

DHHS Directive Number II-11

Title: Delegation of Authority to the Director, Office of Procurement and Contract Services
Effective Date: November 3, 2008
Revision History: January 26, 2004; January 1, 2002
Authority: G.S. 143, Article 3 and 3c; 143B-10

Purpose

The purpose of this directive is to delegate the procurement and contracting authority vested in the Office of the Secretary to the Office of Procurement and Contract Services, to be carried out in compliance with the procurement and contract policies of the Department of Administration, the Statewide IT Procurement Office, and the procurement and contract policies of the North Carolina Department of Health and Human Services (NC DHHS), as established in the DHHS Procurement and Contract Manual. The Director of the Office of Procurement and Contract Services shall report to the Deputy Secretary.

Delegation of Authority

As provided in G.S. 143B-10(a), the Secretary of the DHHS delegates the following functions and responsibilities concerning management and administration to the Director of the Office of Procurement and Contract Services, subject to state and departmental policy:

1. The functions of management, related to the Office of Procurement and Contract Services, as defined in G.S. 143B-10, which include planning, organizing, staffing, directing, coordinating, evaluating, reporting and budgeting.
2. Ensure that all department policies and procedures are followed in the development and execution of all contracts and in the creation of purchase orders.
3. Ensure that all contracts, purchases, agreements or other similar arrangements involving the expenditure of state and federal funds are in writing and in compliance with accepted professional principles, rules promulgated by the Department of Administration and the Statewide IT Procurement Office, and follow the policies, provisions, and requirements of the DHHS Procurement and Contract Manual and all applicable federal and state laws and regulations.
4. Serve as the liaison with the NC Department of Administration and the Statewide IT Procurement Office.

5. Interpret and carry out time requirements, bid procedures, etc. necessary to conduct the procurement and contracting function as found in the DHHS Procurement and Contract Manual, the NC Procurement and Contract Manual, the Statewide IT Procurement Office rules and the rules of the NC Administrative Code, Chapter 5, Title I.
6. Issue all purchase orders with the exception of the institutions that have specific delegated authority from the Department of Administration, the Statewide IT Procurement Office or the DHHS Procurement and Contract Office to issue their own purchase orders.
7. Provide training and technical assistance in performance based contracts to all contracts officers and managers within the department. Lead training efforts related to use of the Contracts System, including on-line training and new user orientation.
8. Assume ownership of the DHHS Contracts System, including identification of errors and enhancements and interface with DIRM; user acceptance testing prior to change implementation; and written notification of changes to the user community.
9. Grant access to and ensure that each division enters all contracts and agreements (i.e. Memoranda of Understanding and Memoranda of Agreement) into the DHHS Contracts System. Capital, land sale or land transfer contracts are exempt from this requirement.
10. Serve as Contracts Coordinator for Central Management and Support, reviewing applicable contracts for completeness, identifying questionable information and making corrections as required.
11. Ensure that the office is familiar with and adheres to the department's policy and procedures manual.
12. Consult with and keep the Secretary and/or the Secretary's designee informed on all priority issues in the department.

This delegation of authority shall not deprive the Secretary from performing, in lieu of the Director of the Office of Procurement and Contract Services, any of the acts set forth above. This delegation of authority may be amended or withdrawn by the Secretary at any time and without notice. This delegation of authority shall not apply to any actions which by law, state policy or Governor's Executive Order, may only be executed by the Secretary.

APPROVED

Dempsey Benton, Secretary
Department of Health and Human Services