

Head of Contracting Activity (HCA) Authority, Functions, and Responsibilities

[Reference: FAR 1.601]



Guiding Principles

- HCA authority creates a fiduciary responsibility on the designee.
- The HCA, as the senior contracting official has ultimate responsibility for ensuring that contract management systems, awards, and administration of contracts and financial assistance are in accordance with laws, regulations, and DOE policies.
- HCA's, in re-delegating authorities, must ensure that individuals are qualified to act on the HCA's behalf.

Overview

This chapter provides a summary of HCA authorities based on statute, FAR, DEAR, and DOE Orders. It serves as a general guide to the authorities that may be conferred via a formal delegation of HCA authority from the Department of Energy Senior Procurement Executive. This formal delegation prescribes the specific source and scope of the HCA's authority with respect to that individual's contracting actions. HCA delegations are unique and specific to the individual program or field activity, based on mission, workload, performance and other factors considered by the DOE Senior Procurement Executive.

Objective

The attached tables provide a digest of the responsibilities that accompany the delegation/designation and provide an understanding of the roles, responsibilities, and authorities of the HCA within the overall acquisition framework.

Guidance

Authority delegated to an HCA may be either non-delegable or delegable. Non-delegable authority is one that cannot be re-delegated by the HCA to someone else, e.g., authorities which are deemed of such importance or sensitivity that the personal attention, expertise, or involvement of the HCA is considered necessary. A list of non-delegable authority and references are provided in Table-1.

A delegable authority is one that may be conferred or re-delegated to another individual. When such authority is re-delegated, it does not imply that the delegated authority is relinquished by the HCA. Although certain authorities may be re-delegated, the HCA retains full responsibility and accountability for ensuring compliance with applicable law, regulation, policy and procedures. Before re-delegating any authorities, the HCA must understand the extent to which such re-delegation is permissible. These limitations and conditions are prescribed in the HCA's

specific delegation/designation letter. (A list of potentially delegable HCA authorities and references are summarized or listed in Table-2.)

Although certain statutes, the FAR, DEAR, and DOE Orders provide for the delegation of certain procurement authorities and functions to the HCA, some have been retained by the Senior Procurement Executive. These authorities are listed under Table-3.

References to authorities pertaining to sales contacts may be delegated to an HCA are listed in Table-4.