

**2020 – 2021
STATE OF MONTANA
LEVEL TWO
PROCUREMENT DELEGATION AGREEMENT**

Department of Public Health & Human Services

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PROCUREMENT DELEGATION AGREEMENT 2019-2021

This Agreement is made and entered into between the State Financial Services Division, Department of Administration (Division), and the **Department of Public Health & Human Services**, (Agency). Jennifer Garza, Manager, Office of Procurement and Contracts, Business and Financial Services Division represents the Agency as the Agency Procurement Officer (APO). Meghan Holmlund, Chief Procurement Officer, State Procurement Bureau (SPB), State Financial Services Division, represents the Division.

1.0 DEFINITIONS

“Agency Compliance Review”: A Division-conducted review of Agency compliance with this Agreement as further described in Section 19.

“Agency Procurement Officer (APO)”: The designated person listed in this Agreement who is responsible for ensuring compliance with this Agreement. The APO responsibilities are described in Attachment A.

“Agency Procurement Staff”: Any agency employee authorized to procure goods and services under the Montana Procurement Act (Title 18, Chapter 4, MCA) in excess of \$5,000.

“Montana Acquisition and Contracting System (eMACS)”: The State of Montana’s enterprise eProcurement system. eMACS is accessed through the ePass Montana Dashboard, <https://app.mt.gov/epass/>. Training for eMACS is available through the Division, <http://emacs.mt.gov/ProcurementTraining>.

“Satisfactory Performance History”: Agency compliance with delegated procurement authority as measured (i) during an agency compliance review and (ii) Division review of Agency reports required under Section 13.

“Suspension”: A prohibition preventing the Agency from procuring any goods and services under the Montana Procurement Act until Division-required corrective measures have been met.

“Total contract value”: The entire potential monetary worth of the project from beginning to completion, including the initial contract period and any options to renew.

2.0 DIVISION AUTHORITY

The Division may procure or supervise the procurement of all supplies and services needed by the State of Montana under section 18-4-221, MCA, with certain exceptions. See section 18-4-132, MCA. This purchasing authority agreement applies to the expenditure of public funds irrespective of their source and includes supplies or services that are of no cost to the State and from which income may be derived by the vendor and from which income or a more advantageous business position may be derived by the State.

3.0 GRANT OF AUTHORITY/TERM

3.1 Delegation Criteria. The Division delegates procurement authority to state departments, agencies, or officials, including the state university system, based on a determination that Agency has: (a) a satisfactory performance history exercising similar authority, and (b) employees trained in procurement policies and procedures.

3.2 Agency Delegation. Based on Agency's satisfactory performance history, the Division grants Agency Level Two delegation purchasing authority effective January 1, 2020 through December 31, 2021, unless terminated earlier under the terms stated in Section 18.

4.0 FURTHER DELEGATION AUTHORITY

The Agency may further delegate this procurement authority within its Agency as it deems appropriate provided: (a) at least one employee from the program granted procurement authority meets the training requirements under Section 7.2.2; (b) these Agency employees are capable of exercising authority under Title 18, chapter 4, MCA, ARM Title 2, chapter 5, and the policies established by the Division in the Montana Operations Manual; and (c) all procurements are conducted consistent with this delegation of procurement authority. Further delegation must be documented in writing either in an Agency sub-delegation agreement or in the Agency procurement policy.

5.0 PURCHASES EXEMPT FROM DELEGATION AUTHORITY AND COMPETITIVE PROCEDURES

5.1 Exemptions. Under 18-4-132, MCA and ARM 2.5.301, delegation and competitive procedures are not necessary for the following purchases:

- either grants or contracts between the State and its political subdivisions or other governments;
- construction contracts;
- contracts entered into by the Montana State Lottery that have an aggregate value of less than \$250,000;
- contracts entered into by the State Compensation Insurance Fund to procure insurance-related services;
- employment of:
 - ✓ a registered professional engineer, surveyor, real estate appraiser, or registered architect;
 - ✓ a physician, dentist, pharmacist, or other medical, dental or health care provider;
 - ✓ an expert witness hired for use in litigation, a hearings officer hired in rulemaking and contested case proceedings under the Montana Administrative Procedure Act, or an attorney as specified by executive order of the governor;
 - ✓ consulting actuaries;
 - ✓ a private consultant employed by the Montana State Lottery;
 - ✓ a private investigator licensed by any jurisdiction;
 - ✓ a claims adjuster;
 - ✓ a court reporter appointed as an independent contractor;
- the purchase or commission of art for a museum or public display;
- Montana-produced food products, under 18-4-132(4), MCA;
- contracting under 47-1-216, MCA, of the Montana Public Defender Act;
- contracting under Title 90, chapter 4, part 11, MCA;
- contracting under Title 90, chapter 14, part 1, when the total contract value is \$12,501 or less;
- salaries;
- travel and per diem;
- retirement and social security payments;
- freight;
- landfill charges;
- supplies or services whose prices are regulated by the Public Services Commission or other governmental authority;
- pastoral services;
- training;

- conference rental space and catering;
- fresh fruits and vegetables;
- fees for placing an advertisement in a publication or on radio, television, or electronic media sources;
- educational instructors and guidance counselors for inmates under the supervision of the Department of Corrections; and
- books and periodicals.

5.2 Sheltered Workshops. Purchases of supplies or services from Sheltered Workshops as listed on the following website: <http://emacs.mt.gov/ShelteredWorkshops>.

5.3 Interagency Agreements. Purchases made through interagency agreements within Montana state government, or other political subdivisions or governments, unless otherwise prohibited by law.

5.4 Surplus Property Program. Purchases made from the State's Surplus Property Program.

5.5 Agency Statutory Exemptions. Human Services. As provided for in the definition of "services" for purposes of the Montana Procurement Act at 18-4-123(18)(b), MCA the provision of human services by the AGENCY.

6.0 PROCUREMENT METHODS

Agency shall utilize the following procurement methods when purchasing supplies and services:

6.1 Small Purchases – Purchases of \$5,000 or less. Agency may choose a purchasing technique that best meets its needs for all purchases with a total contract value of \$5,000 or less. Agency is encouraged to use the State Purchasing Card for all small purchases.

6.2 Limited Solicitations – Services Purchases between \$5,000.01 and \$25,000 and Supplies Purchases between \$5,000.01 and \$50,000. Agency may use a limited solicitation procedure when making services purchases with a total contract value between \$5,000.01 and \$25,000 and supplies purchases between \$5,000.01 and \$50,000. A limited solicitation requires a solicitation from a minimum of three viable sources, if available, either orally or in writing, under the guidelines set forth in ARM 2.5.603. The Division encourages agencies to use eMACS for issuing limited solicitations. If eMACS is not used, the Agency shall use the limited solicitation form available on the Division's website <http://emacs.mt.gov/AgencyProcurementForms> to document the procurement, and keep the form consistent with records retention requirements.

6.3 Formal Competition (Invitation for Bids or Request for Proposals) Services Purchases above \$25,000 and Supplies Purchases above \$50,000. Agency shall use either an invitation for bids (IFB) or request for proposals (RFP) process to purchase services with a total contract value between \$25,000.01 and \$200,000 and supplies purchases with a total contract value between \$50,000.01 and \$200,000. Agency shall forward any purchase with a Total Contract Value over \$200,000 to SPB for processing, unless the purchase is specifically authorized in Section 20.0 of this Agreement.

6.4 Sole Source/Sole Brand. An Agency APO may determine that a purchase is a sole source/sole brand for purchases with a total contract value within the Agency delegated procurement authority. For purchases over an Agency's level of delegated procurement authority, the Division shall make the sole source/sole brand determination unless specifically

authorized in Section 20.0 of this Agreement. In cases of reasonable doubt, competition should be solicited.

- a. **Exemptions.** Under ARM 2.5.604, the following items do not require competition or sole source justification and may be purchased directly by agencies regardless of delegated authority: (1) professional licenses; (2) dues to associations; (3) renewal of software license agreements; (4) purchase or renewal of maintenance agreements for software or hardware; and (5) publications available only from a single supplier.
- b. **Records.** Agency shall maintain records of sole source/sole brand purchases over \$5,000 as required by ARM 2.5.604(5) by using the "Sole Source Procurement Justification" form or "Sole Brand Procurement Justification" form available on the Division's website <http://emacs.mt.gov/AgencyProcurementForms>.
- c. **Extension or Renewal.** If an extension or renewal of a sole source contract issued by the Division is required, Agency shall provide the Division with an updated "Sole Source Procurement Justification" form or a "Sole Brand Procurement Justification" form.

6.5 Exigency Purchase. The Montana Procurement Act does not apply if a public exigency exists. An exigency purchase is defined in ARM 2.5.201(16) as "a purchase made without following normal purchasing procedures due to a sudden and unexpected happening or unforeseen occurrence or condition which requires immediate action." An exigency purchase of \$5,000 or greater is limited to those supplies or services necessary to meet the exigency. Where statutorily allowed, Agency may declare an exigency without the Division's approval. The AGENCY shall maintain a record of all exigency purchases as required by ARM 2.5.605.

7.0 PROCEDURES/REQUIRED TRAINING

7.1 Written Procedures. Agency shall maintain written procedures for handling all purchases and follow the Division's Montana Operations Manual Policies. The Agency shall review written procedures every two years and update written procedures as necessary. The Agency shall provide copies of its written procedures during the Division's compliance review or upon the Division's request.

7.2 Staff Training Requirements.

7.2.1 APO Training Requirements. All required training under this section is valid for four years. After four years, the APO, or their replacement, must provide documentation that training has been retaken or the requirement has otherwise been satisfied.

Level 2 agencies: The person listed as the APO, or their replacement, must have completed the "Advanced Procurement Methods and Issues" and "Contract Management" courses offered by the Division or another Division approved training course or certification; attend required meetings of the Division; and provide the supervision and management of the Agency's procurement needs as their predominant job duty. Agency agrees that if required at a later date, the APO and any Agency procurement staff completing formal solicitations shall obtain any Division required professional certification, either from the Division or through a nationally recognized procurement certification program approved by the Division.

7.2.2 Agency Procurement Staff Training Requirements. All agency procurement staff, including those who have been further delegated procurement authority under Section 4.1 must have completed the "Basic Procurement Methods and Issues"; "Advanced Procurement Methods and Issues"; another Division-approved training course; or a Division-approved agency procurement training program. All required training under this section is valid for four years. After four years, all Agency procurement staff must provide documentation that training has been retaken or the requirement has otherwise been satisfied.

7.2.3 Agency Contract Managers. All agency contract managers (as defined in State Policy) shall complete "Contract Management" training offered by the Division, or another Division-approved training course. All required training under this section is valid for four years. After four years, all Agency contract managers must provide documentation that training has been retaken or the requirement has otherwise been satisfied.

7.3 Purchases above Level of Delegated Authority. If Agency requires the purchase of a supply and/or service above its level of delegated authority, it shall submit a requisition in eMACS to the Division, and a SPB Contracts Officer shall conduct the procurement. The deadlines for submitting requisitions for fiscal year end procurements are: (a) April 1 of that FY for an RFP and (b) May 1 of that FY for an IFB. See ARM 2.5.302(7).

7.4 Division Signature. All contracts established through the Division on the Agency's behalf must have the signature of a SPB Contracts Officer and Agency legal counsel before execution, unless Agency counsel reviews and determines their signature is not required. Any contract amendment issued against a contract established through the Division must also have a signature or initial of an SPB Contracts Officer before execution. A signature block must state "Approved as to Form" with space for the signature of the SPB Contracts Officer. In addition, all contract amendments must have the signature of Agency legal counsel if not using an approved contract template. All contracts and contract amendments established through the Division on the Agency's behalf must be signed using an electronic signature process in eMACS, initiated by the SPB Contracts Officer.

7.5 Referral to Division. If Agency chooses not to exercise its approved delegated procurement authority, it may submit its requisition to the Division for action.

7.6 Attorney. Agency shall provide the services of an attorney to review all contracts or contract templates issued within the Agency's delegated procurement authority.

8.0 GENERAL REQUIREMENTS

8.1 Procurement Documents. Agency shall use the most current version of the Division's procurement forms and standard terms and conditions in their entirety, including, but not limited to the following: (1) Standard Terms and Conditions; (2) Limited Solicitation; and (3) Sole Source/Sole Brand Justification Forms unless the Division approves any exceptions. Requests for exceptions or changes to existing approved forms must be submitted to the Division for approval. Forms are posted on the procurement forms site located at the following website address: <http://emacs.mt.gov/AgencyProcurementForms>.

8.2 Requests for Exceptions to Standard Terms and Conditions and Contracts. Agency agrees that all vendor requests for exceptions to the Division's Standard Terms and Conditions and the Division's standard contract either be (1) approved by the Division, or (2) approved in writing by Agency's legal counsel.

8.3 Purchasing Vendors List. The Division maintains a purchasing vendor list for supplies and services typically purchased by state agencies. The purchasing vendors list is available in eMACS.

8.4 Issuing Formal Bids and Proposals. Agency shall issue all formal IFBs and RFPs issued under the authority of the Montana Procurement Act in eMACS. Procedures developed by the Division will be used to issue each solicitation using the commodity code that most accurately describes the supplies and services being sought.

8.5 Posting Evaluation Committee Meetings and Contract Awards. All evaluation committee meetings must be posted on the Division's public meetings website located at the following website address: <http://vendorresources.mt.gov/Meetings>.

Once a month, SPB will post all contract awards on the Division's contract awards website located at the following website address: <http://sfsd.mt.gov/SPB/Notifications>.

9.0 CONTROLLED ITEMS: PURCHASES EXCLUDED FROM DELEGATED AUTHORITY

Unless specifically addressed elsewhere in this Agreement, Agency shall buy "controlled items" through the Division. "Controlled items" are:

9.1 "Exclusive" Statewide Term Contracts. The Division establishes statewide term contracts for the convenience of agencies to be utilized on an as-needed basis. If/when needed, Agency shall purchase all supplies and/or services on an "Exclusive" statewide term contract from the contract holder unless otherwise specified. If Agency fails to do so, it will be solely responsible for any payment to the contract holder. The Division also establishes "Non-exclusive" statewide term contracts. Agency is not required to purchase from these contracts, but if it does not, it agrees to follow procurement methods specified in Section 6.0 to purchase that supply or service.

9.2 eMACS Marketplace. Agency shall purchase office supplies, fine and coarse paper, janitorial supplies, and food service and culinary products through the eMACS Marketplace unless it has met the requirements of section 18-4-302(3), MCA. If 18-4-302(3), MCA, applies, Agency shall maintain supporting documentation showing the purchase meets the exception criteria.

9.3 Printing. Agency shall purchase all printing through the Print and Mail Services Bureau of the General Services Division, Department of Administration, unless it receives an exemption from the Print and Mail Services Bureau.

9.4 New or Used Vehicles. Agency shall purchase or lease all new vehicles through SPB following the deadlines established in the Requisition Time Schedule. The specific due dates when agencies are required to issue requisitions for vehicles are located on the Division's website at: <http://emacs.mt.gov/AgencyVehiclePurchasing>. Agency shall purchase used vehicles in the following manner:

- a. **Contact Surplus Property Program.** Agency shall contact the Surplus Property program at (406) 444-9921 to seek information on the availability of used vehicles. If a suitable used vehicle is not available, the Surplus Property Program shall provide Agency with written permission to proceed with the purchase of a used vehicle according to this Agreement from the private sector.
- b. **Purchase Price.** Agency shall submit a requisition to SPB if it is anticipated that the total purchase price of a used vehicle(s) may exceed Agency's delegated

procurement authority. If not, Agency may solicit competition for the used vehicle following the approved procurement methods referenced in Section 6.0.

10.0 PRIOR APPROVAL REQUIRED

As required by law, Agency shall obtain prior approval to purchase certain supplies and services, ***regardless of Agency's delegated procurement authority***. Agency shall obtain prior approval from the appropriate state agency before submitting a requisition to SPB for the following items:

10.1 Printing-related Equipment. All large-scale printing-related equipment involving duplicating, printing, bindery, and graphic arts equipment for state agencies within a 10-mile radius of the Capitol area must be approved by the Print and Mail Services Bureau of the General Services Division. (ARM 2.5.202). Prior approval is not required for the purchase of office printers and copiers.

10.2 Information Technology Resources and Contracts.

- A. The Montana Information Technology Act (MITA) defines "information technology" as hardware, software, and associated services and infrastructure used to store or transmit information in any form, including voice, video, and electronic data. 2-17-506(7), MCA. Under MITA, the State Information Technology Services Division (SITSD) is required to review the use of information technology resources for all state agencies and review and approve state agency specifications and procurement methods for the acquisition of information technology resources. § 2-17-512(1)(j)(k), MCA.
- B. The State Chief Information Officer (CIO) or designee is required to review, approve and sign all state agency contracts and review and approve other formal agreements (statements of work or amendments to contracts, for example) for information technology resources provided by the private sector and other government entities associated with procurements requiring SITSD's pre-approval. § 2-17-512(1)(l), MCA; ARM 2.12.204. Agency shall use SITSD's IT contract for any such information technology resources purchased.
- C. MITA also requires that if the CIO determines that an agency is not in compliance with MITA and applicable IT statutes, rules, policies, plans, standards, and architectures, the CIO may cancel or modify any contract, project, procurement, or activity that is not in compliance. § 2-17-514, MCA.
- D. Agency acknowledges that Executive Order No. 09-2016 authorizes only SITSD to buy and deploy servers, storage and cloud services, unless otherwise directed by the Budget Director and the CIO. This Executive Order covers the Executive Branch and exempts elected official agencies, SITSD, and those entities identified in §2-17-516, MCA.

EXCEPTION: Provided agencies ensure their IT procurements comply with the MITA and other applicable IT statutes, rules, policies, plans, standards, and architectures, CIO prior approval is not needed for IT procurements that meet the requirements detailed in the ITPR Delegated Authority Guidelines, found at <https://montana.policytech.com/dotNet/documents/?docid=814&public=true>. Agencies may obtain assistance from SITSD to ensure IT procurements

comply. This exception does not apply to the servers, storage, and cloud services covered by Executive Order No. 09-2016.

10.3 Mail Equipment. Mail equipment to be used within a 10-mile radius of the Capitol area must be approved by the Print and Mail Services Bureau of the General Services Division. (Section 2-17-301(3), MCA)

10.4 Surplus Property Trade-Ins. Surplus property trade-ins must be approved by the General Services Division's Surplus Property Program. (Section 18-4-226, MCA)

11.0 RECORDS

Agency shall maintain adequate records to document the procurement process. Training in procurement documentation methods and retention schedules is available through the Division. Under section 18-4-221, MCA, the Division may audit and monitor the implementation of its rules and the requirements of the Montana Procurement Act.

12.0 TRAINING AND TECHNICAL ASSISTANCE

The Division shall provide training and technical assistance to Agency upon request in addition to the procurement courses offered by the Division through the State Professional Development Center. The Division shall furnish interpretation of applicable statutes, administrative rules, policy, or this delegation of procurement authority and make on-site visits to assist agencies in complying with this Agreement.

13.0 REPORTING REQUIREMENTS

13.1 Annual Reporting Requirements. Agency shall submit annual reports by state fiscal year to the Division no later than the due date established by the Division. Division shall notify the Agency of required reports and due dates no later than the first week of July each year.

13.2 Summary of Purchases Exceeding Delegated Authority. If Agency erroneously completes a purchase exceeding or outside of its delegated authority, Agency shall provide the Division a summary of the purchase within 30 days from either the purchase date, or the date the error was found. This summary must include an explanation of the circumstances surrounding the purchase.

13.3 Other Reports as Required by the Division. Agency shall comply with any additional reporting requirements set by the Division.

14.0 DISPUTES

14.1 Written Complaints, Disputes, or Protests. Agency shall maintain, as part of its solicitation or contract file, all written complaints, disputes, or protests concerning solicitations, awards, or the administration of a contract under its delegated authority, along with Agency's responses. Agency shall investigate and respond in writing to all such disputes and protests, following sections 18-1-402 and 18-4-242, MCA, and ARM 2.5.406. AGENCY shall report all formal protests to the Division liaison.

- a. **Responsibility for Costs.** Agency shall pay any costs or damages associated with any dispute within its delegated authority.

- i. Responsibility for costs associated with protests, contested case hearings, and judicial action involving a solicitation issued by the Division on Agency's behalf will be handled on a case-by-case basis.
- b. **Mediation of Disputes.** The Division may informally mediate disputes between bidders, offerors, or contractors and Agency as requested by either party.
- c. **Documentation Required.** Agency shall document complaints and performance issues against a contractor and notify the Division's liaison of the complaints as soon as possible.

15.0 COOPERATIVE PURCHASING

The Division may make decisions to participate in cooperative purchasing agreements with Montana political subdivisions or other state or local governments under section 18-4-402, MCA and ARM 2.5.610. The Division may reject participation in any cooperative solicitation or contract on the State's behalf. Agency shall contact the Division before participating in any cooperative purchasing agreement. Any exceptions require prior Division approval.

16.0 MODIFICATION

Agency may request a change to this Agreement by submitting a written request and justification to the Division within 30 days before the desired effective date. Performance consistent with this Agreement shall continue until Agency receives written approval from the Division. The Division may modify any part of this Agreement upon 30 days' advance written notice.

17.0 FAILURE OF ENFORCEMENT NOT A WAIVER

The Division's failure to enforce any of the provisions of this Agreement at any time may not be construed to be a waiver of such provision and shall not affect the validity of any part of the Agreement or the right of the Division to thereafter enforce such provision.

18.0 TERMINATION

If Agency fails to follow any material term or provision of this Agreement, the Division may terminate this Agreement or any portion of it by giving written notice to the Agency specifying the effective date of termination. Termination of this Agreement does not relieve Agency of liability for damages it causes while acting under this Agreement. If Agency fails to fulfill its obligations required by a suspension order, the Division may terminate this Agreement or any portion of it.

19.0 AGENCY COMPLIANCE REVIEWS

Under section 18-4-221, MCA, the Division may audit and monitor the implementation of its rules and the requirements of the Montana Procurement Act. The Division has — as described below-- implemented an agency compliance review program to monitor compliance with this Agreement. Agency shall cooperate with the Division during on-site reviews or by providing timely reports and documentation as required.

19.1 Review Frequency. An Agency compliance review will be completed a minimum of once every three years, or more frequently as the Division deems necessary. Additionally, the Division shall review Agency reports annually for compliance.

19.2 Access to Records. Agency shall provide the Division access to procurement records (see Section 11) during the compliance review.

19.3 Review Report. The Division shall summarize findings of the Agency compliance review in a report to the APO and Agency Director.

19.4 Corrective Action. If non-compliance or unsatisfactory performance is documented in the Agency compliance review report, the Agency shall provide the Division a corrective action plan addressing issues identified, including dates the corrective measure will be implemented. The Division shall provide guidance as needed for Agency to return to compliance.


20.0 AGENCY SPECIFIC DELEGATED AUTHORITY


20.1 Unlimited Authority. The Agency is delegated unlimited authority for procurement of the following supplies/services:


<u>Commodity Code</u>	<u>Description</u>
None	None

SIGNATURES

Approved for Agency by:

DocuSigned by:
 2/24/2020
BEF9CFFF1E9C4EC...
 APO Date
 Department of Public Health & Human Services

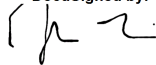
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 Erica Johnston, Chief Operating Officer Date
 Department of Public Health & Human Services

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 Sheila Hogan, Director Date
 Department of Public Health & Human Services

Approved for Division by:

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 Meghan Holmlund, Date
 Chief Procurement Officer
 State Financial Services Division

Department of Administration

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 John Lewis, Director Date
 Department of Administration

Reviewed for Legal Content by:

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 Mike Manion, Chief Legal Counsel Date
 Department of Administration

ATTACHMENT A - Agency Delegation Liaison—Roles and Responsibilities

The delegation liaison identified in each agency procurement delegation agreement serves as the “Agency Procurement Officer” (APO) for the agency. Roles and responsibilities of the APO include:

1.0 General

- Responsible for agency compliance with procurement delegated authority, Title 18 and its associated rules and policies
- APO shall establish & maintain an agency procurement & contract management policy which will be reviewed/updated no less than every two years
- Identifies and approves “Agency Procurement Staff” and “Agency Contract Managers” and ensures compliance with required training/certification as required in the Agency Procurement Delegation Agreement
- Review/update the agency procurement delegation agreement every two years with SPB
- Ensures agency procurement and contract records are complete in accordance with laws/rules/policies
- APO is the point of contact for Agency Compliance Reviews conducted by the Division
- Attends SPB agency procurement meetings and any other SPB required meetings

2.0 Communication

- Serves as SPB’s main point of contact for the agency
- Responsible for distribution of information related to procurement & contracting activities within their agency as necessary (e.g. new/updated policies, reports, training opportunities, etc.)
- Serves as procurement resource for agency’s procurement personnel and vendors

3.0 Agency Approval Authority

- The APO, or their designated backup, is required to review and approve in eMACS all requisitions and sole source procurement requests to SPB for processing on behalf of the agency
- The APO is responsible for approving agency users in all modules of eMACS.
- The APO is the agency approval authority in all workflow steps within eMACS sourcing module for agency approvals

4.0 Reporting

- The APO is responsible for ensuring timely submittals of all required reporting, including but not limited to:
 - Quarterly Procurement Forecast
 - Annual Contract Reports
 - Annual Sole Source Reports
 - Annual Exigency Reports
 - Annual report of written complaints, disputes, or protests
 - Reporting on procurement staff and contract manager training compliance
 - Any other reporting as requested by SPB or required at a later date