

DHHS Directive Number II-17

Title: Delegation of Authority to the Director, Division of Property and Construction
Effective Date: November 3, 2008
Revision History: January 1, 2002
Authority: G.S. 143B-10; 122C-403 (1) through (8); G.S. 160A-148.

Purpose

The purpose of this directive is to delegate, clarify and specifically confirm certain authorities of the Secretary of the North Carolina Department of Health and Human Services (NC DHHS) to the Director of the Office of Property and Construction. This position shall report to the Secretary through the Deputy Secretary.

The purpose of the Division of Property and Construction is to provide capital budget preparation and administration for the department; prioritization of capital improvement projects; management, acquisition, and disposition of real property, including lease arrangements and real estate transactions for all properties under DHHS control; overall management and coordination of department wide construction projects, including planning, engineering and architectural requirements associated with the projects; development and administration of a system wide facility maintenance policy for all DHHS facilities; approval and support in the selection of appropriate facility telecommunications systems; and management oversight for the operation of the Town of Butner.

Delegation of Authority

As provided in G.S. 143B-10(a), the Secretary of the DHHS delegates the following functions and responsibilities concerning management and administration to the Director of the Office of Property and Construction, subject to state and departmental policy:

1. The functions of management, related to the Office of Property and Construction, as defined in G.S. 143B-10 which include: planning, organizing, staffing, directing, coordinating, evaluating, reporting and budgeting.

2. Execution of all capital budget functions for the department including:
 - A. Exercise discretion in regard to the budgeting, allocation, re-allocation, receipt or expenditure of capital funds permitted by law or regulation.
 - B. Manage all capital budgets and reserves.
 - C. Approve and process all capital budget revisions, allotments, transfers and advance funds for planning, for all capital projects.
 - D. Prepare and prioritize the department's capital request from the Reserves for Repairs and Renovations, the Biennium Capital Budget Request and the Six Year Capital Improvement Schedule.

3. Management, acquisition, and disposition of real property, including lease arrangements and real estate transactions, and including the following:
 - A. Analyze space needs and provide recommendations to division and department management.
 - B. Manage and approve the utilization of department property.
 - C. Negotiate and execute all leases permitted by law or regulation.
 - D. Negotiate and execute master utility agreements.
 - E. Conduct physical plant inspections to determine where major repairs, replacements and energy upgrades are required.

4. Overall management and coordination of department construction projects and associated planning, engineering, and architectural requirements, including the following:
 - A. Negotiate and execute all design and planning contracts/agreements for architectural and engineering services on behalf of the department.
 - B. Execute all contracts for capital construction projects on behalf of the department.
 - C. Develop and administer a system-wide facilities maintenance plan.
 - D. Approve all major repairs, renovations and replacement of department facilities, including associated expenditures.
 - E. Provide architectural and engineering support for department projects.

5. Ensure consistent policy in the application and use of telecommunications systems and services, including the following:
 - A. Approve all central telecommunications systems to be installed in DHHS facilities.
 - B. Serve as the central point of contact with information technology services for issues related to telecommunications services for the department.
 - C. Develop telecommunication policy for the department consistent with authority permitted by law or regulation.

- D. Serve as department sponsor/manager for all major telecommunication initiatives.
6. Provide management oversight for the operation of the Town of Butner, as provided in G.S. 122C-403 (1) through (8) including the following:
- A. Provide business support, including support of activities associated with developing and administering rates and issuing revenue bonds for system improvements.
 - B. Provide engineering and construction support.
 - C. **Supervise the Butner Town Manager.**
7. The Director shall be responsible for ensuring that the division is familiar with and adheres to the department's policy and procedures manual.

This delegation of authority shall not deprive the Secretary from performing, in lieu of the Director of the Division of Property and Construction, any of the acts set forth above. This delegation of authority may be amended or withdrawn by the Secretary at any time and without notice. This delegation of authority shall not apply to any actions which by law, state policy or the NC Governor's Executive Order, may only be executed by the Secretary.

APPROVED

Dempsey Benton, Secretary
Department of Health and Human Services