

# AGENCY DELEGATED AUTHORITY REFERENCE GUIDE

The Chief Purchasing Officer (Director of Administration) may delegate authority for administering the provisions of State Purchases Act (R.I. Gen. Laws § 37-2 *et seq.*) either by regulation or other mechanisms. Delegation of specific authority to carry out competitive processes and establish contracts can be accomplished through submission of a Delegated Procurement Authority Request to the Chief Purchasing Officer signed by a State agency Director.

This reference guide provides general information relative to the proper exercise of delegated procurement authority by State agencies. Questions regarding delegated procurement authority problems or issues not addressed by this guide should contact the Division of Purchases.

## GENERAL INFORMATION

- Requests for delegated procurement authority and supporting documentation must be submitted via email to the Division of Purchases as directed on the Delegated Procurement Authority Request Form [see [Ex. 1](#)].
- Delegated procurement authority can only be granted to agency Directors and/or their designees by the Director of Administration/Chief Purchasing Officer.
- Agency use of delegated procurement authority is subject to periodic review by the Division of Purchases and/or Chief Purchasing Officer.
- Delegated procurement authority is limited and specific in scope and duration.
- Agency staff who exercise delegated procurement authority must adhere to the following:
  - Procurement Regulation 220-RICR-30-00-3: “Code of Ethics and Professional Behavior” located at <https://rules.sos.ri.gov/regulations/part/220-30-00-3>.
  - Executive Order 21-19: “Ethics and Integrity in Government” located at <https://governor.ri.gov/executive-orders/executive-order-21-19>.
- Agencies must work with DOA Risk Management to ensure that appropriate insurance information is included in all related agreements pursuant to Addendum A of the General Conditions of Purchase and that awarded entities remit conforming and compliant proof of insurance where applicable.
- For projects/efforts by agencies that are or may be deemed eligible for direct processing and facilitation through the Grants Management System (GMS) in accordance with 220-RICR-20-00-2, delegated procurement authority is not applicable; agencies should work with the State of Rhode Island Grants Management Office to make this determination as a first step. See <https://controller.admin.ri.gov/grants-management> for more information.

## ITEMS TO INCLUDE/ADDRESS IN A REQUEST FOR DELEGATED AUTHORITY

- Completed and signed Delegated Procurement Authority Request Form [see [Ex. 1](#)] that addresses the following:
  - Concise explanation and/or background of agency program under which delegated authority will be utilized to achieve agency/programmatic goals and deliverables.
  - Description of a notification of a fair and open process for equal opportunity to obtain contracts using the requested delegated authority; if agencies plan on posting competitive opportunities in relation to delegated authority procurements, they should contemplate direct use of the External Bid Board that is housed on the Division of Purchases’ website. See <https://purchasing.ri.gov/bidding/externalbidsearch.aspx>.

- If awards are based on formulas instead of competition, the process by which formulas are set and/or applied (i.e., statute, funding source instruction, etc.).
- Criteria for the evaluation/decisions to award contracts (to whom, how much) and who makes those decisions (staff, appointed committees, legally constituted entities).
- Identification of staff who will be authorized to implement the authority on behalf of the agency Director.
- Specific duration or period of time for which delegated authority is being requested.
- Attestation signed by agency Director certifying that the requesting agency will create and maintain records memorializing its use of the delegated authority, if granted [see Ex. 1, 2].
- Backup documentation that provides further background and/or details regarding the proposed program and related information as applicable.

### **ADDITIONAL ITEMS TO INCLUDE/ADDRESS IN A REQUEST FOR RENEWAL OR EXTENSION OF EXISTING DELEGATED AUTHORITY**

- Written memorandum detailing how the agency procured goods/services using the delegated authority granted for the program in prior iteration, including but not limited to [see Ex. 3]:
  - How were awarded vendors were identified and selected (i.e., did the agency facilitate a competitive bid process or utilize a formula-based approach to award contracts)?
  - What actions were taken to ensure that the process was fair and transparent to facilitate an equal opportunity to qualified vendors to participate?
  - How and using what criteria were vendor capabilities and/or proposals evaluated?
  - How were award amounts determined?
- List of awards issued using the delegated authority granted for the program in its prior iteration, including but not limited to [see Ex. 2]:
  - Vendor Name(s);
  - Dollar Value;
  - Term;
  - Contract/Procurement Description(s).

### **RIFANS PROCEDURE**

When memorializing a Purchase Order issued on the basis of delegated procurement authority, the agency must submit the following documentation to the Division of Purchases through RIFANS:

- Requisition (entered as a “Delegated Authority” requisition type).
- If competitively bid, copy of solicitation and/or written outreach to vendor community describing procurement opportunity.
- Copy of vendor price quotation or fully executed contract (documentation from both awarded vendor and non-awarded vendor bids, if applicable).
- Copy of current delegated procurement authority approval letter from Chief Purchasing Officer\*.
- All awardees must be fully registered in the Ocean State Procures platform in order to receive a Purchase Order/Agreement issued through RIFANS.

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\* If authorized end date of delegated authority period has expired, agency must submit a renewal/extension application package for approval by the Chief Purchasing Officer prior to submitting a requisition in RIFANS for a new Purchase Order/Agreement.

# **EXHIBIT 1**



# Division of Purchases

One Capitol Hill | Providence, RI 02908 | (401) 574-8100  
Jay Hauser , State Purchasing Agent

## Delegated Procurement Authority Request

Agency:

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Name(s)/Title(s) of

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Staff Responsible

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For Delegated

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Authority:

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Term of Delegated  
Authority Request

Start Date:

End Date:

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*Please mark the type of request by checking one of the boxes below.*

- New request
- Update/renew/amend existing request for delegated authority
- Cancel delegated authority

## Justification/Background for Delegated Authority Request

*Please provide a detailed description/justification of your request for delegated authority.*



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Nancy R. McIntyre, State Purchasing Agent

Supporting documents attached.

*\*Note: Please send completed request via email to the State Purchasing Agent or Deputy Purchasing Agent\**

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Agency Director

Date

### Internal Use Only

**Determination:**

Approve

From: \_\_\_\_\_ To: \_\_\_\_\_

Deny

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State Purchasing Agent

Date

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Director of Administration/Chief Purchasing Officer

Date

[INSERT AGENCY LETTERHEAD]

**AGENCY ATTESTATION:  
REQUEST FOR DELEGATED AUTHORITY**

**DELEGATED AUTHORITY PROGRAM/REQUEST NAME**

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**DELEGATED AUTHORITY REQUEST INFORMATION**

Agency Name	
Agency Address	
Authorized Agency User Name(s)	
Proposed Start Date	
Proposed End Date	

**ATTESTATION**

I attest and certify that the [INSERT AGENCY NAME] will create and maintain records memorializing the use of delegated procurement authority granted by the Department of Administration for the [INSERT PROGRAM NAME(S)].

I further provide assurance that these records will list all procurements using delegated authority along with the following information, including but not limited to:

- Contracts/procurements executed pursuant to delegated authority
- Name of the vendor or subrecipient
- Method of procurement
- Dollar value of contracts/procurements
- Period of performance of contracts
- Contract descriptions
- Additional information as required by the Department of Administration

The [INSERT AGENCY NAME] will maintain these records and make them available to the Department of Administration upon request throughout and following the duration of the delegated authority period.

Signed:

Date:

\_\_\_\_\_  
Agency Director

# **EXHIBIT 2**

## DELEGATED AUTHORITY PROGRAM USE TRACKING

<b>Delegated Authority Program Name:</b>					
<b>Delegated Authority Tracking Type (Specify New/Prior):</b>					
<b>Delegated Authority Issue/Approval Date:</b>					
<b>Delegated Authority End Date:</b>					
Contract/Procurement Name	Vendor or Subrecipient Name	Procurement Method/Description	Dollar Value	Period of Performance	Contract/Procurement Description



# **EXHIBIT 3**

[INSERT AGENCY LETTERHEAD]

To: Chief Purchasing Officer  
Director, Rhode Island Department of Administration

From: [INSERT AGENCY DIRECTOR NAME]  
[INSERT AGENCY NAME]

Date:

RE: Delegated Authority Request to [Renew/Extend] [INSERT PROGRAM  
NAME]

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Memorandum detailing prior use of the delegated authority granted for a specific program that is being considered for renewal/extension, including but not limited to:

- Program background/history, including how delegated authority factored into addressing programmatic goals and deliverables, satisfying grant requirements, statutory and/or regulatory impacts, affected populations, etc.
- How were awarded vendors were identified and selected (i.e., did the agency facilitate a competitive bid process or utilize a formula-based approach to award contracts)?
- What actions were taken to ensure that the process was fair and transparent to facilitate an equal opportunity to qualified vendors to participate?
- How and using what criteria were vendor capabilities and/or proposals evaluated?
- How were award amounts determined?
- Were all awards fully expended, or will any previously awarded projects continue into the next delegated authority period?
- Funding sources and/or considerations that were utilized or impacted by delegated authority program.