



# U.S. Chemical Safety and Hazard Investigation Board

**SUBJECT:** Roles, Responsibilities, and Standards of Conduct in Procurement Activities

---

## CONTENTS

|    |                           |   |
|----|---------------------------|---|
| 1. | Purpose.....              | 2 |
| 2. | Effective Date.....       | 2 |
| 3. | Scope.....                | 2 |
| 4. | References.....           | 2 |
| 5. | Definition.....           | 2 |
| 6. | Responsibilities.....     | 2 |
| 7. | Standards of Conduct..... | 3 |

1. **PURPOSE.** This Order sets forth the respective roles and responsibilities of key participants in the procurement activities of the Chemical Safety and Hazard Investigation Board (CSB) and establishes standards for the conduct of the Chairperson, Board Members, Chief Operating Officer (COO), and staff in carrying out their appropriate roles.
2. **EFFECTIVE DATE.** This Order is effective upon passage by the Board.
3. **SCOPE.** This Order applies to: all Board Members, including the Member who is the Chairperson or, when the position of Chairperson is vacant, the Board Member Delegated Interim Executive and Administrative Authority, pursuant to Order 003; the COO; and all CSB staff involved in the agency's procurement activities.
4. **REFERENCES.** The roles and responsibilities delineated in this Order are based upon the delegations of authority contained in Board Order 003 and any further delegations of authority. The standards of conduct established in this Order are based primarily upon the Standards of Ethical Conduct for Employees of the Executive Branch, 5 C.F.R. Part 2635, and Part 3 of the Federal Acquisition Regulation. This Order supplements Order 024, "Acquisition of Supplies and Services," which contains procedures for conducting individual procurement actions.
5. **DEFINITION.**
  - a. **Chairperson** – the Board Member who is the Chairperson of the CSB or, when the position of Chairperson is vacant, the Board Member Delegated Interim Executive and Administrative Authority, pursuant to Order 003.
6. **RESPONSIBILITIES.** The following are the respective roles and responsibilities of the Board, the Chairperson, the Chief Operating Officer (COO), and the Office Directors in conducting the procurement activities of the CSB:
  - a. **Board.** The Board's role in the procurement activities of the CSB consists of approving the allocation of funds for those contracts, interagency transfers, or other expenditures which exceed \$50,000. The Board may exercise this approval authority in the following three ways:
    - 1) By approving the allocation of funds for an identified contract requirement, interagency transfer requirement, or other expenditure in advance as part of the CSB annual operating budget; or
    - 2) By approving the allocation of funds for an identified contract requirement, interagency transfer requirement, or other expenditure as part of a supplement or amendment to the CSB annual operating budget; or

- 3) By approving the allocation of funds for a contract, interagency transfer, or other expenditure on an individual basis by a vote in accordance with Order 001.
  - b. **Chairperson.** The Chairperson's role in the procurement activities of the CSB consists of exercising overall control over the use and expenditure of funds and providing general direction and supervision to the COO in the COO's exercise of the functions described in paragraph c., below.
  - c. **Chief Operating Officer.** The Chief Operating Officer's role in the procurement activities of the CSB consists of overseeing and managing the administrative aspects of the procurement process; authorizing and executing certain contracts and interagency transfers which do not exceed \$50,000; overseeing and managing the use and expenditure of CSB funds; and providing general direction and supervision to the Office Directors in their exercise of the functions described in paragraph d., below.
  - d. **Office Directors.** Office Directors' role in the procurement process consists of initiating and supervising the procurement process for, and ultimately executing, those contracts and interagency transfers which exceed \$50,000, for which the allocation of funds has been approved by the Board in accordance with section 6.a. of this Order. Office Directors are also authorized to approve and execute those contracts and interagency transfers which do not exceed \$50,000, for which the allocation of funds has been approved by the Board in accordance with section 6.a. of this Order. Consistent with paragraph c., above, the COO retains authority to approve and execute contracts and interagency transfers for less than \$50,000, for which funds are not already specifically allocated in the operating budget, but for which funds are otherwise available within the budget of the office requesting the approval. Office Directors are also authorized to approve and execute, consistent with Order 024 and all applicable laws, all micro-purchases for their respective offices, consistent with the availability of funds within their approved office budgets.
7. **STANDARDS OF CONDUCT.** To ensure that all procurement activities of the CSB are carried out in the best interest of the Government and with the utmost integrity and transparency, the Chairperson, the Board, the COO, and all CSB staff involved in the agency's procurement activities shall adhere to the standards of conduct set forth below. These standards highlight the most important duties of participants in procurement activities. They are not a comprehensive restatement of all the laws, regulations, and standards which guard public integrity generally and procurement integrity specifically. Those laws, regulations, and standards require compliance independent of this Order.
- a. The identification, evaluation, and selection of contractors shall be conducted by CSB staff, in accordance with the division of roles and responsibilities described in section 6. of this Order.

- b. When Board approval of a particular contract, interagency transfer, or other procurement expenditure is required, such approval shall be made solely on the merits of the objective requirement.
- c. All participants in procurement activities shall adhere to the Standards of Ethical Conduct for Employees of the Executive Branch and other applicable laws and regulations governing procurement activities or public integrity and shall avoid taking any actions connected with procurement activities that would be a violation of those standards, laws, or regulations, or that could create the appearance of such a violation.
- d. All participants in procurement activities shall seek the advice of the Designated Agency Ethics Official whenever they have a question about the propriety of a particular procurement-related action and shall take appropriate steps – including recusal, if necessary – based on that advice to avoid creating an ethical conflict or the appearance of one.
- e. All participants in procurement activities shall avoid any involvement in such activities which could potentially or actually benefit their own financial or other personal interests (including future employment opportunities), or those of another individual (including a potential future employer) whose interests can be imputed to the CSB employee pursuant to applicable standards, laws, or regulations
- f. All participants in procurement activities shall decline, except as permitted by applicable law or regulation, to solicit or accept any gratuity, gift, favor, entertainment, loan, or anything else with monetary value from any person or entity that does business with, or is seeking to do business with, the CSB.
- g. All participants in procurement activities shall avoid making unauthorized commitments or promises to any person or entity that might misrepresent or bind the CSB.
- h. All participants in procurement activities shall act impartially in connection with those activities and shall avoid giving preferential treatment to any person or private entity.

**U.S. CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD**

June 4, 2002