



OFFICE OF STATE PROCUREMENT
Delegation Order – Higher Education

Pursuant to Arkansas Code Annotated § 19-11-218(a)(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 Arkansas Code Annotated § 19-11-220(a)(2)-(36) is hereby delegated authority to make the written determinations required by Arkansas Code Annotated § 19-11-256(b) and Arkansas Code Annotated § 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 Arkansas Code Annotated § 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 Office of State Procurement. This delegation order shall be effective as of July 1, 2024, and shall remain so through June 30, 2025, unless sooner rescinded or superseded.



Jessica Patterson
State Procurement Director



Date