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**TITLE: DELEGATION OF AUTHORITY TO EXECUTIVE DIRECTOR**

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**1. PURPOSE.**

This policy prescribes the authority(ies) delegated to the Executive Director by the US AbilityOne Commission.

**2. APPLICABILITY.**

This policy is applicable to the U.S. AbilityOne Commission, its designated CNAs, and to AbilityOne-participating NPAs.

**3. AUTHORITY.**

- (a) 41 U.S.C. 8501 - 8506, Javits-Wagner-O'Day (JWOD) Act
- (b) 41 CFR 51, Committee for Purchase From People Who Are Blind or Severely Disabled

**4. DEFINITIONS AND ACRONYMS.**

Definitions, abbreviations, and acronyms frequently used throughout this policy system are provided in 51.102, Definitions. Terms unique to a specific subject matter will be defined in the associated policy and/or procedure.

**5. RESPONSIBILITIES.**

The Executive Director will perform actions delegated by the Commission as detailed in the following policy.

**6. POLICY.**

The Executive Director is hereby delegated the authority to manage the day-to-day activities of the Commission and to act on-behalf of the Commission in the following matters:

- (a) Overall management and direction of the AbilityOne Program in accordance with all requirements as specified and/or directed by the Commission and in accordance with the strategic plan.
  - i. Conduct the day-to-day business activities of the Commission with the Administration, Congress, other Federal departments and agencies, State and local governments, private firms, industry, individuals, and any other entity as necessary.
  - ii. Assign and reassign products and services under consideration for addition to the Procurement List.
  - iii. Withdraw authorization of a nonprofit agency to produce a commodity or provide a service when the agency is unable or unwilling to produce the commodity or provide the service, or is no longer qualified under the Act.

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- iv. Verify and approve the eligibility and qualification of nonprofit agencies.
  - v. Verify the capability of nonprofit agencies to produce products or provide services proposed for addition to the Procurement List.
  - vi. Act on purchase exceptions.
  - vii. Act on complaints concerning performance of nonprofit agencies.
  - viii. Reassign a commodity or service already on the Procurement List to qualified nonprofit agencies.
  - ix. Notify affected contracting activities and persons of the Commission's decisions.
- (b) Manage and direct daily oversight of the central nonprofit agencies, qualified nonprofit agencies, other program stakeholders, and all other entities and individuals seeking any business with or actions from the Commission.
- i. Manage and direct the day-to-day business activities of the Commission with the National Industries for the Blind, NISH, and nonprofit agencies.
  - ii. Respond to correspondence addressed to the Commission.
- (c) Manage the Agency specific, governmental and administrative responsibilities of the Commission, including personnel, budgeting, obligating and expending funds, negotiating and awarding contracts, and any other functions for which other federal agencies are routinely responsible.
- (d) Maintain and publish the Procurement List consisting of those decisions of the Commission, including publishing notices in the Federal Register of Commission actions.
- i. Publish notices in the Federal Register relating to the Commission's activities and regulations.
  - ii. Verify the fair market prices of products and services proposed for addition to the Procurement List.
  - iii. Extend or confirm the prices of products and services which have not changed.
  - iv. Publish the procedures required to implement the regulations and policies established by the Commission.
  - v. Approve price changes when a price change has been determined in accordance with the Commission's fair market pricing policy and the contracting activity has concurred in the proposed price change or has raised no objection to the proposed price after having reviewed the price change request.
- (e) Subject to any specific directives from the Commission or the Chairperson, perform any other functions as the Commission may assign.
- (f) The Executive Director may further delegate the authorities identified herein to director-level senior staff members in writing, as appropriate.

#### **7. EXCEPTION TO POLICY.**

None

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**7. EXCEPTION TO POLICY.**

None

**8. PROCEDURES.**

N/A

**9. SUPERSESSION.**

This policy supersedes Administrative Policy Memorandum Number 5, dated June 1, 1995, in its entirety.



APPROVED: J. Anthony Poleo  
J. Anthony Poleo  
Chairperson, U.S. AbilityOne Commission

Date: 4/24/12