii) (c)	Approve determination that no domestic source is available	2.0/2.0A
DFARS 225.7008 (a) (2)	Approve determinations of waivers to 10 USC 2534 of certain foreign purchases	2.0/2.0A
DFARS 207.503 (S-70) (1)	Contract performance of inherently governmental functions	2.0/2.0A
DFARS 233.215 (3)	Determine that continued performance is necessary in the face of a claim	2.0/2.0A
DFARS 217.171	Determine to enter into multiyear contracts	2.0/2.0A
FAR 17.106-3 (g)	Approve variable unit pricing in multi-year contracts	2.0/2.0A
DFARS 205.502 (a)	Authority to approve paid advertisements	2.0/2.0A
FAR 5.404-1 (a)	Release of long-range acquisition estimates	2.0/2.0A
Navy Control Plan For Component Clause Use	Tailor FAR clause 52.212-4 inconsistent with customary commercial practice, if waiver is approved and no new terms or conditions are added	2.0/2.0A
NMCARS 5201.304 (4) (ii) B)	Approve changes to standard clauses that do not constitute deviations to FAR/DFARS/NMCARS and do not require USD(AT&L) approval	2.0/2.0A
NMCARS 5201.403(2)	Authority to grant individual deviations from contract clauses, provided that no change in intent, principle, or substance is made. In the case of a purchase or contract by an offshore contracting activity with a foreign contractor made outside the United States.	2.0/2.0A
NMCARS 5201.304	Approve SPAWAR Component Clauses in accordance with the Navy Control Plan For Component Clause Use.	2.0/2.0A
NMCARS 5234.7002	Submission of the written determination to acquire a Major Weapon System as a Commercial Item	2.0/2.0A
NMCARS 5233.9001	Review and approval of proposed claim settlements and final decisions of the contracting officer.	2.0/2.0A