

41.103 Statutory and delegated authority.

(a) Statutory authority.

(1) The General Services Administration (GSA) is authorized by [40 U.S.C. 501](#) to prescribe policies and methods governing the *acquisition* and supply of utility services for *Federal agencies*. This authority includes related functions such as managing public utility services and representing *Federal agencies* in proceedings before Federal and state regulatory bodies. GSA is authorized by [40 U.S.C.501](#) to contract for utility services for periods not exceeding tenyears.

(2) The Department of Defense (DoD) is authorized by [10 U.S.C. 3201\(a\)](#) and [40 U.S.C.113\(e\)\(3\)](#) to acquire utility services for military facilities.

(3) The Department of Energy (DOE) is authorized by the Department of Energy Organization Act ([42 U.S.C.7251, etseq.](#)) to acquire utility services. DOE is authorized by the Atomic Energy Act of1954, as amended ([42 U.S.C.2204](#)), to enter into new contracts or modify existing contracts for electric services for periods not exceeding 25 years for uranium enrichment installations.

(b) *Delegated authority.* GSA has delegated its authority to enter into utility service contracts for periods not exceeding tenyears to DoD and DOE, and for *connection charges* only to the Department of Veteran Affairs. *Contracting* pursuant to this delegated authority *shall* be consistent with the requirements of this part. Other agencies requiring utility service contracts for periods over oneyear, but not exceeding tenyears, *may* request a delegation of authority from GSA at the address specified in [41.301\(a\)](#). In keeping with its statutory authority, GSA will, as necessary, conduct reviews of *delegated agencies' acquisitions* of utility services to ensure compliance with the terms of the delegation and applicable laws and regulations.

(c) Requests for delegations of *contracting* authority from GSA *shall* include a certification from the acquiring agency's *Senior Procurement Executive* that the agency has-

(1) An established *acquisition* program;

(2) Personnel technically qualified to deal with specialized utilities problems; and

(3) The ability to accomplish its own pre-award contract review.

Parent topic: [Subpart 41.1 - General](#)