Department of Energy
Washington, DC 20585

December 22, 2015

MEMORANDUM FOR THE SECRETARY

THROUGH: DAVID M. KLAUS
DEPUTY UNDER SECRETARY FOR MANAGEMENT
AND PERFORMANCE

FROM: INGRID KOLB
DIRECTOR, OFFICE OF MANAGEMENT

SUBJECT: Approval by the Secretary to designate the Director, Office of Asset Management, as the Head of Contracting Activity (HCA) for real property, and delegation of related authorities.

ISSUE: Whether to designate the Director, Office of Asset Management, as the HCA for real property and delegate related authorities to the Director.

BACKGROUND: Due to reorganization of the Office of Management, a new HCA for real property must be designated. HCAs are normally designated by the Senior Procurement Executive (SPE), however in this case the SPE has not been delegated the authorities necessary to act as the HCA for real property and therefore cannot redelegate them to the new HCA for real property. The Under Secretary for Management and Performance has both delegated authority to designate HCAs and to re-delegate the related real property authorities. However, because the office of the Under Secretary for Management and Performance is currently vacant, and the Deputy Under Secretary for Management and Performance, does not have the authority to redelegate the necessary real property authorities, you are the only official able to both make the designation and delegate the necessary authorities to perform the role of HCA for real property.

RECOMMENDATION: That you approve the designation of the Director, Office of Asset Management, as the HCA for real property and delegate related authorities as described in the attached Redelegation/Designation Order.

APPROVE: _____ **DISAPPROVE:** _____ **DATE:** 1/19/16

Attachment

DEPARTMENT OF ENERGY
DELEGATION/DESIGNATION ORDER NO. 00-022.11A
TO THE DIRECTOR, OFFICE OF ASSET MANAGEMENT
AS HEAD OF CONTRACTING ACTIVITY (HCA)
FOR REAL PROPERTY

1. DESIGNATION/DELEGATION. Under the authority vested in me as Secretary of Energy and pursuant to section 642 of the Department of Energy (DOE) Organization Act (Public Law 95-91, 42 U.S.C. 7252), I designate the Director, Office of Asset Management, as the Head of Contracting Activity (HCA) for Real Property in accordance with Federal Acquisition Regulation (FAR) 1.601. Except as expressly stated herein, you may not further delegate your HCA authority; however, HCA authority is conferred to individuals serving in your stead as Acting Director, Office of Asset Management, provided that such acting authority is designated in writing.

Also pursuant to the authority vested in me as the Secretary of Energy, I delegate to the HCA for Real Property the authority to take the following actions:

1.1 Develop, issue, maintain and revise policy, procedures and guidance for real property contracting actions.

1.2 Establish, monitor and maintain a certification program for real property personnel.

1.3 Identify and appoint Certified Realty Specialists and issue certificates for acquisition, leasing, management and disposal of real property in accordance with DOE Order 430.1B, entitled *Real Property and Asset Management*, and any subsequent revisions.

1.4 Identify and appoint Real Estate Contracting Officers (RECO) and issue warrants for acquisition, leasing, management and disposal of real property in accordance with DOE Order 541.1B, entitled, *Appointment of Contracting Officers and Contracting Officer Representatives*, and any subsequent revisions. In designating RECOs, you shall consider applicable regulations, DOE Directives and Policy.

2. RESCISSION. Redelegation/Designation Order No. 00-022.11 is hereby rescinded.

3. LIMITATION.

3.1 In exercising the authority delegated in this Order, a delegate shall be governed by the rules and regulations of DOE and the policies and procedures prescribed by the Secretary.

3.2 In exercising the authority delegated in this Order, a delegate must fully conform with applicable laws, the Federal Acquisition Regulation (FAR), DOE Acquisition

Regulation (DEAR), and DOE policies and procedures, including Acquisition Letters and the DOE Acquisition Guide.

3.3 Nothing in this Order precludes the Secretary or the delegated official(s) from exercising any of the authority delegated by this Order.

3.4 Nothing in this Order shall be construed to supersede or otherwise interfere with the authorities provided to the Administrator for Nuclear Security by law or delegation. Furthermore, nothing herein constitutes authority to exercise authority, direction, or control of an employee of the National Nuclear Security Administration or its contractors.

3.5 Any amendments to this Order shall be in consultation with the Department's General Counsel.

4. AUTHORITY TO REDELEGATE. This Redelegation and designation may not be redesignated or delegated further.

5. DURATION AND EFFECTIVE DATE.

5.1 All actions pursuant to any authority delegated prior to this Order or pursuant to any authority delegated by this Order taken prior to and in effect on the date of this Order are ratified and remain in force as if taken under this Order, unless or until rescinded, amended or superseded.

5.2 This Order is effective 1/19/16

Ernest J. Moniz
Secretary of Energy