



U.S. Department of Justice

Environment and Natural Resource Division

*Executive Office
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April 28, 2008

MEMORANDUM

To: All ENRD Attorneys

From: Robert L. Bruffy
Executive Officer

A handwritten signature in black ink, appearing to read "Robert L. Bruffy", written over the printed name.

Re: Delegation of Procurement Authority - Purchase Via Certified Invoice

Delegation:

Pursuant to the certified invoice procurement authority granted to me by the Procurement Services Staff, Justice Management Division, in Delegation of Procurement Authority dated March 25, 2008, and in accordance with the Federal Acquisition Regulation (FAR), 48 CFR Part 13 and Section 2813.70 of the Justice Acquisition Regulations (JAR), you are hereby delegated procurement authority to acquire goods and services up to \$3,000 using certified invoice subject to the following limitations:

Limitations:

1. Purchases of litigative-related goods or services must be based on the certified invoice procedures attached hereto.
2. Purchases via certified invoice shall not exceed \$3,000 per transaction. Purchases shall not be split to circumvent this dollar threshold.
3. Goods or services purchased must be directly related to a court case or cases to which you are assigned.
4. Goods or services must be reasonable in price.

This delegation of procurement authority may not be redelegated.

Unless sooner terminated, this delegation is effective as long as you are assigned to your present position and departmental component.

Attachment: Certified Invoice Procedure

CERTIFIED INVOICE INSTRUCTIONS AND PROCEDURES

1. When advantageous to the Government, supplies or services directly related to litigative expenses may be acquired on the open market from local suppliers at the site of the work or use point using vendors' invoices instead of purchase orders. Certified invoice may not be used to place orders under established contracts unless specific authorization of their use is included in the contract document.
2. Such purchases shall be effected only in accordance with FAR Part 13 and other policies and procedures as applicable, i.e., FAR 23.4 Use of Recovered Materials (recycled products), FAR 39.2 Electronic and Information Technology (Section 508), subject to the following:
 - a. The individual making the purchase shall have a written delegation of procurement authority issued by the Executive Officer;
 - b. The amount of any one purchase must be \$3,000.00 or less (purchases shall not be split to circumvent this dollar amount);
 - c. The supply or service purchased is a litigative expense (litigative expenses are those which result directly from actions of the courts or have a direct connection with the prosecution of a case);
 - d. The individual authorized to make the purchase must be a litigator assigned to a legal case or support personnel and the purchase must be related to his or her case;
 - e. A purchase order is not required by either the supplier or the Government; and,
 - f. Appropriate invoices can be obtained from the supplier.
3. The items to be purchased shall be domestic source end products except as provided in FAR Subpart 25.1. This section of the FAR implements the Buy American Act (41 U.S.C. 10a - 10d) and Executive Order 10582, by requiring the procurement of domestic products except in very rare circumstance where there is an existing agreement with a foreign government or where a product has been determined to be "non-available" (these exceptions are described in Subpart 25.1).
4. Requestors should contact ENRD's Office of Administrative Services if in need of copying or reproduction services. Title 44 of the U.S. Code requires executive branch agencies to use GPO for printing and copying services (even when out-of-town), unless a waiver is obtained from JMD's Printing Office.
5. Use of certified invoice does not eliminate the requirements in FAR Part 13 or JAR Part 2813 of this chapter to certify that the quality and quantity of items/services furnished are in accordance with the verbal agreement made with the vendor.
6. Each individual using this purchasing technique shall require the supplier to immediately submit properly prepared invoices with itemized property or services furnished.
7. Upon receiving the invoice, the individual making the purchase shall annotate the invoice with the date of receipt, verify the arithmetic accuracy of the invoiced amount and verify on the invoice that the supplies and/or services have been received and accepted. If the invoice is correct, the individual who made the purchase shall sign the invoice indicating acceptance and immediately forward it to the person assigned to approve these certified invoices (designee). The invoice shall then be approved by the designee and forwarded to the Finance Office for payment within 5 days after receipt of the invoice or acceptance of the supplies or services, whichever is later. Before forwarding the invoice to Finance, the designee shall place the following statement on the invoice along with the accounting and appropriation data:

"I certify that these goods and/or services were received on _____ (date)
and accepted on _____ (date). Oral purchase was authorized and no
confirming order has been issued."

Signature

Date

Printed or Typed Name and Title