



DEPARTMENT OF TRANSFORMATION AND SHARED SERVICES
OFFICE OF STATE PROCUREMENT

Delegation Order
January 3, 2024

Pursuant to Ark. Code Ann. § 19-11-218(3), and subject to the conditions set forth below, each agency procurement official ("APO") at each of the Arkansas institutions of higher education identified at Ark. Code Ann § 19-11-220(a)(2)-(36) is hereby delegated authority to make the written determinations required by Ark. Code Ann. § 19-11-256(b) and Ark. Code Ann. § 19-11-249(a)(2)(B)(i) for his or her respective institution of higher education whenever it seeks to use a cooperative purchasing agreement that is being administered by a public procurement unit or buying organization that is not subject to Arkansas Procurement Law. More specifically, each such APO is authorized to determine, pursuant to the guidelines established by Ark. Code Ann. § 19-11-249(a)(2)(B)(ii) and any rule promulgated pursuant thereunder, whether: (1) the procurement methods and remedies procedures of the public procurement unit or buying organization administering the cooperative purchasing agreement under consideration substantially meets the requirements of Arkansas Procurement Law; (2) there is an "economic justification" for using the cooperative purchasing agreement under consideration; and; (3) to approve or disapprove use of such a cooperative purchasing agreement. This authority is delegated subject to the following conditions:

1. The authority delegated hereby may be exercised only with respect to cooperative purchasing agreements that have been reviewed by the General Counsel's Office, or an attorney designated by the General Counsel's office, or which are on standard contract forms developed or approved by the General Counsel's Office; and
2. Each APO shall keep copies of any written determinations made using this delegated authority available for copying or inspection as public records subject to the Arkansas Freedom of Information Act.

Nothing herein is intended to prohibit any APO of institution of higher education from requesting assistance of the Department of Transformation's Office of State Procurement ("TSS OSP"). The authority extended under this delegation order will expire on June 30, 2024, unless sooner rescinded or revoked for cause.

It is so ordered,

Edward Armstrong
State Procurement Director