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**United States**

**Department of**

**Agriculture**

Office of the

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for Administration

Office of

Procurement

and Property

Management

1400 Independence Ave., SW

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Washington, DC

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**Date:** December6**,** 2017

**From:** Office of Procurement and Property Management (OPPM)

Procurement Policy Division

**To:** Heads of Contracting Activity

**Subject:** Deviation 18-01 in U.S. Department of Agriculture (USDA) Agriculture Acquisition Regulation (AGAR)

1. AGAR Deviation 18-01 implements the following for AGAR 402.101:

Deletes definition for HCA and SPE.

Adds the following:

The “Mission Area - Senior Contracting Official (MA-SCO)” is the single senior staff official for a contracting activity responsible for the performance of contracting functions delegated by the HCA.  The MA-SCO is an individual assigned to a position established by the HCA to accomplish contracting functions which FAR, AGAR or other policy or directive does not require the HCA to perform.  A MA-SCO must be certified at Level 3 in the Contracting Career Field.

The “Senior Procurement Executive (SPE),” as provided for by 41 U.S. Code § 1702, is the USDA Director of the Office of Procurement and Property Management.

2. AGAR Deviation 18-01 implements the following for AGAR 401.601:

Deletes the existing language for 401.601(b).

Deletes the existing language for 401.601(d) and replaces it with the following:

(d) Designation of Heads of Contracting Activity (HCA).

(1) The Secretary has delegated to the Senior Procurement Executive (SPE) the authority to delegate contracting authority to persons designated as “Head of Contracting Activity (HCA)” and the responsibility to manage their acquisition functions.  Such delegation shall be in writing to a specific individual and specify any limitations in the authority granted the HCA.

(2) Except for those authorities that are not delegable (e.g. AGAR 433.102(b); FAR 3.1104(c)), an HCA shall delegate his or her authority to a single individual from the mission area to be known as the Mission Area-Senior Contracting Official (MA-SCO) (referred to in some earlier editions of the AGAR by the acronym “HCAD”). Such delegation shall be in writing to a specific individual, with a copy provided to the SPE, and must set forth the limitations on the MA-SCO authority. For good cause, the HCA may request the SPE to waive the requirement to delegate authority to a MA-SCO.

This deviation iseffective immediately, applies to all USDA contracting activities and expires when incorporated in the AGAR, or is otherwise rescinded.