PURCHASING AUTHORITY REQUIREMENTS 2605
(May 2005)

REQUIREMENTS AND RESPONSIBILITIES 2605.1
(May 2005)

Departments must adhere to the following purchasing authority requirements and responsibilities:

- Designate a Procurement and Contracting Officer (PCO) whose responsibilities include:

  - Approval for the department of the department's Purchasing Authority Application.
  - Accountability and direct responsibility for the department's purchasing authority.
  - Developing and maintaining a listing of all departmental staff with authority to execute any purchase documents.
  - Ensuring that all procurement and contract staff receive the appropriate training and obtain the appropriate certification.
  - Ensuring the department's adherence to and compliance with the PAM.
  - Ensuring all departmental purchase documents, including any and all leveraged procurement agreement (LPA) orders, are available for review and providing the department's response to any audit or review findings.
  - Signatory for the department on all compliance reviews of the department's purchasing program.
  - Monitoring the department's progress in meeting and/or exceeding purchasing authority standards and continuous improvement of the department's purchasing program.
  - Serve as the agency officer in accordance with PCC section 10333

  In CAL FIRE, the PCO is the Chief of Business Services.

- Establish and maintain written departmental procurement policies and procedures.

  - Ensuring and documenting competitive purchasing.
  - Complying with purchasing standards established by applicable PCC sections and approved purchasing authority.
  - Inspecting purchased products for compliance with specifications.
  - Documenting supplier delivery performance.
  - Complying with applicable provisions of law and with applicable regulations.
  - Complying with policies, procedures, and best practices as DGS/PD may require.

- Establish procedures for complying with provisions of the Small Business Procurement and Contract Act (GC section 14835 et seq.) and DVBE participation.

  - Direction for meeting the SB and DVBE business participation goals in state procurement as established by DGS/PD in accordance with GC section 14838.

- Establish policies for training personnel (Departmental and Cal-PCA training when available.).

  - Purchasing law, regulations, policies, procedures, and best practices.
  - Controlling and reviewing purchasing practices.
  - Auditing purchasing activities.
  - Purchasing authority within the department.

  In CAL FIRE, each purchaser and approving official is required to take and pass the CAL FIRE Procurement Training class. Certification of Accountability statements must be signed by all purchasers and approving officials and sent to Business Services, Sacramento to be kept on file as proof of training certification.

- Submit procurement reports as required and on a timely basis

  - Annual purchasing authority renewal.
  - Purchasing authority application deficiencies.
  - Monthly procurement activity reporting.
  - Quarterly report on NCB contract activity.
  - Purchasing program compliance review report commitments to resolve findings.
  - Other reports as required by statute or by DGS/PD

- Comply with the non-discrimination requirements of Americans with Disabilities Act (ADA).

  - Ensuring that all departmental programs, activities and services are available to all persons, including persons with disabilities.
  - Ensure the department's ADA Coordinator will be available to assist and respond to persons with disabilities needing a reasonable accommodation to participate in the procurement process.

- Establish procedures for complying with the provisions of the California Prompt Payment Act, GC 927, and et. seq.

  - Date stamping supplier invoice upon initial receipt by department.
  - Maintaining, in the purchase file, documentation as to when goods and services are received.
  - Paying properly submitted undisputed invoices in accordance with the purchase document.
  - Submitting invoices to the SCO for payment within 30 days or paying invoices via the revolving fund process within 45 days from the later of:
  - The date of acceptance of goods or performance of services or
  - Receipt of an undisputed invoice.
  - Automatically authorizing and paying late payment penalties whenever an undisputed invoice is not paid within required time frames.
  - Reporting to DGS/PD all late payment penalties paid by the department each fiscal year.

- Designate a department SB advocate, when the department's contracting activities exceed $100,000.00 annually.

  - Identifying potential SB and DVBE subcontractors and potential subcontracting opportunities.
  - Making information regarding pending solicitations available to and consider offers from certified SB and DVBE business suppliers capable of meeting the state's business need.
  - Ensuring that payments due on purchases with SB and DVBE suppliers are promptly made as provided by GC section 926.16 or 927.

- Maintain signed Conflict of Interest (COI) certifications for every staff person involved in the procurement process.

  - Require statements from anyone: soliciting bids, preparing procurement documents, approving procurement documents, receiving goods/services, approving payment, and making the payment.
  - Must include a reference to or inclusion of GC section 19990.
  - Ensure that employees meeting criteria above, signs a COI at least once during his/her tenure with the department. Signed statements must be sent to Business Services Sacramento and kept on file for future audit purposes

- Whenever an acquisition warrants, secure and document any approval required by: DOF, PIA, DGS/PD, DGS/Telecommunications Division (TD), DGS/Office of Fleet Administration (OFA), DGS/OLS, DGS/Office of Records & Information Management (ORIM) as applicable to GC section 14755 and any other required approvals.

    - Maintaining evidence in the procurement files of appropriate approvals being obtained prior to conducting a procurement activity or contract execution, as applicable. See Section 2613 for further information.

(see next section)

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(see Forms or Forms Samples)