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63G-6a-303 Duties and authority of chief procurement officer.

- (1) Except as otherwise specifically provided in this chapter, the chief procurement officer serves as the central procurement officer of the state and shall:
 - (a) adopt office policies governing the internal functions of the division;
 - (b) procure or supervise each procurement over which the chief procurement officer has authority;
 - (c) establish and maintain programs for the inspection, testing, and acceptance of each procurement item over which the chief procurement officer has authority;
 - (d) prepare statistical data concerning each procurement and procurement usage of a state procurement unit;
 - (e) ensure that:
 - (i) before approving a procurement not covered by an existing statewide contract for information technology or telecommunications supplies or services, the chief information officer and the agency have stated in writing to the division that the needs analysis required in Section 63F-1-205 was completed, unless the procurement is approved in accordance with Title 63N, Chapter 13, Part 2, Government Procurement Private Proposal Program; and
 - (ii) the oversight authority required by Subsection (1)(e)(i) is not delegated outside the division;
 - (f) provide training to procurement units and to persons who do business with procurement units;
 - (g) if the chief procurement officer determines that a procurement over which the chief procurement officer has authority is out of compliance with this chapter or board rules:
 - (i) correct or amend the procurement to bring it into compliance; or
 - (ii) cancel the procurement, if:
 - (A) it is not feasible to bring the procurement into compliance; or
 - (B) the chief procurement officer determines that it is in the best interest of the state to cancel the procurement; and
 - (h) if the chief procurement officer determines that a contract over which the chief procurement officer has authority is out of compliance with this chapter or board rules, correct or amend the contract to bring it into compliance or cancel the contract:
 - (i) if the chief procurement officer determines that correcting, amending, or canceling the contract is in the best interest of the state; and
 - (ii) after consultation with the attorney general's office.
- (2) The chief procurement officer may:
 - (a) correct, amend, or cancel a procurement as provided in Subsection (1)(g) at any stage of the procurement process; and
 - (b) correct, amend, or cancel a contract as provided in Subsection (1)(h) at any time during the term of the contract.