

GSA ORDER

Subject: Amendment 2005-01; GSAR Case 2004-G508, Deviations

1. Purpose. This order transmits a revision to the General Services Administration Acquisition Manual (GSAM).
2. Background. The Federal Acquisition Regulation (FAR) prescribes policies and procedures for authorizing deviations from the FAR when necessary to meet the specific needs and requirements of an agency unless precluded by law, executive order, or regulation. FAR 1.402 provides that the development and testing of new techniques and methods of acquisition should not be stifled simply because such actions would require a FAR deviation. However, such deviations to the FAR and GSAM have raised questions indicating the need to increase the involvement of the Office of the Chief Acquisition Officer. Therefore, GSAR 501.403 and 501.404 are being revised to include procedures for obtaining deviations to the FAR and GSAR and clarify the term “class deviation;” add GSAR 501.404-70 to clarify the term “contract action;” and add GSAR 501.404-71 to provide procedures for obtaining deviations to the nonregulatory (unshaded) part of the GSAM.
3. Effective date. March 29, 2005.
4. Explanation of changes. To permit deviations to the FAR and the GSAM, this change will—
 - a. Amend GSAR sections 501.403 and 501.404 by adding a new item “(a)” in both sections to define an individual deviation; clarify class deviation; and add procedures for obtaining such deviations.
 - b. Add GSAR Section 501.404-70 to clarify the term “Contract action.”
 - c. Add GSAR Section 501.404-71 to add procedures for obtaining deviations to the nonregulatory (unshaded) part of the GSAM.

5. Filing instructions. Remove and insert the following pages to the GSAM:

Remove pages

501-i and 501-ii
501-3 thru 501-10

Insert pages

501-i and 501-ii
501-3 thru 501-10



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AMENDMENT 2005–01 MARCH 29, 2005

**PART 501—GENERAL SERVICES ADMINISTRATION
ACQUISITION REGULATION SYSTEM**

Sec.

Subpart 501.1—Purpose, Authority, Issuance

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**Subpart 501.4—Deviations from the FAR and
GSAR**

- 501.402 Policy.
- 501.403 Individual deviations.
- 501.404 Class deviations.
- 501.404-70 Contract action.
- 501.404-71 Deviations to the nonregulatory GSAM.

**Subpart 501.6—Career Development,
Contracting Authority, and Responsibilities**

- 501.601 General.
- 501.602 Contracting officers.
- 501.602-2 Responsibilities.
- 501.602-3 Ratification of unauthorized commitments.
- 501.603 Selection, appointment, and termination of appointment.
- 501.603-1 General.
- 501.603-2 Selection.
- 501.603-3 Appointment.
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Subpart 501.7—Determinations and Findings

- 501.707 Signatory authority.

**Appendix 501A—Suggested Language for
Certificates of Appointment for
Contracting Officer Warrant Program**

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Subpart 501.4—Deviations from the FAR and GSAR

501.402 Policy.

Uniformity is a goal of GSA’s Acquisition Regulation System. Despite this desire for uniformity, a contracting activity may take any of the following actions:

- (a) Develop and test new procedures and techniques.
- (b) Adopt alternate procedures in the public interest for unique programmatic or managerial requirements.
- (c) Deviate from a regulatory provision implementing a statutory requirement provided the deviation does not violate the underlying statute. Deviations must not be used to defeat the FAR and GSAR approval requirements.

501.403 Individual deviations.

(a) An individual deviation affects only one contract action.

(1) The Head of the Contracting Activity (HCA) must approve an individual deviation to the FAR. The authority to grant an individual deviation may not be re-delegated. A copy of the deviation must be provided to GSA’s Senior Procurement Executive (SPE).

(2) An individual deviation to the GSAR must be approved by the HCA. The authority to grant an individual deviation may be re-delegated to the Contracting Director.

(b) If GSA delegates authority to another agency and requires compliance with the GSAR as a condition of the delegation, the Contracting Director in the agency receiving the delegation may approve individual deviations from the GSAR unless the agency head receiving the delegation designates another official.

- (c) Send a copy of each deviation to GSA’s SPE (V).

501.404 Class deviations.

(a) A class deviation affects more than one contract action. A deviation for any solicitation that will result in multiple awards or any solicitation under the multiple award Federal Supply Schedule program is considered to be a class deviation. Each award under such a solicitation is considered an individual contract action.

(1) A class deviation to the FAR must be forwarded by the cognizant HCA to GSA’s SPE for approval. Prior to approving a class deviation to the FAR, the SPE will consult with the Chairman of the Civilian Agency Acquisition Council (CAAC) in accordance with FAR 1.404(a)(1).

(2) A class deviation to the GSAR must be forwarded by the cognizant HCA to GSA’s SPE for approval.

(3) When an HCA knows that a proposed class deviation will be required on a permanent basis, the HCA should propose or recommend an appropriate FAR and/or GSAR revision.

(b) If GSA delegates authority to another agency and requires compliance with the GSAR as a condition of the delegation, the HCA in the agency receiving the delegation may approve class deviations from the GSAR unless the agency head receiving the delegation designates another official.

- (c) Send a copy of each deviation to GSA’s SPE (V).

(d) A request for class deviations must be supported by statements that fully describe the need for and the nature of the deviation.

- (e) Class deviations from the GSAR:

(1) Expire in 12 months if not extended.

(2) May be rescinded earlier by GSA’s SPE or by officials designated under paragraph (a) of this section without prejudice to any action taken previously.

501.404-70 Contract action.

Contract action. A contract action, for the purpose of determining whether an individual or class deviation is appropriate, has the same meaning as that used for reporting contract actions to Federal Procurement Data System–Next Generation (FPDS-NG). A contract action includes, but is not limited to, any of the following:

- (a) Initial letter contract.
- (b) Definitive contract superseding letter contract.
- (c) New definitive contract.
- (d) Purchase order/BPA calls using simplified acquisition procedures.
- (e) Orders under single award indefinite delivery contracts.
- (f) Orders under BOA.
- (g) Order/modification under Federal schedule contract.
- (h) Modification.
- (i) Termination for Default.
- (j) Termination for Convenience.
- (k) Order under multiple award contract.
- (l) Initial load of Federal schedule contract.

501.404-71 Deviations to the nonregulatory GSAM.

Handle individual and class deviations to the nonregulatory (unshaded) part of the GSAM as stated in [501.403](#) and [501.404](#).

Subpart 501.6—Career Development, Contracting Authority, and Responsibilities

501.601 General.

HCA’s are contracting officers by virtue of their position. Other contracting officers are appointed under FAR 1.603 and GSA’s contracting officer warrant program (See [501.603](#)).

501.602 Contracting officers.**501.602-2 Responsibilities.**

(a) *Fund sufficiency.* A requisition or purchase request signed by an authorized individual is evidence that sufficient money for the purchase is available in the fund cited.

(b) *GSA revolving funds.* A requisition for indefinite delivery, indefinite quantity contracts requiring a guaranteed minimum quantity must specify enough funds to pay for the guaranteed minimum.

(c) *GSA funds, other than revolving funds.*

(1) The requisitioning activity must certify that additional funds are available before contract or purchase order award if the purchase exceeds the dollar amount on the requisition by 10 percent or \$50, whichever is greater.

(2) If a requisition is not used, e.g., lease of real property, you must ensure funds are available before awarding the contract.

(d) *Other Federal agencies' funds.* A GSA buying activity must not exceed a fund limitation on a customer agency's purchase request unless authorized by supply support agreements. If a purchase request indicates insufficient funds to cover all costs, the customer agency must provide additional funds. Regardless of which Central Office or Regional buying activity will make the acquisition, the office initially receiving the requirement requests the additional funds.

501.602-3 Ratification of unauthorized commitments.

(a) *Authority to ratify.* Under FAR 1.602-3, you may ratify unauthorized contractual commitments if the HCA approves the ratification action. An HCA may not redelegate approval authority.

(b) *Criminal investigation.* Generally, the Government is not bound by commitments made by persons with no contracting authority. Unauthorized commitments may violate laws or regulations. They constitute serious employee misconduct and may warrant disciplinary action. If unauthorized commitments involve any type of misconduct that might be punishable as a criminal offense, either you or the employee's supervisor must report the matter immediately to the Office of the Inspector General with a request for a complete investigation.

(c) *Documentation required for ratification.* The individual who made the unauthorized commitment gives the contracting director all records and documents about the commitment and a complete written statement of facts, including all the following:

- (1) Why normal acquisition procedures were not followed.
- (2) Why the contractor was selected.
- (3) Other sources considered.
- (4) Description of work or products.
- (5) Estimated or agreed-upon contract price.
- (6) Appropriation citation.
- (7) Status of contract performance.

(d) *Documentation waivers.* Under exceptional circumstances, a contracting director may waive the requirement that the individual who made the unauthorized commitment must initiate and document the request for ratification. In such a case, the individual who does initiate the request for ratification must provide a written determination stating that an unauthorized commitment was made and identifying the individual who made it. For example, an exceptional circumstance may occur when the person who made the unauthorized commitment is no longer available to attest to the circumstances.

(e) *Processing a ratification.* (1) You must process the request for ratification. Prepare a summary statement of facts addressing the limitations in FAR 1.602-3(c) and recommend whether or not the procurement should be ratified. Include a recommendation for other disposition if you advise against ratification.

(2) Submit to the HCA all the following:

- (i) Request for ratification.
- (ii) Your statement of facts and recommendation(s).
- (iii) Concurrence of assigned legal counsel (except when you recommend payment based on quantum merit or quantum valebant).
- (iv) If applicable, recommendation for payment on a quantum merit or quantum valebant basis (see [501.602-3\(f\)](#)).
- (v) Recommendation for corrective action to prevent recurrence.

(f) *Payment based on quantum merit or quantum valebant.*

(1) If ratification is not permissible due to legal improprieties, you may recommend that payment be made under either:

- (i) Services rendered on a quantum merit basis (the reasonable value of work or labor).
- (ii) Goods furnished on a quantum valebant basis (the reasonable value of goods sold and delivered).

(2) To base payment on either of these conditions, there must be a showing that the Government has received a benefit (See FAR 1.602-3(d)).

(3) You must obtain the approval of assigned counsel before making any payment on a quantum merit or quantum valebant basis.

(g) *HCA action.* The HCA either:

(1) Approves the ratification request in writing and sends the approval to you for issuance of the necessary contractual documents.

(2) Forwards a recommendation for payment on a quantum merit or quantum valebant basis to assigned counsel for approval.

(3) Returns an unjustified request or recommendation with a written explanation why the request or recommendation is denied.

(h) *Files.* The HCA maintains a separate file containing a copy of each request to ratify an unauthorized contractual

commitment and the response. The HCA must make this file available for review by the Senior Procurement Executive and the Inspector General.

501.603 Selection, appointment, and termination of appointment.

501.603-1 General.

(a) *Contracting officer warrant program (COWP)*. GSA's COWP establishes criteria for the selection, appointment, and termination of appointment of GSA contracting officers. It ensures that a GSA organization has qualified individuals as contracting officers who meet the organization's needs for contracting authority. Factors considered in determining the number of contracting officers appropriate for a given organization include volume of actions, work complexity, and organizational structure.

(b) *Training and education*. The COWP establishes acquisition training requirements for all personnel who exercise contracting officer authority consistent with the intent of the Clinger-Cohen Act of 1996 and Governmentwide training requirements. COWP incorporates the Governmentwide core curriculum and requires that personnel warranted above the simplified acquisition level meet the same educational standards that apply to personnel in the 1102 contracting series.

(c) *Deviations*. The Senior Procurement Executive must approve, in writing, any deviation from the policies, procedures, and requirements of the COWP.

(d) *Definitions*.

"Contracting experience" means personal and substantial involvement in purchasing, renting, leasing, or otherwise obtaining goods or services from nonfederal sources and includes any of the following functions: preparing and issuing purchase orders including selection of sources, issuing requests for quotations or solicitations, evaluating bids or proposals, selecting sources, participating in price negotiations, and all aspects of contract administration.

"Contracting Officer Warrant Board" means a group of senior-level acquisition employees who receive, evaluate, and process requests for appointment of contracting officers at the basic, simplified acquisition, intermediate, and senior levels.

"Test control officer" means a GSA employee, designated by the Head of the Contracting Activity, with responsibility for administering tests for acquisition courses for GSA employees.

Designated test control officers must be employed in organizations that are independent of operational activities with acquisition personnel.

(e) *Responsibilities*. (1) GSA's Senior Procurement Executive:

(i) Establishes the policies, procedures, and requirements that govern COWP.

(ii) Approves/disapproves deviations from any of the COWP requirements.

(2) Each HCA establishes procedures for administering COWP in his or her organization. The HCA:

(i) Appoints contracting officers in accordance with FAR 1.603 and designates officials to appoint contracting officers in accordance with [501.603-3\(a\)](#).

(ii) Establishes and budgets for training plans for contracting personnel.

(iii) Monitors contracting officers' performance.

(iv) Establishes controls to ensure compliance with laws, regulations, procedures, and good management practice.

(v) Appoints the chairperson of the Contracting Officer Warrant Board (COWB) if a COWB has been established to process requests for contracting officer appointments.

(vi) Determines the number of contracting officer warrants necessary for a particular work unit and the grade levels at which the warrant authority will be granted.

(f) *Applicability*. COWP applies to all contracting officers except those appointed under the Inspector General Act (Pub. L. 95-452). Contracting authority is not required for any of the following:

(1) Using the imprest fund.

(2) Signing training authorizations for public course offerings.

(3) Signing travel documents.

(4) Ordering printing and duplicating services from Government sources.

(5) Ordering supplies from GSA stock through GSA *Advantage!* or other electronic means.

(6) Signing Government Bills of Lading.

(7) Signing machine-loaded orders to replenish warehouse stock or to place orders under the Special Order Program.

(8) Signing system-generated delivery orders against definite quantity contracts for motor vehicles.

(9) Signing memoranda of agreement with other Federal agencies.

(10) Authorizing interagency transfers of funds.

(11) Using the Government telephone systems for commercial long distance and local service and/or approving payments for such services.

(12) Using the Federal Supply Service (FSS) nationwide contract for express small package transportation services and/or approving payments for such services.

(13) Certifying receipt and acceptance of goods or services (this does not apply to certified invoices under 513.70).

(14) Submitting a Standard Form 145, Telephone Service Request (TSR), to the Federal Technology Service (FTS).

(g) *Warrant levels.* COWP warrant levels are based on the dollar value of individual transactions (e.g., contract, modification, supplemental agreement) and not the aggregate contract value. If the basis of award involves evaluating options, the option periods are included in the contract value to determine the warrant level required for award. If an action includes both additions and deductions, the aggregate, absolute value of the changes determines the warrant level required for award (e.g., the value of an action that adds \$35,000 of work and deducts \$80,000 is \$115,000). HCAs may further limit warrant authorities.

Warrant Level	Authority Per Order Against Established Source Contract	Open Market Contracting Authority
Micro-purchase	\$2,500	\$2,500
Basic	In accordance with (IAW) contract terms and conditions or \$25,000 at HCA's discretion	\$25,000
Simplified Acquisition	IAW contract terms and conditions or \$100,000 at HCA's discretion	\$100,000 using simplified acquisition procedures (\$100,000 average net annual rent for real property leases)
Intermediate	IAW contract terms and conditions or \$1,000,000 at HCA's discretion	\$1,000,000 (\$1,000,000 average net annual rent for real property lease)
Senior	IAW contract terms and conditions	Unlimited
Telephone services (FTS employees only)*		Unlimited

* **NOTE:** For issuing TSR's for tariff services to regulated local exchange carriers on, or in conjunction with, existing telephone systems.

501.603-2 Selection.

(a) *Experience requirements.*

Warrant Level	Experience Required
Micro-purchase	Must possess clear understanding of policies and procedures applicable to micro-purchases
Basic	At least 1 year of current (within last 3 years) contracting experience with progressively broader assignments

Warrant Level	Experience Required
Simplified Acquisition	At least 2 years of current (within the last 5 years) contracting experience with progressively broader assignments
Intermediate	At least 3 years of current (within the last 7 years) contracting experience with progressively broader assignments
Senior	At least 4 years of current (within the last 10 years) contracting experience with progressively broader assignments

(b) *Training requirements.* (1) Contracting officer candidates must complete minimum training requirements. The preferred source for training is the Governmentwide contract for acquisition training established by the Federal Supply Service. However, training may be provided by other Federal Government training organizations, accredited colleges and universities, or the private sector, provided that the course uses the approved student and instructor textbooks and tests that are part of the Governmentwide acquisition curriculum.

(2) Courses may be taught by qualified GSA employees. The HCA (or his/her designee) is responsible for determining if an employee is qualified to serve as an instructor. Courses to be taught by qualified employees are subject to the following conditions:

(i) The course must use the approved training materials for student and instructor texts and course tests for the Governmentwide curriculum.

(ii) The instructor must have completed a 4-year course of study leading to a bachelor's degree that included at least 24 semester hours in accounting, business, finance, law, contracts, purchasing, economics, industrial management, marketing, quantitative methods, or organization and management.

(iii) The instructor must have on-the-job experience in the course subject.

(iv) The instructor must demonstrate good teaching skills, and have experience in making presentations.

(v) Course tests must be administered by a GSA test control officer and scored by the Office of Acquisition Policy (MV). Instructors may not serve as test control officers for the same course. A current list of GSA test control officers is contained on GSA Insite at: <http://insite.gsa.private/acqwork>.

(3) Employees who complete courses in the Governmentwide acquisition curriculum from sources other than contractors on the Federal Supply Service acquisition training contract or an accredited college or university are cautioned that such courses may not be eligible for college credit unless the training organization has received a positive credit recommendation from American Council of Education. This includes training provided by designated GSA employees.

(4) The minimum training requirements apply to all contracting officers appointed on or after the date when the Governmentwide acquisition courses become available.

(i) Individuals holding a permanent warrant issued before the Governmentwide acquisition courses became available are not required to take additional training, other than the training required for continuing education. However, such contracting officers should give priority to completing any new COWP training requirements in fulfilling the continuing education requirement.

(ii) Individuals holding an interim warrant issued before the Governmentwide acquisition curriculum became available must complete the new training requirements prior to receiving a permanent warrant. A training course received before availability of the Governmentwide curriculum may be used to satisfy a new course requirement if it meets both of the following conditions: the interim warrant holder completed and received training credit from GSA for the course before availability of the Governmentwide acquisition curriculum, and the course is accepted as equivalent to one of the new required training courses (see [501.603-2\(f\)](#)).

(c) *Minimum training requirements.* (1) Micro-Purchase level candidates must receive on-the-job orientation or formal training in simplified acquisition procedures. Personnel who have completed any of the following courses meet the requirement: Small Purchases/Schedule Contracts, Simplified Acquisitions, Introduction to Contracting, Interactive Customer Assistance CD-ROM micro-purchase training, GSA disk titled “GSA Purchase Card Program, IMPAC (VISA).”

(2) Basic level candidates for:

(i) Fleet manager warrants must complete the Basic Fleet Management Procurement course (40 hours).

(ii) Fleet sales warrants must complete only the Fleet Sales course (40 hours) when commercial contractors will conduct fleet sales.

(iii) Building manager warrants must complete the COR Mentor training course in addition to other courses required at this warrant level. The COR Mentor is a self-paced, on-line training course available at: <http://www.faionline.com>.

(3) Candidates for warrants at the simplified acquisition, intermediate, or senior levels currently serving and classified in 1102 or 1170 positions or in positions whose primary responsibility involved contracting for an uninterrupted period of 3 years do not have to take the basic level courses.

(4) Personal property sales warrant candidates who are classified in 1104 positions, excluding marketing positions, for an uninterrupted period of 3 years are not required to take the Personal Property Utilization and Disposal course.

(5) All Contracting Officer Representatives (CORs):

(i) With or without warrant authority, must complete those portions of the COR Mentor training course that correspond to the duties assigned to them by you. The COR Mentor is available at <http://www.faionline.com>. Each COR must complete this training within a reasonable time after appoint-

ment as a COR. The COR must provide you with copies of completion certificates for each duty completed under the COR Mentor.

(ii) Seeking warrant authority must also complete all courses required at the applicable warrant level.

(iii) For construction contracting seeking warrant authority limited to the issuance of change orders up to \$25,000, must complete the COR Mentor and Construction Contracting courses.

(6) TSR-issuer candidates must receive on-the-job orientation or formal training on the proper procedures for issuing TSRs and on the responsibilities and obligations of contracting officers.

(7) Contracting officers with dual warrant authority (e.g., with authority to dispose of and to acquire goods and services) must complete the mandatory training required for both types of warrant authority, based on the appropriate warrant level.

(8) Other warrant level training is outlined in [Figure 501-1](#).

(d) *Testing out of a course.* [Reserved]

(e) *Educational requirements.* Effective January 1, 2000, applicants for permanent warrants above the simplified acquisition level must meet the stated education requirements prior to receiving a warrant. HCAs may, at their discretion, make this requirement effective prior to January 1, 2000. These requirements apply to all candidates for permanent warrants, regardless of job series.

(1) *Applicants at grades 5 through 12.* Applicants for permanent warrants above the simplified acquisition level, who are at grades 5 through 12, must either have completed a 4-year course of study leading to a bachelor’s degree or have completed 24 semester hours in any combination of the designated fields.

(2) *Applicants at grades 13 and above.* Applicants for permanent warrants above the simplified acquisition level, who are at grade 13 or above, must have completed a 4-year course of study leading to a bachelor’s degree that included or was supplemented by at least 24 semester hours in any combination of the designated fields. The Senior Procurement Executive may waive one, but not both, of these educational requirements (i.e., either the requirement for a 4-year course of study or the requirement for 24 semester hours in designated fields), for applicants at grades 13 and above. The applicant must demonstrate significant analytical and decision-making capabilities, an acceptable job performance record, and qualifying experience.

(3) The designated educational fields are:

- (i) Accounting.
- (ii) Business.
- (iii) Finance.
- (iv) Law.
- (v) Contracts

- (vi) Purchasing
- (vii) Economics.
- (viii) Industrial management.
- (ix) Marketing.
- (x) Quantitative methods.
- (xi) Organization and management.

(f) *Course equivalencies.* (1) For employees who completed training prior to availability of the Governmentwide core curriculum, the following is a list of the courses contained in the Governmentwide curriculum and the course equivalencies that GSA will recognize. GSA cannot guarantee that other Federal agencies will accept the same substitutes.

Governmentwide Curriculum Course	Equivalent GSA Course
Acquisition or Procurement Planning I	Introduction to Contracting plus Procurement Planning
Acquisition or Procurement Planning II	No equivalent
Contract Formation I	Contracting by Negotiation

Governmentwide Curriculum Course	Equivalent GSA Course
Contract Formation II	Source Selection
Contract Administration I	Contract Administration
Contract Administration II	Advanced Contract Administration plus Contract Termination
Price Analysis	Price Analysis
Cost Analysis	Cost Analysis
Intermediate Contract Pricing	No equivalent
Contract Law	Contract Law
Negotiation Techniques	Negotiation Techniques

(2) GSA employees who have successfully completed a GSA approved course are not required to complete the equivalent course in the Governmentwide curriculum for warrant purposes in GSA. There are no GSA courses considered equivalent to Acquisition or Procurement Planning II or Intermediate Contract Pricing.

FIGURE 501-1. WARRANT COURSE REQUIREMENTS

Courses	Hrs	Contracting Officer Categories				Warrant Levels			
		DP	DR	R	All other CO's	B	SA	Int	Sr
Acquisition or Procurement Planning I	80							XI	XI
Simplified Acquisitions	40					X	XI		
Contract Formation I	40							XI	XI
Contracting by Sealed Bidding	40							XI	XI
Contract Administration I	40						X	XI	XI
Price Analysis	40							XI	XI
Cost Analysis	40							XI	XI
Negotiation Techniques	40							X	XI
Acquisition or Procurement Planning II	40								X
Contract Formation II	40								X
Contract Administration II	40							X	XI
Contract Law	80							X	XI
Intermediate Contract Pricing	80							X	X
Contracting for Architect/Engineer Services	40							XI	XI
Construction Contracting	40							XI	XI
Federal Real Property Leasing or Basic Lease Contracting	40						X	XI	XI
Cost and Price Analysis of Lease Proposals	40							XI	XI
Real Estate Law or Federal Real Property Lease Law	40							X	XI
Real Estate Appraisal Principles	40								X
Techniques of Negotiating Federal Real Property Leases	40						X	XI	XI
Personal Property Sales	80					X	X	X	X
Personal Property Utilization & Disposal	32					X	X	X	X
Disposal by Negotiation	24							X	X
Disposal Contract Law	40								X

FIGURE 501-1. WARRANT COURSE REQUIREMENTS

Courses	Hrs	Contracting Officer Categories				Warrant Levels			
		DP	DR	R	All other CO's	B	SA	Int	Sr
Utilization & Disposal of Real Property	32		■					X	X
Fleet Sales (fleet sales personnel only)	40	■							X

■ Indicates required courses
 ■ Indicates the course is required only for personnel handling the type of contract addressed in the training
 X Means the course is required for a permanent warrant
 I Means the course is required for an interim warrant
 DP Personal property disposal contracting officer
 DR Real property disposal contracting officer
 R Realty leasing contracting officer
 B Basic warrant
 SA Simplified acquisition warrant
 Int Intermediate warrant
 Sr Senior warrant

(3) Acceptance of course equivalencies extends only to GSA-approved courses successfully completed prior to availability of the Governmentwide curriculum. Requests to consider course equivalencies for training taken thereafter will not be considered or approved.

(4) Employees who attended courses approved as course equivalencies, prior to availability of the Governmentwide curriculum, are not required to complete the corresponding course in the Governmentwide curriculum. GSA Insite at: <http://insite.gsa.private/acqwork> contains a list of course equivalencies for GSA courses.

(5) Employees are cautioned that GSA's determination concerning the acceptability of GSA-approved courses is not binding on other Federal agencies. Employees who wish to qualify for senior 1102 positions in other Federal agencies may want to complete the courses contained in the Governmentwide core curriculum, as fulfillment of the mandatory training requirements for 1102 positions at grades 13 and above, to ensure acceptability across Government.

501.603-3 Appointment.

(a) *Authority to make micro-purchases or issue TSR's.*

(1) HCAs may authorize division directors or higher level officials to delegate contracting authority to employees to:

(i) Make purchases not to exceed \$2,500 (micro-purchases).

(ii) Issue TSRs for tariff services on, or in conjunction with, existing telephone systems, to regulated local exchange telephone companies. (Officials so designated by the HCA may not redelegate their authority.)

(2) Memoranda delegating authority to issue TSRs must state that the authority does not apply to Rate Stabilization Plans or orders for new Centrex service on a site level basis, except for new locations that require interim, temporary, small or emergency service.

(3) Branch chiefs or equivalent or Regional FTS Program Support Branch Chiefs may request delegations of contracting authority for issuing TSRs. The memorandum requesting appointment must include all the following:

(i) Candidate's name, title, and organizational location.

(ii) Brief explanation of why authority is needed.

(iii) Brief description of the candidate's qualifications.

(iv) Statement that the candidate has received the required training.

(b) *Authority to make other purchases.*—(1) *Nominations for appointment.*

(i) The chairperson of COWB, or other designee established by the HCA, submits nominations for appointment.

(ii) Nominations are submitted on GSA Form 3410, Request for Appointment and must be accompanied by one of the following: a GSA Form 3409, Personal Qualifications Statement for Appointment as a Contracting Officer; a Standard Form 171, Personal Qualifications Statement, prepared and signed by the candidate; or a resume detailing the candidate's experience, education, and training relevant to the position.

(2) *Certificate of Appointment.* (i) HCA's appoint contracting officers at the basic, simplified acquisition, intermediate, or senior level using Standard Form 1402, Certificate of Appointment. [Appendix 501A](#) provides suggested language for use in preparing SF 1402's. The examples shown in [Appendix 501A](#) are not meant to limit the issuance of warrants to only those contained in the Appendix.

(ii) The HCA gives the original Certificate of Appointment to the appointed contracting officer for display at his or her duty station.

(3) *Types of appointments.* Candidates are nominated for either an interim or permanent appointment.

(i) *Interim appointments.* Interim appointments are for a specified period of time. Personnel who hold interim simplified acquisition warrants must complete all training required for a permanent warrant within 1 year of the interim appointment. Personnel who hold interim warrants above the simplified acquisition level must complete all training and formal education required for a permanent warrant within 3 years of the interim appointment. A candidate for an interim warrant must have completed all courses required for an

interim warrant and have the necessary experience prior to appointment.

(ii) *Permanent appointments.* A permanent appointment is made to a candidate who meets all requirements for experience, education, and training at the time the appointment is made. Permanent appointments may be made for a specified period if the need for contracting authority is limited to that time period.

(c) *Training required for continued appointment for other than micro-purchase, TSR, or interim warrants.* (1) To maintain competency, you must complete formal or informal acquisition-related training as follows. The training may be accomplished through completion of a training class or through any of the examples cited in [501.603\(c\)\(2\)](#) below.

(i) 16 hours every two years (for basic or simplified acquisition level warrants).

(ii) 40 hours every 2 years (for intermediate or senior level warrants).

(2) To meet this requirement, you may attend:

(i) In-house training sessions.

(ii) Courses designed to broaden procurement knowledge (e.g., Contract Quality Assurance, Evaluating Contractor Performance, Alternative Dispute Resolution Procedures), including repeat courses taken for refresher training.

(iii) Courses related to procurement (e.g., Ethics, Standards of Conduct).

(iv) Lectures, seminars, or conferences conducted by nationally-recognized acquisition organizations or professional associations (e.g., National Contract Management Association, National Institute of Governmental Purchasing) or write papers or articles for these groups.

(v) Training to acquire knowledge of the product or service you are responsible for procuring (i.e., courses and in-house training sessions; attending contractor sponsored seminars, conferences, and trade shows; and site visits to a contractor's place of manufacture/performance to learn about manufacturing/operations processes).

(3) If you successfully complete a professional certification program offered by a nationally-recognized acquisition organization such as NCMA, NIGP, NAPM, or equivalent organization, you fulfill the continuing education requirements for contracting officers for a period of 3 years. The 3-year period begins on the effective date of your professional certification.

(d) *Authority to make purchases for domestic and national security emergencies.* (1) If you have already been appointed as a contracting officer, you may enter into contracts on behalf of a GSA organization different from the organization speci-

fied in your Certificate of Appointment in response to a domestic or national security emergency (see GSA Order, National Emergency Management Program (ADM P 2400.18)).

(2) An HCA may grant higher contracting authority for use during emergencies in a basic or intermediate warrant.

(3) An HCA may appoint contracting officers with authority limited to entering into contracts required to respond to domestic or national security emergencies.

501.603-4 Termination.

(a) An appointing official may terminate your appointment at any time. Return the terminated warrant document to the appointing official if your appointment is terminated. At the HCA's discretion, a contracting officer whose appointment is terminated may retain the original warrant certificate.

(b) Your supervisor or other management official within your organization must notify the HCA if you:

(1) Resign.

(2) Transfer to another agency or are reassigned to another office in GSA.

(3) Are terminated, or otherwise disciplined, for malfeasance or incompetence.

(4) No longer need your appointment.

(5) Failed to comply with any of the experience and training requirements.

(c) Anyone within your supervisory chain-of-command may suspend your appointment temporarily pending a final determination by the HCA:

(1) If there is reason to believe that you failed to exercise sound business judgment.

(2) For other improprieties in carrying out your responsibilities as a contracting officer.

Subpart 501.7—Determinations and Findings

501.707 Signatory authority.

(a) The FAR frequently refers to determinations made by the agency head. Under section 309 of the Federal Property and Administrative Services Act, the Administrator authorized HCA's to act as agency head to facilitate procurement of property and services under Title III of the Act. (See GSA Delegation of Authority Manual, ADM P 5450.39C.)

(b) An HCA normally signs a class D&F.

(c) If a statute precludes an agency head redelegating authority, the Administrator must sign the D&F (See, for example, FAR 6.302-7).