JUN 19 2008

MEMORANDUM FOR BUREAU PROCUREMENT CHIEFS

FROM: Michael H. Allen
Senior Procurement Executive

SUBJECT: DOJ Procurement Guidance Document (PGD) 08-08
Federal Acquisition Certification for Contracting Officer Technical
Representatives (FAC-COTR)

PURPOSE:

This Procurement Guidance Document establishes policy on a Department-wide structured training program for Contracting Officer Technical Representatives (COTRs) and other individuals performing these functions, including Contracting Officer Representatives (CORs). This guidance supplants the guidance contained in the Department's Acquisition Workforce Manual, which has been updated to reflect FAC-COTR requirements.

AUTHORITY:

Office of Federal Procurement Policy (OFPP) Policy Letter 05-01, Developing and Managing the Acquisition Workforce, established a requirement for federal acquisition certification programs. The FAC-COTR is issued pursuant to 41 U.S.C. 403, et seq and OFPP Policy Letter 05-01, paragraph 9 and Office of Management and Budget Memorandum, "The Federal Acquisition Certification for Contracting Officer Technical Representatives," dated November 26, 2007.

BACKGROUND:

The Services Acquisition Reform Act of 2003, P.L. 108-136, expanded the definition of acquisition to include functions performed by COTRs, such as managing and measuring contract performance and providing technical direction. OFPP Policy Letter 05-01 built upon this broader definition of acquisition workforce and required the Federal Acquisition Institute (FAI) to make recommendations for a Contracting Officer Technical Representative certification program to standardize competencies and training across civilian agencies. The key FAC-COTR competencies include both professional business competencies and technical competencies.

KEY ELEMENTS OF THE FAC-COTR PROGRAM

Applicability

Contracting officers may appoint individuals selected by program offices to act as authorized representatives in the monitoring and administration of a contract. Such officials shall be designated as Contracting Officers' Technical Representatives (COTR's). For purposes of this policy, the term COTR includes CORs and other individuals performing these functions. FAC-COTR is accepted by all civilian agencies as evidence that an employee meets core training requirements to perform COTR functions, though authorization to perform COTR functions must be in accordance with agency policy. Obtaining the FAC-COTR does not mean that an individual will be assigned as a COTR; this determination will be made in accordance with Bureau needs.

Certification for Contracting Officer Technical Representatives (COTRs)

FAC-COTR consists of competency-based core training and assignment specific training to achieve certification, and ongoing continuous learning to maintain certification.

COTR Key Competencies

Professional Business Competencies	Technical Competencies
Oral Communication	Understanding COTR duties, responsibilities, and obligations (limited to those articulated in delegation letter and must be exercised in accordance with Bureau policy)
Decision-Making	Effective Communication of Contract Requirements
Teamwork	Effective performance management
Problem Solving	Strategic Planning
Attention to Detail	Detailed Evaluation Skills
Reasoning	Defining Business Relationships
Flexibility	Understanding the Marketplace
Interpersonal Skills	Effective Communication
Self-Management/Initiative	Defining Government Requirements in Commercial/Non-commercial terms
Integrity/Honest	Effective Negotiation Skills and Effective Analytical Skills
Planning and Evaluating	
Influencing/Negotiating	
Writing	
Project Management	

General Requirements

All COTRs appointed to a contract after the effective date of this PGD must be certified no later than six months from their date of appointment. COTRs who hold delegation letters on active contracts have one-year from the effective date of 11/26/2007 to become certified.

Training

COTRs must have a minimum of 40 hours of training and must maintain their skills currency through continuous learning, which may be obtained through FAI, the Defense Acquisition University, commercially-available sources, colleges or universities, or agency-specific courses. Twenty-two of the required 40 hours of training hours must cover the essential COTR competencies included in the aforementioned table. A suggested training curriculum includes the following courses. Individuals substituting other training for these courses must ensure that the curriculum covers all essential competencies.

CLC106 - COR with a Mission Focus (8CLPs)
CLM024 - Contracting Overview (8 CLPs)
CLC004 - Market Research (3 CLPs)
CLC007 - Contract Source Selection (1 CLP)
CLM003 - Ethics Training for Acquisition Technology and Logistics (2 CLPs) or similar

Individuals who have completed FAI's 24-hour "COR Mentor" course have satisfied this requirement. The remaining 18 hours of the required 40 hours of training should include Bureau-specific courses, electives, and/or those identified by the COTR's supervisor, in consultation with the Contracting Officer, as necessary, for managing a particular contract.

Individuals may also utilize the fulfillment process to satisfy FAC-COTR requirements.

Experience

There is no federal standard for experience. However, Bureaus are encouraged to nominate only those individuals with adequate technical and management experience to accommodate the complexity or visibility of the contract.

Continuous Learning Points

To maintain FAC-COTR, certified professionals are required to earn 40 continuous learning points (CLPs) of skills currency training every two years beginning the first fiscal year following the effective date of certification. CLPs begin to accumulate on the date the individual is certified. Individuals are responsible for ensuring that continuous learning requirements are met and maintaining such records. Bureau Acquisition Career Managers (ACMs) will monitor the continuous learning requirements to ensure certifications remain active.

A FAC-COTR will expire if the 40 CLPs are not earned every two years. As a result, the COTR's delegation letter may be revoked or modified if the condition is not met. Additional guidance on determining continuing learning points in included in Appendix A of this document.

Certification Equivalencies

Individuals certified as Federal Acquisition Certification in Contracting (FAC-C) Level I or Federal Acquisition Certification for Program and Project Managers (FAC-P/PM) Mid-Level/Journeyman are considered to have met the FAC-COTR requirements, but must still submit the necessary documents to their ACMs and obtain certification. However, an individual with a FAC-COTR does not necessarily meet the requirements for the FAC-C Level I or the FAC-P/PM mid-level/journeyman.

Certification Program Oversight and Administration

The certification process, including assessment of applications, will be managed by each Bureau. Authority for overseeing the Department's FAC-COTR program, resolving disputes, and administering and granting certifications will reside with the Department's ACM.

Waivers

The Senior Procurement Executive (SPE) may waive, for a period not to exceed 12 months, all or part of the FAC-COTR requirements in writing, on a case-by-case basis, if granting the waiver is in the best interest of the agency. Written justification shall include reasons for and conditions of the waiver. Bureau ACMs must maintain all supporting documentation to confirm information entered into the Acquisition Career Management Information System (ACMIS) and for program quality assurance.

Acquisition Career Management Information System (ACMIS)

ACMIS is the central acquisition workforce information system for all civilian agencies and will support the FAC-COTR program. Agencies and individuals are responsible for maintaining certification documentation for quality assurance purposes. In accordance with Office of Federal Procurement Policy, Policy Letter 05-01, COTRs must enter their training data into ACMIS. COTRs must update their existing ACMIS records in a timely manner and keep these records current to reflect their certification status and continuous learning points.

Requirements of the FAC-COTR program can be found at www.fai.gov and will be published on the Department's website under Career Management. Please disseminate this PGD as appropriate in your organization. Should you have questions, please contact Dana Munson on 202/616-3759 or via email at dana.munson@usdoj.gov.

Attachment: Appendix A. Guidance on Meeting the Requirements for Continuous Learning Points (CLP)

Appendix A. Guidance on Meeting the Requirements for Continuous Learning Points (CLP)

These guidelines reflect best-in-practice recommendations for continuous learning. Agencies retain flexibility and supervisors remain responsible for working with COTRs to identify those activities and opportunities of greatest benefit to the professional development of an individual. The training, professional activities, education and experience that are used to meet the CLP requirements must be job related.

A. Training

1) Completing awareness training. Periodically agencies conduct briefing sessions to acquaint the workforce with new or changed policy. Generally, no testing or assessment of knowledge gained is required.

2) Completing learning modules and training courses. These may be formal or informal offerings from a recognized training organization, including in-house training courses/sessions, which include some form of testing/assessment for knowledge gained.

3) Performing Self-Directed Study. An individual can keep current or enhance his or her capabilities through a self-directed study program agreed to by the supervisor.

4) Teaching. Employees are encouraged to share their knowledge and insights with others through teaching of courses or learning modules.

5) Mentoring. Helping others to learn and become more productive workers or managers benefits the agency and the individuals involved.

B. Professional Activities

1) Participating in Organization Management. Membership alone in a professional organization will not be considered as fulfilling continuous learning requirements, but participation in the organization leadership will. This includes holding elected/appointed positions, committee leadership roles, or running an activity for an organization that one is permitted to join under current ethics law and regulation. The employee and supervisor must first ensure that participating in the management of an organization is allowed by the agency.

2) Attending/Speaking/Presenting at Professional Seminars/Symposia/Conferences. Employees can receive points for attending professional seminars or conferences that are job related. However, the supervisor needs to determine that the individual learned something meaningful from the experience. Because significant effort is involved in preparing and delivering presentations, credit should be given for each hour invested in the preparation and presentation.

3) Publishing. Writing articles related to acquisition for publication generally meets the criteria for continuous learning. Points will be awarded only in the year published. Compliance with agency publication policy is required.

4) <u>Participating in Workshops</u>. Points should be awarded for workshops with planned learning outcomes.

C. Education

1) <u>Formal training</u>. Supervisors should use Continuing Education Units (CEUs) as a guide for assigning points for formal training programs that award CEUs. The CEUs can be converted to points at 10 CLP points per CEU.

2) <u>Formal academic programs</u>. For formal academic programs offered by educational institutions, each semester hour is equal to one CEU. A three-hour credit course would be worth three CEUs and 30 CLP points, assuming that it is applicable to the acquisition function.

SAMPLE ACTIVITIES	RECOMMENDED NUMBER OF HOURS *
Active Association Membership (in relevant subject area such as program/project management, acquisition management, or appropriate technical area)	5 hours for an active membership year OR 1 hour for each 60 minutes of activity attended during the year
Publication of related management or technical papers, etc.	20 hours for articles 25 for technical paper
Formal rotational assignments	40 hours per assignment
Conference presentations, training or seminar delivery	2 hours for 60 minutes of first-time presentation (1 for presentation, 1 for preparation, .5 credit for repeat delivery of same material)
Team leadership activities, participation on project teams for new products/activities	1 hour for every 60 minutes of participation
Formal education	1 hour for each hour of instruction up to 36 hours for a 3 credit course or American Council on Education (ACE) recommendation
Professional examination, license, or certification	40 hours in the year obtained
1 Continuing Education Unit (CEU)	10 hours

7

1 Continuous Learning Point (CLP), Professional Development Unit (PDU), or Professional Development Hour (PDH)	1 hour
1 credit hour (college course or ACE recommendation)	10 hours
Conference attendance	1 hour for each 50 minute presentation attended

* Note - Points are earned only in the year accomplished, awarded or published.