



# Oregon

Theodore R. Kulongoski, Governor

## Department of Administrative Services

State Services Division  
State Procurement Office  
1225 Ferry Street SE U140  
Salem, Oregon 97301-4285  
Phone (503) 378-4642  
FAX (503) 373-1626

July 12, 2005

To: All State Agencies Subject to DAS Procurement Authority

Re: Delegation of Authority for Transitional Contracts and Contracts Executed Prior to March 1, 2005; Amendments of Personal Service Transitional Contracts and Personal Service Old Contracts

**I. Delegation.** When the new Public Contracting Code, related rules, and policies became effective on March 1, 2005, state agencies subject to the procurement authority of the Department of Administrative Services lost their delegated authority for unsigned public contracts advertised before March 1, 2005 (Transitional Contracts). In order to authorize these state agencies to complete their pending Solicitations, sign, and administer these contracts, I delegate to each state agency and their respective Designated Procurement Officers (Agency) the following:

Subject to the conditions described in Section II of this letter, I delegate all Procurement authority necessary for the Agency to complete the Solicitation process, contract execution (including award), and contract administration (except Amendments) pursuant to ORS chapter 279, related rules, and DAS Statewide Policies that were in effect prior to March 1, 2005, except as otherwise provided in a specific written delegation agreement that was in effect prior to March 1, 2005.

**II. Conditions.**

- A. This Authority applies only to Transitional Contracts as defined in Section I above;
- B. Prior to March 1, 2005, the Agency had authority to conduct the Solicitation process, Contract Execution, and contract administration and used that authority properly, according to applicable statutes, administrative rules, DAS Statewide policies, or a written delegation agreement with the State Procurement Office (DAS SPO);
- C. The Agency lost its authority as described in Section II.B above; and
- D. The Solicitation process, contract execution, and contract administration (except Amendments) for the Transitional Contract complies with the conditions of authority granted to the Agency under ORS chapter 279, related administrative rules, DAS Statewide Policies and any specific written delegation agreement that was in effect prior to March 1, 2005.

**III. Delegation for Amendments to Personal Service Transitional Contracts and Personal Service Old Contracts.** Effective March 1, 2005, all amendments must comply with the Public Contracting Code, ORS chapter 279A, B and C, related Rules, and DAS Statewide Policies. Accordingly, pursuant to OAR 125-246-0170 (1) (c) and subject to the conditions identified in Section IV of this letter, I delegate to each Agency and their respective Designated Procurement

Officers the authority to amend Personal Service Transitional Contracts and Personal Service Contracts executed prior to March 1, 2005 (Old Contracts) whose value, including all amendments (Amended Contract Value) does not exceed \$1,000,000, except as otherwise provided in a specific written delegation agreement.

**IV. Conditions for Amendments to Personal Service Transitional Contracts and Personal Service Old Contracts.**

- A. The Agency must obtain DAS SPO's written approval of an amendment when the Amended Contract Value exceeds \$150,000 before any Work under the amendment is authorized to begin.
- B. An amendment to a Personal Service Transitional Contract or Personal Service Old Contract submitted to DAS SPO for approval must include a written justification that describes how the amendment complies with the requirements of OAR 125-246-0560.
- C. All amendments to a Personal Service Transitional Contract or Personal Service Old Contract must be entered into ORPIN in accordance with the ORPIN Policy. Any contract whose Amended Contract Value exceeds \$150,000 must be "progressed" in ORPIN to DAS SPO for approval.
- D. When requesting DAS SPO approval of an amendment to a Personal Service Transitional Contract or Personal Service Old Contract, the Agency must submit copies of the original contract and all previous amendments, except for those that have been previously executed by DAS SPO.
- E. The following chart provides basic information on who can process and approve amendments to Personal Service Contracts.

Type of Contract	Contract Value including Amended Value	Processed by Authorized Agency	Executed by Authorized Agency	Processed by DAS SPO	Executed by DAS SPO
Amendment to Personal Service Old Contract	≤ \$150,000	X	X		
	> \$150,000 but not > \$1 million	X	X		X (Approval)
	> \$1 million			X	X
Amendment to Personal Services Transitional Contact	≤ \$150,000	X	X		
	> \$150,000 but not > \$1 million	X	X		X (Approval)
	> \$1 million			X	X
Amendment to Personal Service Contract Advertised & Executed after March 1, 2005	≤ \$150,000	X	X		
	> \$150,000			X	X

**V. Term.** I delegate the Authority described in Sections I and III above for the Solicitation through each Contract's close-out.

**VI. Effective Date.** I delegate this Authority retroactively to March 1, 2005.

**VII. Limitations.** This delegation is nontransferable and may be revoked at any time by the Director of DAS or the undersigned. This delegation does not grant authority for other purposes and is limited to the contract(s) and conditions identified in this letter.

Sincerely,

A handwritten signature in cursive script that reads "Dianne Lancaster".

Dianne Lancaster  
Chief Procurement Officer  
State Procurement Office  
Department of Administrative Services