



1. PURPOSE

The purpose of this document is to provide policy and guidance for delegating unique SPAWAR Contracting Authority to other Navy Head of Contracting Activities (HCAs) and requesting unique contracting authority from other Navy Head of Contracting Activities (HCAs).

2. POLICY

SPAWAR's unique contracting authority is, as specified in [NMCARS 5201.601-90\(c\)\(10\)](#), *"Space and Naval Warfare Systems Command (SPAWARSYSCOM) is responsible for awarding and administering contracts in the information dominance domain, including assigned programs in the areas of research and development, systems engineering and development, and other relevant professional services associated with production, installation and sustainment for Command, Control, Communications, Computers, Intelligence Surveillance, and Reconnaissance Systems (C4ISR); Joint Tactical Radios Systems (JTRS), Space Systems; Enterprise Information Systems (EIS); and Navy Chief Information Officer (CIO) supported information technology initiatives."*

HCAs are responsible for establishing adequate and effective internal controls to carefully manage and closely oversee the execution of delegated contracting authority for assigned contracting mission functions. This includes proactively working with requirements and program personnel during acquisition planning to facilitate the timely submission of requirements to the appropriate contracting activity for contract action in a manner which promotes and permits maximum competition. In conjunction with executing assigned contracting missions, there are certain types of procurements for which authority resides solely with the HCA, unless authority is delegated in writing to another HCA and accepted by the receiving HCA to execute those procurements. Delegation of DoN contracting authority applies only within DoD. If the contracting activity is outside DoD, contracting officers shall follow interagency acquisitions procedures in [FAR Subpart 17.5](#), [DFARS Subpart 217.5](#), and [NMCARS 5217.5](#). Contracting authority delegations shall not be used to circumvent interagency acquisition requirements. Each HCA is solely responsible for executing its delegated contracting authority for assigned acquisition programs and cognizant areas of responsibilities subject to any established limitation. An HCA has authority to procure supplies and services to support all organic requirements, such as those set forth in [SECNAVINST 5400.15C](#), unless such procurements fall within the scope of unique contracting responsibilities assigned to another HCA.

3. RESPONSIBILITIES

3.1 SPAWAR Contracts Policy 2.3.1

Coordinates and manages the process of delegating SPAWAR unique contracting authority and prepares the request for SPAWAR to use other HCAs unique contracting authority. SPAWAR Contracts Policy 2.3.1, manages and oversees contracting authority delegations to ensure the delegated contracting authority is being executed and administered in accordance with the delegation of authority and contracting regulations, rules, and procedures. SPAWAR Policy shall draft the letter delegating SPAWAR authority for SPAWAR 2.0 review and HCA signature. The letter must specify any limitations on delegated SPAWAR authority.

3.2 SPAWAR Director of Contracts SPAWAR 2.0

Reviews requests from other HCAs to use SPAWAR's unique authority; and reviews requests to use other HCAs unique contracting authority.



3.3 SPAWAR HCA

Approves requests from other HCAs to use SPAWAR's unique contracting authority; and approves SPAWAR requests to use other HCAs unique contracting authority.

4. PROCEDURE

4.1 Requests to be delegated SPAWAR unique contracting authority must be in writing HCA to HCA. **This authority may not be re-delegated.** Any delegation must also consider the anticipated workload and available resources to ensure effective execution and management of the delegated authority. Upon HCA signature, SPAWAR Contracts Policy 2.3.1, shall submit a copy of all letters delegating SPAWAR contracting authority to DASN(AP) by email at RDAPolicy@navy.mil with the subject "NMCARS 5201.601-90 – Copy of Contracting Authority Delegation.

4.2 The request to delegate contracting authority shall document the rationale supporting the delegation and address why the delegation is necessary for the efficient and proper administration of the receiving HCA's contracting operations. It must also address the anticipated workload and available resources within the organization, the internal controls at the organization to ensure efficient execution and management of delegated authority, and the oversight and management that will be performed by the delegating office to ensure compliance with all statutes, regulation and policies. The request must also identify the qualifications of the person exercising contracting authority, to include:

- a. Grade/Rank
- b. Education
- c. Specialized Experience
- d. Relevant Training Certifications

4.3 The DoN Navy HCA receiving the delegated authority shall affirmatively acknowledge and accept the conditions of the delegation in writing prior to exercising the delegated authority.

4.4 HCA delegated authority may not be re-delegated to contracting offices not under the cognizance of the receiving HCA unless specifically defined in the delegation of contracting authority request.

4.5 DoN Navy HCAs receiving DoN Navy delegated contracting authority shall obtain both delegating HCA and DASN(AP) approval prior to using the delegated contracting authority to execute a procurement through a non-DoN cognizant contracting activity (e.g., NAVFAC delegates authority to contract for construction to NAVSUP, and NAVSUP uses the Army Corps of Engineers to procure the construction). The procurement, proposed contracting activity, and limitations should be included in the initial request for delegation authority. In all cases, the specific written delegation by the HCA holding the unique contracting authority shall occur prior to the receiving HCA requesting that another DoD activity conduct a procurement on its behalf.

4.6 SPAWAR Contracts Policy 2.3.1 shall draft the letter of delegation which must specify any limitations on their (SPAWAR) contracting authority.

4.7 SPAWAR Contracts Policy will track delegations issued by SPAWAR and any delegations SPAWAR is requesting from other Navy HCAs.

4.8 SPAWAR Contracts Policy 2.3.1 shall ensure DASN (AP) notification and approval of delegation, as required. Delegation of DoN contracting authority within DoN does not require prior DASN(AP) approval except as noted in NMCARS 5201.601-90(b)(4). Obtain DASN(AP) approval when the request for delegation of



contracting authority is intended ultimately to lead to a procurement by a non-DoN activity. SPAWAR Contracts Policy 2.3.1 shall notify DASN(AP), no less than 30 days prior to an anticipated delegation or as early as practicable, by email at RDAPolicy@navy.mil with the subject "NMCARS 5201.601-90 – Contracting Authority Delegation Approval" to allow time for approval before granting a delegation of contracting authority leading to a procurement contracted by a non-DoN activity. SPAWAR Contracts Policy shall use the template in [Annex 11, Delegation of Contracting Authority](#), to notify DASN as applicable.

5. APPROVALS

5.1 SPAWAR HCA shall approve all delegations of SPAWAR unique contracting authority.

6. TOOLBOX

6.1. [NMCARS Annex 11 - Delegation of Contracting Authority](#)

7. CHANGE HISTORY

Updated material is highlighted by *purple text* and an Alert/New  icon.

Date	Description of Changes
June 2016	New SCPPM covering the delegation of unique contracting authority.