

## Department of Defense

201.603-2

Administration and the Department of Labor.

[65 FR 6552, Feb. 10, 2000, as amended at 65 FR 52951, Aug. 31, 2000]

### Subpart 201.6—Contracting Authority and Responsibilities

#### 201.602 Contracting officers.

##### 201.602-2 Responsibilities.

Contracting officers may designate qualified personnel as their authorized representatives to assist in the technical monitoring or administration of a contract. A contracting officer's representative (COR)—

(1) Must be a Government employee, unless otherwise authorized in agency regulations.

(2) Must be qualified by training and experience commensurate with the responsibilities to be delegated in accordance with department/agency guidelines.

(3) May not be delegated responsibility to perform functions at a contractor's location that have been delegated under FAR 42.202(a) to a contract administration office.

(4) May not be delegated authority to make any commitments or changes that affect price, quality, quantity, delivery, or other terms and conditions of the contract.

(5) Must be designated in writing, and a copy furnished the contractor and the contract administration office,—

(i) Specifying the extent of the COR's authority to act on behalf of the contracting officer;

(ii) Identifying the limitations on the COR's authority;

(iii) Specifying the period covered by the designation;

(iv) Stating the authority is not re-delegable; and

(v) Stating that the COR may be personally liable for unauthorized acts.

(6) Must maintain a file for each contract assigned. This file must include, as a minimum—

(i) A copy of the contracting officer's letter of designation and other documentation describing the COR's duties and responsibilities; and

(ii) Documentation of actions taken in accordance with the delegation of authority.

#### 201.602-70 Contract clause.

Use the clause at 252.201-7000, Contracting Officer's Representative, in solicitations and contracts when appointment of a contracting officer's representative is anticipated.

#### 201.603 Selection, appointment, and termination of appointment.

##### 201.603-2 Selection.

(1) Pursuant to 10 U.S.C. 1724, in order to qualify to serve as a contracting officer with authority to award or administer contracts for amounts above the simplified acquisition threshold, a person must—

(i) Have completed all mandatory contracting courses required for a contracting officer at the grade level, or in the position within the grade of the General Schedule in which the person is serving;

(ii) Have at least two years experience in a contracting position;

(iii) Have—

(A) Received a baccalaureate degree from an accredited educational institution;

(B) Completed at least 24 semester credit hours, or equivalent, of study from an accredited institution of higher education in any of the following disciplines: Accounting, business finance, law, contracts, purchasing, economics, industrial management, marketing, quantitative methods, and organization and management; or

(C) Passed an examination considered to demonstrate skills, knowledge, or abilities comparable to that of an individual who has completed at least 24 semester credit hours, or equivalent, of study from an accredited institution of higher education in any of the disciplines in paragraph (1)(iii)(B) of this subsection; and

(iv) Meet such additional requirements, based on the dollar value and complexity of the contracts awarded or administered in the position as may be established by the Secretary of Defense.

(2) The requirements in 201.603-2(1)(iii) do not apply to any employee who, as of October 1, 1991, had at least 10 years experience in acquisition positions, in comparable positions in other government agencies or the private

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sector, or in similar positions in which the individual obtained experience directly relevant to the field of contracting.

(3) The requirements in 201.603-2(1) do not apply to any employee for purposes of qualifying to serve in the position in which the employee is serving on October 1, 1993, or any other position in the same grade and involving the same level of responsibilities as the position in which the employee is serving on that date.

(4) Waivers may be authorized. Information on waivers is contained in DoD Manual 5000.52-M, Career Development Program for Acquisition Personnel.

[58 FR 28463, May 13, 1993, as amended at 62 FR 34121, June 24, 1997]

### 201.603-3 Appointment.

(a) Certificates of Appointment executed under the Armed Services Procurement Regulation or the Defense Acquisition Regulation have the same effect as if they had been issued under FAR.

(b) Agency heads may delegate the purchase authority in 213.301 to DoD civilian employees and members of the U.S. Armed Forces.

[56 FR 36284, July 31, 1991, as amended at 64 FR 56705, Oct. 21, 1999]

## PART 202—DEFINITIONS OF WORDS AND TERMS

AUTHORITY: 41 U.S.C. 421 and 48 CFR chapter 1.

### Subpart 202.1—Definitions

#### 202.101 Definitions.

*Congressional defense committees* means—

(1) The Committee on Armed Services of the Senate;

(2) The Subcommittee on Defense of the Committee on Appropriations of the Senate;

(3) The Committee on Armed Services of the House of Representatives; and

(4) The Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

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*Contract administration office* also means a contract management office of the Defense Contract Management Agency.

*Contracting activity* for DoD also means elements designated by the director of a defense agency which has been delegated contracting authority through its agency charter. DoD contracting activities are—

#### DEPARTMENT OF DEFENSE

Department of Defense Education Activity  
TRICARE Management Activity  
Real Estate and Facilities Directorate,  
Washington Headquarter Services

#### ARMY

Contract Support Agency  
Office of the Deputy Chief of Staff for Research, Development and Acquisition,  
Headquarters, U.S. Army Materiel Command  
Aviation and Missile Command  
Industrial Operations Command  
Communications-Electronics Command  
Tank-Automotive and Armaments Command  
Training and Doctrine Command  
Forces Command  
Health Services Command  
Military District of Washington  
U.S. Army, Europe  
National Guard Bureau  
Corps of Engineers  
Information Systems Command  
Medical Research and Development Command  
U.S. Army, Pacific  
Military Traffic Management Command  
Space and Strategic Defense Command  
Eighth U.S. Army  
Intelligence and Security Command  
U.S. Army, South  
Defense Supply Service-Washington  
Directorate of Information Systems for Command, Control, Communications and Computers, Office of the Secretary of the Army  
U.S. Army Special Operations Command

#### NAVY

Deputy, Acquisition and Business Management, Office of the Assistant Secretary of the Navy (Research, Development, and Acquisition)  
Naval Air Systems Command  
Space and Naval Warfare Systems Command  
Naval Facilities Engineering Command  
Naval Inventory Control Point  
Naval Sea Systems Command  
Naval Supply Systems Command  
Office of Naval Research  
Military Sealift Command  
Strategic Systems Programs  
Marine Corps Materiel Command