

 <p style="text-align: center;">STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES</p> <p style="text-align: center;">Policy and Procedure</p>	POLICY AND PROCEDURE NUMBER 10.02.021	PAGE 1 of 5
	EFFECTIVE DATE March 1, 2014	
SUBJECT Construction Contracting Warrant System	SUPERSEDES 10.02.021	DATED May 1, 2006
CHAPTER Procurement and Property	SECTION Contracting	APPROVED BY Signature on File

PURPOSE

This formalizes the policy and procedure (P&P) of the department on the certification of employees who procure construction and construction-related services. This certification is intended to ensure consistent, competent, and expedient procurement activities.

POLICY

Employees who procure construction and construction-related services must be certified at the appropriate level of the construction contracting warrant system as described in the following procedure.

This policy applies to Department of Transportation & Public Facilities (DOT&PF) employees and of delegated agencies¹ when using procurement authority originally delegated from the commissioner of DOT&PF.

PROCEDURE

A construction contracting warrant certifies that the holder has the authority to procure at one of three levels and delegates the procurement authority itself. The procurement authority under discussion here rests by statute with the commissioner of DOT&PF. This authority has been delegated to the DOT&PF chief contracts officer, who delegates it to others.

The warrant levels are described in the DOT&PF Construction Contracting Warrant Manual and are summarized in the attached matrix. The three levels increase in dollar value from \$50,000 at level 1 to an unlimited dollar value at level 3. Each level has a scope of procurement activities for which the warrant holder is certified. Minimum training and experience requirements are stipulated at each level.

¹ In this P&P, a delegated agency is one to which the DOT&PF chief contracts officer has delegated procurement authority under AS 36.30.015(a) or (b).

Obtaining a warrant

To obtain a construction contracting warrant, an employee must complete the warrant application form² and submit it to the appropriate regional or division director, system director or manager³, or commissioner of a delegated agency. That individual, acting as an appointing officer⁴, completes the required areas of the warrant application and submits the application to the chief contracts officer.

The appointing officer recommends a warrant level and may recommend a more limited scope of activities and lower dollar value than established for that warrant level. The chief contracts officer determines whether to issue a warrant and at what level, and may set a more limited scope of activities and lower dollar value than recommended. The chief contracts officer issues the warrant and returns it to the appointing officer, who then completes the certification by delegating the appropriate procurement authority. The completed warrant is given to the employee.

Construction contracting warrants are issued only when covered procurement activities are essential to the support of a program.

Construction contracting warrants are issued to named employees in particular positions. They may not be transferred or delegated to other employees. A director/manager or commissioner of a delegated agency may request that the chief contracts officer approve an employee to use his or her warrant in another position.

A warrant becomes effective on the date it is fully signed. Warrants do not expire but they may be terminated.

Maintaining a warrant

Warrant holders must complete the required training within one year and are required to maintain their certification through continuing education. Continuing education requirements are described in the DOT&PF Construction Contracting Warrant Manual and in the attached matrix. Documentation of continuing education must include the name of the instructor, sponsoring agency, date, location, and subject matter. The warrant holder submits documentation through the appropriate director/manager or commissioner of a delegated agency to the chief contracts officer.

² The warrant application form is available from the chief contracts officer and other appointing officers.

³ Regional or division director and system director or manager are hereafter abbreviated as director/manager.

⁴ See the matrix for a list of appointing officers.

Terminating a warrant

Warrants may be terminated at any time at the discretion of an appointing officer. A warrant may be terminated for administrative reasons or for cause. Typical administrative reasons for terminating a warrant are that the need for the warrant no longer exists, training requirements have not been met, or the warrant holder is separated from the department. Warrants may be terminated for cause when there is evidence of misconduct, unethical behavior, or disregard for procurement statutes, regulations, or department policies and procedures.

The same form is used to apply for a warrant and to request termination of a warrant. The commissioner of DOT&PF is responsible for issuing, terminating, and taking any other action on the chief contracts officer's warrant.

Assignment of responsibilities

The chief contracts officer is responsible for:

- managing the construction contracting warrant system generally;
- issuing and terminating warrants, maintaining records of all applications to issue or terminate warrants, and maintaining records of all continuing education; and
- maintaining a complete list of warrant holder names, positions, and warrant levels in the warrant records management system.

Directors/managers and commissioners of delegated agencies are responsible for:

- appointing sufficient employees to hold warrants, in the appropriate number and at appropriate warrant levels, so that construction procurements can be accomplished;
- ensuring that applicants for warrants meet the training and experience requirements at the warrant level sought;
- delegating procurement authority through the warrant system;
- encouraging warrant holders to meet the continuing education requirements of their warrants;
- terminating warrants when appropriate; and
- reviewing the warrants under his or her jurisdiction annually before July 1 to ensure that warrants are actively used (and terminating unused warrants) and to ensure that employees have the correct warrant level and position referenced.

Directors/managers and commissioners of delegated agencies may delegate these responsibilities to others within their organizations. See the DOT&PF Construction Contracting Warrant Manual for further information.

A warrant holder is responsible for:

- carrying out necessary procurement activities;
- adhering to procurement statutes, regulations, and department policy and procedure in every procurement action;
- immediately reporting any possible conflict of interest to the immediate supervisor; and
- meeting continuing education requirements.

AUTHORITY

AS 36.30.005(b)
2 AAC 12.740

IMPLEMENTATION RESPONSIBILITY

Regional directors, division directors, system directors/managers, commissioners of delegated agencies, and employees who hold construction contracting warrants

DISTRIBUTION

All department employees via the DOT&PF website

Warrant Levels and Qualifications Matrix

Warrant Level	Warrant Amount	Example Positions	Qualifications	Continuing Education	Comments
1	Up to \$50,000	<ul style="list-style-type: none"> ▪ Delegated Agencies • Facilities Maintenance 	Training: Complete online small procurement course Experience: Discretion of appointing officer	At the discretion of the appointing officer	Level 1 - Small procurement for construction (under \$50,000)
2	Up to \$200,000	<ul style="list-style-type: none"> ▪ Project Managers, Resident Engineers ▪ Construction Group Chief ▪ Statewide Planning Director ▪ Appropriate Staff of Delegated Agencies 	Training: Same as Level 1 plus Level 2 - small procurements under \$200,000 Experience: Discretion of appointing officer	16 hours in three years, current practices and interpretations of statutes and contract administration	Level 2 – Larger value small procurement for construction, letters of agreements, and professional services agreements
3	Over \$200,000	<ul style="list-style-type: none"> ▪ Chief of Contracts ▪ Procurement Managers ▪ Appropriate Staff of Delegated Agencies 	Training: Same as Level 2 plus Level 3 - complex procurements Experience: Discretion of appointing officer	16 hours in three years, current practices and interpretations of statutes, contract administration, process review, and innovative procurement	Level 3 – Complex procurements appropriate for large construction procurements, large professional services agreements, and innovative procurements such as design build
<div style="border: 1px solid black; padding: 5px; display: inline-block;"> <b style="font-size: 1.2em;">Appointing Officer </div>		<ul style="list-style-type: none"> ▪ DOT&PF Chief Contracts Officer ▪ Regional Directors ▪ Division Directors ▪ System Directors and Managers ▪ Commissioner of Delegated Agencies 	Training & Experience: As directed by the commissioner	Appropriate training in current practices and interpretations of statutes, contract administration, and process review	Signature of all construction and professional services agreements, contracts, and major change orders. Approves lower level warrants.