



MEMORANDUM

Date: June 7, 2002

To: All Information Technology "Expanded" Delegation Holders
All Departmental Purchasing Staff

From: Delegation Resources Program, Acquisitions Section
Procurement Division, Department of General Services
707 Third Street, Second Floor South, West Sacramento, CA 95605

Subject: Executive Order D-55-02 Impact on Information Technology "Expanded" Delegated Purchasing Authority

Executive Order D-55-02 (EO), issued on May 20, 2002, addresses competitive bidding and has placed certain limitations on the use of multiple award-type contracts.

This memo reminds departments of their specific delegated purchasing authority and/or relates the impact on your department's delegated purchasing authority of specific conditions contained in the EO and related Management Memo, 02-12 (MM). For the Information Technology "Expanded" Delegated Purchasing Authority, the following are the impacts of the EO and MM on any unapproved or unawarded contract. These policies must be implemented immediately:

- All non-competitively bid (sole source) transactions must be approved by the department's agency secretary or immediate next ranking official, as defined by the MM. This approval authority may not be delegated.
- All non-competitively bid (sole source) transactions that exceed \$25,000.00 must be forwarded to the Department of General Services, Procurement Division (DGS-PD), for review and approval. Approvals for transactions within the limitations of your individual delegation authority will be returned to you for subsequent processing. The attached "Non-Competitively Bid Contract Justification" must be completed and accompany these transactions. This includes any procurement for "proprietary" software license or maintenance that cannot be competitively bid. All solicitations exceeding \$100,000.00 must be written and include DGS-PD's information technology contract language, including the Information Technology Terms and Conditions, all appropriate modules and the General Provisions as of the latest version published on DGS-PD's website. Modification of any provision of DGS-PD's contract language is not allowed except as may be approved by DGS-PD's Contract Negotiations Manager. All solicitations exceeding \$100,000.00 must include a provision for notice of Intent to Award, providing for a 5-day protest period, to all bidders submitting a bid. All solicitations for information technology goods and services exceeding \$100,000.00 must now be advertised in the California State Contracts Register (CSCR). (As always, all services exceeding \$5,000 are required to be advertised in the CSCR.) Any contract amendment that will cause the transaction to exceed \$100,000.00 must comply with the EO and MM for transactions over \$100,000.

The Information Technology "Expanded" Delegated Purchasing Authority granted to your department by DGS-PD, Delegation Resources Program, authorizes your department to competitively bid information technology goods and services for purchases not to exceed \$1,000,000.00 per transaction. The solicitations for these transactions must be developed in accordance with the Delegation Guidelines current as of the approval date of your department's delegated purchasing authority, except as noted above.

Watch for revisions to this memo and to the Delegation Guidelines issued on May 14, 2001 for status changes regarding these and other issues.

If your department has multiple delegations, refer to the specific memo issued by the Delegation Resources Program for that specific type of delegation. If your department has questions regarding its delegated purchasing authority, please call Delegation Resources Program staff for assistance.


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Attachment