



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

4200
Ser 00/256
23 Aug 05

MEMORANDUM

From: Commander, Space and Naval Warfare Systems Command

Subj: DELEGATION OF HCA APPROVAL AUTHORITY

Ref: (a) DFARS 217.78 Contracts or Delivery Orders Issued by
non-DoD Agency
(b) NMCARS 5237.170 Approval of Contracts and Task Orders
for Services
(c) OSD AT&L Memorandum of 29 Oct 04
(d) COMSPAWAR Memorandum of 17 Dec 04

Encl: (1) 02 Review of OPRs for NoN-DoD Contract Actions

1. Reference (a) requires contracting activities to develop review and approval procedures for supplies and services acquired through the use of non-DoD contracts and task orders. Reference (b) requires approvals for services that are not performance-based. Reference (c) requires activities to establish review and approval procedures for non-DoD contract actions. Reference (d) delegated HCA approval authority for the procurement of services/supplies acquired through a non-DoD contract or task order and/or services that are not performance based from \$100,000 to \$15,000,000 to applicable SPAWAR Headquarter Codes, SPAWAR PEOs/DRPM and to SPAWAR System Centers. These delegations expire as of the date of this memorandum.

2. For FY 2006 requirements, the Director for Contracts (Code 02) is delegated the authority, up to \$15,000,000, for the approval of HQ/PEOs/DRPM services/supplies acquired through a non-DoD contract or task order and/or HQ/PEOs/DRPM services which are not performance based. This also includes requirements that are sent outside of HQ/PEOs/DRPM through Interdepartmental Procurement Request (IPR) process. For System Center actions, authority, up to \$15,000,000 is delegated to the Executive Directors at the SPAWAR Systems Centers San Diego and Charleston and the Commanding Officers at System Centers Norfolk and New Orleans. This also includes requirements that are sent outside of the Systems Centers through the Interdepartmental Procurement Request (IPR) process. Code 02 and the System Center designees have the discretion to re-delegate approval for

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actions between \$100,000 and \$5 million. Any re-delegated approval authority must remain with the cognizant SPAWAR contracting office. The approval documentation will be maintained by the cognizant SPAWAR contracting office.

3. This HCA delegation authority remains in effect until rescinded by the SPAWAR HCA.

4. SPAWAR Comptrollers (HQ and Echelon 3s) shall reject any IPRs over the \$100K threshold that would result in a supply or service acquisition to a non-DoD activity until the action has been approved as described above. For HQ/PEOs/DRPM, IPRS will first be forwarded to SPAWAR 02 for review using Enclosure (1). Before sending funds or requirements to a non-DoD agency for acquisition, the Program Office must determine in writing, that the use of the non-DoD vehicle is in the best interests of DoD. The determination must address the following:

- a. Determine if the requirements are within scope of the intended vehicle;
- b. Schedule (is there time to compete this requirement);
- c. Availability/non-availability of suitable contract vehicles within DoD;
- d. Cost effectiveness (consider discounts and any fees paid to outside agencies);
- e. Ensure that the supplies or services are consistent with the appropriated funds and any funding limitations must be considered;
- f. Collection of data on the use of non-DoD vehicles for analysis.

SPAWAR 02 POC is Ken Kennedy (619) 524-7393. Once the requirement has been reviewed, it will be sent back to the program office along with the signed review for further processing through 01.

5. Annually, all approval designees shall report the number of approvals and dollar value to SPAWAR 02. The annual report will cover the period for the applicable fiscal year. The report is due on 15 October of the subsequent fiscal year.


K. D. SLIGHT

Distribution:
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02/PEO REVIEW OF IPRs FOR NON-DOD CONTRACT ACTIONS TEMPLATE

REQUESTOR: _____ CODE: _____

PHONE: _____ DATE: _____

CONTRACT TASK ORDER DESCRIPTION:

CTO ESTIMATED TOTAL VALUE: \$ _____ FY AND APPN OF FUNDS _____

IS THE TOTAL <\$100,000? *If so, you do not need to complete the rest of the form. Just forward to 02 for review.*

WILL THIS BE INCREMENTALLY FUNDED (YES/NO) _____

IF YES, PROVIDE ESTIMATED FUNDING AMOUNTS AND ESTIMATED FUNDING PROFILE FOR FY 06:

AMOUNT: \$ _____ TIMEFRAME: _____

IS THE CONTRACT FOR SERVICES (YES/NO) _____

IF YES, ARE SERVICES PBSA (reference COMSPAWAR Memo 17 Dec 04)? (YES/NO) _____

IF NO, ATTACH PBSA WAIVER (COMSPAWAR Memo 17 Sept 2004, FORMAT CAN BE FOUND IN THE LINK: [https://e-commerce.spawar.navy.mil/Command/02/ACQ/navgenint.nsf/policydocs/3257347CCE49093F88256A2400772BC0/\\$file/Acquisition+of+Services.doc](https://e-commerce.spawar.navy.mil/Command/02/ACQ/navgenint.nsf/policydocs/3257347CCE49093F88256A2400772BC0/$file/Acquisition+of+Services.doc))

IF SERVICES ACQUISITION, ATTACH ACQUISITION STRATEGY (format found in SPAWAR Contracts Policy and Procedures Manual Link: [https://e-commerce.spawar.navy.mil/Command/02/ACQ/navgenint.nsf/policydocs/3257347CCE49093F88256A2400772BC0/\\$file/Acquisition+of+Services.doc](https://e-commerce.spawar.navy.mil/Command/02/ACQ/navgenint.nsf/policydocs/3257347CCE49093F88256A2400772BC0/$file/Acquisition+of+Services.doc))

Enclosure (2)

02/PEO REVIEW OF IPRs FOR NON-DOD CONTRACT ACTIONS TEMPLATE

FOR NON-DOD CONTRACT ACTIONS (see COMSPAWAR Memo 17 Dec 2004)

- BEFORE SENDING FUNDS OR REQUIREMENTS TO A NON-DOD AGENCY FOR ACQUISITION PURPOSES, THE PROGRAM OFFICE MUST DETERMINE IN WRITING THAT THE USE OF THE NON-DOD VEHICLE IS IN THE BEST INTERESTS OF THE GOVERNMENT. THE DETERMINATION SHALL INCLUDE AT A MINIMUM:

- Are requirements within scope of intended vehicle
- Schedule (is there time to compete this requirement)
- Availability/Non-Availability of suitable contracts within DOD to meet requirements (work with your cognizant Contracting Officer to determine this)
- Cost effectiveness (including any fees paid to outside agencies, i.e. state the fee charged by outside agency to execute your requirement)
- Ensure that the supplies or services are consistent with the appropriated funding being used
- Funds must be consistent with appropriation limitations

(ATTACH THIS DETERMINATION)

02/PEO REVIEW OF IPRs FOR NON-DOD CONTRACT ACTIONS TEMPLATE

PEO C4I and Space REVIEW AND APPROVAL OF NON-DOD FUNDING ACTIONS

This funding request has been reviewed by PEO C4I and Space and is FORWARDED for processing.

This funding request has been reviewed by PEO C4I and Space and IS RETURNED TO ORIGINATING PMW.

PEO C4I and Space

DATE _____

02 REVIEW AND APPROVAL OF NON-DOD FUNDING ACTIONS

This funding request has been reviewed by SPAWAR 02 and is APPROVED for processing.

This funding request has been reviewed by SPAWAR 02 and NOT APPROVED.

Approval not required, estimated value is less than \$100,000

SPAWAR 02

DATE _____