DEPARTMENT OF THE ARMY
U.S. Army Corps of Engineers
WASHINGTON, D.C. 20314-1000

REPLY TO
ATTENTION OF:

06 JUN 2000

CEPR-P (715)

MEMORANDUM FOR COMMANDER/DIRECTORS, ALL USACE COMMANDS

SUBJECT: PARC Instruction Letter 2000-16, Unauthorized Procurements

1. References:

a. FAR and AFARS 1.602-1 Contracting Officer Authority.

b. FAR and AFARS 1.602-3 Ratification of Unauthorized Commitments.

2. I have zero tolerance for unauthorized procurements, which are in violation of proper contracting procedures and circumvent the authority and responsibility of contracting officers. I remind you that only duly appointed contracting officers have authority to bind the government contractually. No other individuals should authorize acquisitions, or direct changes in contract work which might result in claims against the government.

3. Although there is a procedure for the ratification of unauthorized obligations (reference b), the process is time consuming, adds considerably to workload, and does not necessarily assure ratification. Failure to comply with these instructions may result in financial liability and/or disciplinary action. Consequently, you must ensure that your personnel are familiar with the correct procedures for obtaining supplies, equipment, or services, and are cautioned against taking any action which might result in incurring an unauthorized contractual obligation.

4. I am aware that there are situations in which supplies, equipment, or services are required on an urgent basis. This is no excuse for violating proper contracting procedures. All Corps Districts have, or should have, standard operating procedures (SOPs) which spell out necessary steps to be taken in emergency situations. Essentially this means obtaining permission from a contracting officer prior to obligating the Government.

5. The seriousness of unauthorized procurements cannot be overemphasized. I expect that your attention to this issue will preclude future violations.

FOR THE COMMANDER:

Bunnatine H. Greenhouse

BUNNATINE H. GREENHOUSE
Principal Assistant Responsible
for Contracting

CF: Directors/Chiefs of Contracting,
all USACE Commands