

COMMERCE ACQUISITION MANUAL  
1301.670  
Department of Commerce  
Contracting Officer Representative  
Certification Program

## Table of Contents

<b>Section 1 - Overview .....</b>	<b>1</b>
1.1 Introduction.....	1
1.2 Purpose.....	1
1.3 Policy .....	1
1.4 Applicability. ....	2
<b>Section 2 - Program Roles and Responsibilities.....</b>	<b>3</b>
2.1 Contracting Officer Representatives (Presented in hierarchical order) .....	3
2.1.1 <i>Contracting Officer's Technical Representative (COTR)</i> .....	3
2.1.2 <i>Alternate and Assistant Contracting Officer's Technical Representative</i> ..	4
2.1.3 <i>Point of Contact/Order Contact (P/OC)</i> .....	4
2.2 Director, Office of Acquisition Management and Procurement Executive .....	5
2.3 Heads of Contracting Activities (HCAs) .....	5
2.4 Senior Bureau Procurement Official (SBPO).....	5
2.5 Heads of Contracting Offices (HCOs).....	5
2.6 Contracting Officers.....	6
2.7 Program Official .....	6
<b>Section 3 - COR Competencies .....</b>	<b>7</b>
3.1 Business/Program/Industry Knowledge and Performance .....	7
3.2 General Management Knowledge and Performance. ....	7
3.3 Project Management Knowledge and Performance.....	7
3.4 Procurement Knowledge and Performance. ....	7
<b>Section 4 - Training Requirements.....</b>	<b>8</b>
4.1 Minimum Business/Program/Industry Knowledge and Performance Training.....	8
4.2 Minimum General Management Knowledge and Performance Training.....	8
4.3 Minimum Project Management Knowledge and Performance Training.....	8
4.4 Minimum Procurement Knowledge and Performance Training.....	10
4.5 COR Summary of Minimum Training Requirements .....	12
4.6 Exceptions to Training.....	12
4.7 Waivers for Training.....	14
4.8 Contracting Professionals and COR Training Requirements .....	14
4.9 Certified Project Managers and COR Training Requirements .....	14
<b>Section 5 - COR Performance Evaluation .....</b>	<b>15</b>
<b>Section 6 - Eligibility, Nomination, Appointment &amp; Cancellation Procedures.....</b>	<b>16</b>
6.1 Eligibility .....	16
6.2 Nomination .....	16
6.3 Appointment .....	16
6.4 Cancellation .....	17
<b>Section 7 - Certification Records.....</b>	<b>19</b>
<b>Appendices:</b>	
A. Certificate of Eligibility	
B. Sample Waiver	
C. Sample COR Performance Evaluation	
D. Sample 5-Level Performance Rating System Performance Element	
E. Sample 2-Level Performance Rating System Performance Element	
F. Sample COTR Delegation and Appointment Memorandum	
G. Sample P/OC Delegation and Appointment Memorandum	
H. Glossary of Terms	
I. References	
ENDNOTES	

## **Section 1 - Overview**

### **1.1 Introduction**

Outlined in this chapter is a competency-based Contracting Officer Representative (COR) development and certification program that integrates project management competencies and instruction into the technical acquisition training curriculum. Applying a project oriented approach to the DOC COR Certification Program aligns the appropriate project management tools and techniques with the skills needed to successfully acquire goods and services and to initiate, manage, and closeout contractual vehicles. This DOC COR Certification Program will yield a qualified COR acquisition workforce with the requisite knowledge, skills, tools and techniques to perform delegated contract management duties thereby meeting program, business and mission goals and objectives.

### **1.2 Purpose**

Pursuant to the Clinger-Cohen Act and Office of Federal Procurement Policy (OFPP) Letter 97-01, the U.S. DOC has established this Contracting Officer Representative (COR) Certification Program to outline a comprehensive curriculum to systematically develop skill at performing delegated contract management duties; define competency based training standards to ensure that CORs are provided with appropriate minimum and currency training; and to prescribe the procedures for COR certification and appointment and cancellation of COR delegations. The purpose of this Contracting Officer Representative Certification Program is to create a results oriented acquisition workforce focused on partnering, performance, quality, and accountability that ensures entrusted resources are used and managed wisely throughout all phases of the acquisition life cycle.

### **1.3 Policy**

It is the policy of DOC to consider the complexity and dollar value of the acquisition, the candidate's experience, training, education, judgment, character, and reputation when certifying and appointing CORs. At a minimum, the COR candidate shall meet minimum training and performance evaluation requirements, as evidenced by a Certificate of Eligibility issued by the Head of the Contracting Office (HCO) in accordance with **Section 5 - COR Performance Evaluation** and **Section 6 - Eligibility, Nomination, Appointment & Cancellation Procedures** of this Chapter. Appendix A provides a sample Certificate of Eligibility. Contracting Officers (CO) are encouraged to appoint CORs who have been involved in the pre-award phase of the acquisition. A COR appointment is required for every contract over the simplified acquisition threshold.

#### **1.4 Applicability.**

The requirements set forth in this chapter apply to all individuals nominated for assignment as Contracting Officer Representatives (CORs), individuals currently serving as CORs, alternate and assistant CORs and any individual delegated contract management responsibilities by a CO on DOC contracts for DOC programs. COR authority may not be redelegated.

New and current CORs have until December 31, 2005 to meet the training requirements outlined in this Chapter. After December 31, 2005 all CORs shall meet the requirements outlined in this Chapter prior to appointment unless granted a waiver or exception as described in **Section 4 - Training Requirements**.

## Section 2 - Program Roles and Responsibilities

### 2.1 Contracting Officer Representatives (Presented in hierarchical order)

*CORs may serve in a full-time or part-time capacity.*

#### 2.1.1 Contracting Officer Technical Representative (COTR)

The principal role of the COTR is to provide for the overall management oversight and technical direction for a contract jointly with the Contracting Officer (CO). The COTR furnishes technical direction, monitors contract performance, and maintains an arm's-length relationship with the contractor. COTRs carry out their role by performing the contract management duties assigned to them by the CO in a written COTR delegation and appointment memorandum for a particular contract.

When a contract action is awarded in support of an Agency program for which a Program/Project Manager (PM) is assigned, the COTR regularly communicates with the PM. Appointment of an individual as a COTR for a particular award in support of an Agency program does not preclude the COTR from carrying out PM duties in support of the same project or program.

COTRs are normally designated for awards over the simplified acquisition threshold; however, at the discretion of the CO, a COTR may be appointed for awards below the simplified acquisition threshold when the complexity or amount of risk associated with a particular action warrants such an appointment.

Only a CO may appoint a COTR.

COTRs shall be required to complete training as described in **Section 4 - Training Requirements** of this COR Certification Program. The CO, on an individual contract basis, may prescribe additional training as appropriate to ensure the successful management of a particular contract.

COTRs may be designated as follows:

Level 1 - This level is for contracts of relatively low complexity and low contract management risk. Indicators for Level 1 are total estimated dollar values between \$100,000 and \$1,000,000 and fixed-price contract type or straight-

forward cost-type contracts with relatively uncomplicated performance monitoring features.

Level 2 - This level is for contracts of moderate to high complexity and contract management risk. Indicators are total estimated dollar values greater than \$1,000,000 and less than \$10,000,000, cost-type contracts, particularly those that have award fee, incentive fee, or other complex contract performance controls to monitor and administer.

Level 3 - This level is for contracts of moderate to high complexity and contract management risk. Indicators are total estimated dollar values greater than \$10,000,000 or for major systems contracts. For major systems contracts, the COTR shall ensure that clear lines of authority and responsibility are established with the Program Manager.

### ***2.1.2 Alternate and Assistant Contracting Officer's Technical Representative***

An alternate or assistant COTR functions as the technical representative of the Contracting Officer in the absence of the COTR and/or assists the COTR in performing the contract management duties delegated to the COTR by the CO. When deemed appropriate by the CO, alternate or assistant COTRs may be designated as outlined in paragraph 2.1.1 of this section.

Only a CO may appoint an alternate or assistant COTR.

### ***2.1.3 Point of Contact/Order Contact (P/OC)***

The principal role of the P/OC is to carry out the contract management duties assigned to them by the CO in a written Point of Contact/Order Contact delegation and appointment memorandum for a particular acquisition below the simplified acquisition threshold. Duties typically include a combination of the following: tracking of delivery and payment; functioning as a receiving official; reviewing progress reports and/or invoices submitted by the contractor; assisting in the evaluation of the contractor's proposal and modifications; performing quality assurance of services performed and acceptance of the services or deliverables; providing clarification of technical issues to the CO; and identifying any unusual circumstances or procedures.

P/OCs are normally designated for purchase orders below the simplified acquisition threshold; however, at the discretion of the

CO, a COTR may be appointed for actions below the simplified acquisition threshold when deemed appropriate by the CO.

Only a CO may appoint a P/OC.

**2.2 Director, Office of Acquisition Management and Procurement Executive**

The principal role of the Director, Office of Acquisition Management and Procurement Executive is to approve or deny requests for waivers in accordance with part **Section 4 - Training Requirements, Paragraph 4.7 Waivers for Training** of this Chapter.

**2.3 Heads of Contracting Activities (HCAs)**

The HCA's role in regard to this COR Certification Program is to approve exceptions to training for appointment of CORs for major systems procurement actions.

**2.4 Senior Bureau Procurement Official (SBPO)**

The SBPO's role in regard to this COR Certification Program is to concur with or deny HCO requests for exceptions to and waivers of training.

**2.5 Heads of Contracting Offices (HCOs)**

The HCO's role in regard to this COR Certification Program is to:

- Determine whether individuals nominated by their program officials as CORs meet the minimum requirements set forth in this Chapter.
- Issue Certificates of Eligibility as appropriate in accordance with paragraph 6.1 of **Section 6 - Eligibility, Nomination, Appointment & Cancellation Procedures**.
- Approve or deny requests for exceptions to training requirements in accordance with **Section 4 - Training Requirements, Paragraph 4.6 Exceptions to Training** of this Chapter.
- Issue final decisions with regard to cancellation of COR appointments.
- Ensure CORs and COs comply with performance evaluation instructions.
- Ensure acquisition career management information is maintained for each COR as discussed in **Section 7 - Certification Records** of this Chapter.

## 2.6 Contracting Officers

The Contracting Officer's role in regard to this COR Certification Program is as follows:

- Determine whether an individual contractual action requires appointment of a COTR Level 1, 2, or 3 or appointment of a Point of Contact/Order Contact.
- Determine whether an individual award requires a full-time or part-time COR appointment.
- Determine and prescribe additional COR training beyond the minimum requirements outlined in this Chapter that is deemed necessary for the successful contract management of an individual award.
- Confirm that the individual nominated by the program office as a COR has been issued a Certificate of Eligibility.
- Appoint CORs, issue delegation and appointment memoranda and ensure that delegation and appointment memoranda are properly acknowledged.
- Cancel COR appointments in accordance with **Section 6 - Eligibility, Nomination, Appointment & Cancellation Procedures** of this Chapter.

## 2.7 Program Official

Program officials play an important role in this COR Certification Program by:

- Nominating competent individuals as COR candidates.
- Paying for training necessary to meet COR eligibility requirements.
- Ensuring that CORs maintain an arms-length relationships with contractors, particularly with those in long-term contractual relationships with the Department or Bureaus.
- Including contract management in COR performance plans in accordance with **Section 5 - COR Performance Evaluation** of this Chapter.
- Obtaining input from the appropriate Contracting Officer(s) on the COR's performance during each performance rating period as described in **Section 5 - COR Performance Evaluation** of this Chapter.

## Section 3 - COR Competencies

DOC's COR competency model, described in paragraphs 3.1 through 3.4 of this section, is modeled after the Project Management Body of Knowledge (PMBOK®) published by the Project Management Institute® (PMI®). As an accredited Standards Developer by the American National Standards Institute (ANSI), PMI® is a globally recognized leader in the development of standards for the practice of project management. The competency model outlined in this section represents the main areas of knowledge that are needed to effectively and efficiently perform delegated contract management duties. Increased competence in the areas described below will develop as an individual advances in his/her career path and accepts assignment to more challenging projects thereby gaining valuable experience in each area.

This competency model is also linked to other Department-wide initiatives including the Office of Acquisition Management's Acquisition Review Board and the Office of the Chief Information Officer's Information Technology Review Board. Each Board requires the acquisition workforce to submit resumes that are then reviewed against a competency model similar to the one outlined in this section.

- 3.1 Business/Program/Industry Knowledge and Performance** – i.e. sufficient knowledge of laws, regulations and terminology, etc for a particular field, sufficient to work with, understand, and evaluate technical information and to advise on technical issues related to a particular field.
- 3.2 General Management Knowledge and Performance** – i.e. skillful application of knowledge or cognitive ability to lead teams by building coalitions, and applying communication, change management, problem solving, influence, business acumen, and conflict resolution skills while remaining focused on results.
- 3.3 Project Management Knowledge and Performance** – i.e. the knowledge and skillful application of the principles, techniques, methods, or tools for developing, scheduling, coordinating, and managing projects and resources, including monitoring and inspecting costs, work, and contractor performance.
- 3.4 Procurement Knowledge and Performance** – i.e. the skillful application of knowledge of various types of contracts, techniques for contracting or procurement, contract negotiation and contract administration.

## Section 4 - Training Requirements

### 4.1 Minimum Business/Program/Industry Knowledge and Performance Training

COR supervisors are required to nominate individuals that have sufficient knowledge in the appropriate field related to the acquisition. Supervisors should nominate individuals that, in their opinion, meet this competency area through either formal training or on-the-job experience. No additional training for this COR competency is prescribed by this Chapter.

### 4.2 Minimum General Management Knowledge and Performance Training

COR supervisors are required to nominate individuals that, in their opinion, have sufficient problem solving, teambuilding, conflict resolution and communication skills to manage the business partner relationship with the contractor and the CO. No additional training for this COR competency is prescribed by this Chapter.

### 4.3 Minimum Project Management Knowledge and Performance Training

		COTR Level 1	COTR Level 2	COTR Level 3	Point of Contact/Order Contact
<b>Required Project Management Course Topics</b>	<b>Scope Management</b>	R	R	R	AD
	<b>Schedule Management</b>	R	R	R	AD
	<b>Cost Management</b>	R	R	R	AD
	<b>Quality Management</b>	R	R	R	AD
	<b>Risk Management</b>	R	R	R	AD
	<b>Procurement Project Management</b>	R	R	R	AD
		R=Required AD=As Directed by the Contracting Officer			
<b>Minimum Number of Project Management Course Hours</b>		12	18	24	12
		<i>6 hours = 1 training day</i>			
<b>Vendors &amp; Course Titles</b>					
<i>The following courses combine all the required course topics into one project management course. The following list of vendors and course titles does not represent an all-inclusive list of vendors offering acceptable courses. Any course or combination of courses covering the required course topics is acceptable.</i>					
<b>Vendor Name</b>			<b>Course Titles</b>		
<a href="#"><u>Corporate Learning Solutions</u></a> <sup>1</sup>			Project Management for Contract Managers (2 days)		
<a href="#"><u>Project Outfitters</u></a> <sup>2</sup>			*Introduction to Project Acquisition and Contracting (3 days)		

<a href="#"><u>ESI International</u></a> <sup>3</sup>	*Managing Projects (3 days) Project Management for Contracting Professionals (5 days)
<a href="#"><u>Westnev</u></a> <sup>4</sup>	*Managing Projects in the Real World (3 days) *Applied Framework For Project Management (Online Course equivalent to 4 days)
<a href="#"><u>The Federal Training Center</u></a> <sup>5</sup>	Project Management Introduction (3 days)
<a href="#"><u>Management Concepts Inc. (MCI)</u></a> <sup>6</sup>	*Techniques for Successful Project Management (2 days) *Mastering Technical Challenges and Issues on Projects (Online equivalent to 9 days) *Defining and Managing IT Project Requirements (3 days) *Project Management Principles (4 days)
<a href="#"><u>American Graduate University</u></a> <sup>7</sup>	*Government Program Management (5 days) *Managing Projects (4 days) *Program/Project Management (5 days) *Mastering IT Project Management (4 days)
<a href="#"><u>DOC Online Learning Management System</u></a> <sup>8</sup>	Any combination of the PMBOK® aligned project management courses covering the required topics. The following course also meets the requirements of the COR Certification Program: Project Management Basics for Business Professionals (equivalent to 5 days)

\*Indicates course is PMBOK® aligned

#### 4.4 Minimum Procurement Knowledge and Performance Training

Subject	Performance Based Contracting	Simplified Acquisitions	Contracting for COTRs	Task Order or IDIQ Contracting	COR Refresher (Required Every 3 years)	IT Security in Acquisition
COR Requirement	COTR Level 1 – AD	COTR Level 1 – AD	COTR Level 1 – R	COTR Level 1 – AD	COTR Level 1 – R	COTR Level 1 – R
	COTR Level 2 – AD	COTR Level 2 – AD	COTR Level 2 – R	COTR Level 2 – AD	COTR Level 2 – R	COTR Level 2 – R
	COTR Level 3 – AD	COTR Level 3 – AD	COTR Level 3 – R	COTR Level 3 – AD	COTR Level 3 – R	COTR Level 3 – R
	P/OC – AD	P/OC – R (for awards over \$25K) AD (for awards under \$25 K)	P/OC – AD	P/OC – AD	P/OC – R (for awards over \$25K) AD (for awards under \$25 K)	P/OC – AD
<i>R=Required AD=As Directed by the Contracting Officer</i>						
Minimum Hours	12	24	Level 1 – 12 hours Level 2 – 18 hours Level 3 – 24 hours P/OC – 12 hours	12	6	1
<i>6 hours = 1 training day</i>						
Required Course Topics	<ul style="list-style-type: none"> <li>• Elements of a performance-based service contract</li> <li>• Developing performance work statements and quality assurance plans</li> <li>• How to evaluate performance</li> <li>• Roles and responsibilities of the acquisition team</li> </ul>	<ul style="list-style-type: none"> <li>• Overview of applicable laws and regulations including socio economic programs.</li> <li>• Planning for individual acquisitions, including preparation and review of purchase requests, requirements documents, government cost estimates, funding, approval, &amp; justifications.</li> <li>• Using various Simplified Acquisitions Methods</li> <li>• Administering Simplified acquisitions, including payment and closeout</li> </ul>	<ul style="list-style-type: none"> <li>• Understanding the role and responsibilities of the COR and the acquisition team</li> <li>• Procurement integrity. Special COR ethical considerations.</li> <li>• Overview of the Acquisition Process including acquisition planning and socio economic programs</li> <li>• Writing Statements of Work</li> <li>• Competition Requirements</li> </ul>	<ul style="list-style-type: none"> <li>• Elements of task order contracts</li> <li>• Writing an effective statement of work for a task order contract</li> <li>• Determining pricing structures for task order contracts</li> <li>• How to conduct source selections</li> <li>• Competition requirements</li> </ul>	<p>Course topics may include any of the following topics:</p> <ul style="list-style-type: none"> <li>• Current acquisition reform initiatives or government-wide initiatives including best practices</li> <li>• Recent acquisition related developments, e.g. executive orders, regulations, that relate to CORs</li> <li>• Advanced acquisition training courses</li> <li>• Identify and develop appropriate performance metrics</li> </ul> <p><i>The final decision regarding whether or not a course, seminar, briefing etc counts toward COR refresher training resides with the Contracting Officer.</i></p>	<ul style="list-style-type: none"> <li>• Describe legal and practical reasons for considering IT security during the acquisition process</li> <li>• Identify specific security considerations in each phase of the acquisition life cycle</li> <li>• How to integrate IT security language into procurement documents</li> <li>• How to ensure that contractors comply with DOC and/or Bureau security standards and other industry security practices</li> </ul>

Subject	Performance Based Contracting	Simplified Acquisitions	Contracting for COTRs	Task Order or IDIQ Contracting	COR Refresher (Required Every 3 years)	IT Security in Acquisition
<p>Vendors &amp; Course Titles</p> <p><i>The listed vendors and course titles do not represent an all-inclusive list of acceptable courses. Any course meeting covering the required course topics is acceptable.</i></p>	<p><a href="#">Acquisition Solutions, Inc.<sup>9</sup></a> Seven Steps to Performance-Based Acquisition (3 days)</p> <p><a href="#">ESI International<sup>10</sup></a> Best Practices in Performance-Based Service Contracting (2 days)</p> <p><a href="#">BRTRC<sup>11</sup></a> Performance Based Service Acquisition (2 days)</p> <p><a href="#">Federal Publications Seminars LLC<sup>12</sup></a> Performance-Based Contracting Workshop (2 days)</p> <p><a href="#">Atlantic Management Center Inc.<sup>13</sup></a> Buying Performance Based Services (2 days) Various other courses in the vendor's performance based management curriculum</p> <p><a href="#">NPI, Inc.<sup>14</sup></a> Performance Based Service Contracting (5 days)</p> <p><a href="#">Houseman &amp; Associates<sup>15</sup></a> Performance-based Work Statements (3 days)</p>	<p><a href="#">Management Concepts Inc.<sup>16</sup></a> Simplified Acquisitions (5 days)</p> <p><a href="#">Houseman &amp; Associates<sup>17</sup></a> Simplified Acquisitions (5 days)</p> <p><a href="#">Business Management Research Associates<sup>18</sup></a> (BMRA) Basic Simplified Acquisition (5 days)</p> <p><a href="#">NPI, Inc.<sup>19</sup></a> Simplified Acquisition Procedures - Basic &amp; Advanced (5 days)</p> <p><a href="#">Defense Acquisition University<sup>20</sup></a> Simplified Acquisition Procedures (CON 237) (Online)</p>	<p><a href="#">NPI, Inc.<sup>21</sup></a> COR/COTR Certification Course (5 days)</p> <p><a href="#">ESI International<sup>22</sup></a> The COR and COTR Training Program (3 days)</p> <p><a href="#">Atlantic Management Center Inc.<sup>23</sup></a> Contracting Officer's Representative (COR/COTR) Certification</p> <p><a href="#">Management Concepts Inc.<sup>24</sup></a> Contracting Officer's Representative Course (5 days)</p> <p><a href="#">Houseman &amp; Associates<sup>25</sup></a> Contracting for COTRs (5 days) Federal Contracting Basics (3 days)</p> <p><a href="#">FAI Online University<sup>26</sup></a> COTR Module 1 – Orientation (4 days) COTR Module 2 – Acquisition (5 days) COR Mentor Program (4 days)</p>	<p><a href="#">Federal Publications Seminars LLC<sup>27</sup></a> Task Order &amp; Innovative Contracting Methods (2 days)</p> <p><a href="#">ESI International<sup>28</sup></a> Task Order Contracting (2 days)</p> <p><a href="#">Houseman &amp; Associates<sup>29</sup></a> Task Manager Training (3 days)</p>	<p><a href="#">NPI, Inc.<sup>30</sup></a> COR/COTR Refresher Seminar (1 day) Simplified Acquisition Procedures Refresher (days)</p> <p><a href="#">Management Concepts Inc.<sup>31</sup></a> COR/COTR Refresher (1 day) Simplified Acquisition Refresher (3 days)</p> <p><a href="#">Houseman &amp; Associates<sup>32</sup></a> COTR Refresher Training (1 day) Simplified Acquisition Refresher (3 days)</p>	<p><a href="#">DOC Learning Management System<sup>33</sup></a> Effectively Integrating Information Technology (IT) Security into the Acquisition Process* (1 hour)</p>

\*Course will be available in the LMS beginning in the summer of 2004

## 4.5 COR Summary of Minimum Training Requirements

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**Level 1** - 12 hours Project Management Training  
- 12 hours Contracting for COTRs course  
\$100k - 6 hours COR Refresher course (every 3 years)  
Up to - 1 hour IT Security in Acquisition course  
\$1M

The following courses and minimum hours are required when directed by a Contracting Officer:

- 12 hours Performance Based Contracting
- 24 hours Simplified Acquisitions
- 12 hours Task Order/IDIQ Contracting

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**Level 2** - 18 hours Project Management Training  
- 18 hours Contracting for COTRs course  
- 6 hours COR Refresher course (every 3 years)  
\$1M - 1 hour IT Security in Acquisition course  
Up to  
\$10M

The following courses and minimum hours are required when directed by a Contracting Officer:

- 12 hours Performance Based Contracting
- 24 hours Simplified Acquisitions
- 12 hours Task Order/IDIQ Contracting

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**Level 3** - 24 hours Project Management Training  
- 24 hours Contracting for COTRs course  
- 6 hours COR Refresher course (every 3 years)  
- 1 hour IT Security in Acquisition course  
\$10M and above

The following courses and minimum hours are required when directed by a Contracting Officer:

- 12 hours Performance Based Contracting
- 24 hours Simplified Acquisitions
- 12 hours Task Order/IDIQ Contracting

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**P/OC** - 24 hours Simplified Acquisitions  
- 6 hours Refresher course (every 3 years)

The following courses are required when directed by a Contracting Officer:

- 12 hours Project Management Training
- \$25K to - 24 hours Performance Based Contracting
- \$100K - 12 hours Contracting for COTRs course
- 12 hours Task Order/IDIQ Contracting
- 1 hour IT Security in Acquisition course

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*6 hours = 1 training day*

## 4.6 Exceptions to Training

In cases of urgent need and subject to the HCO's approval, COs may issue a delegation and appointment memorandum to individuals who have not completed all required training on a temporary basis not to exceed 180 days. The individual must complete the required training within the 180 day period or be replaced. No

exception shall be granted for procurement integrity/ethics training, which must be completed prior to appointment. Beginning in 1993, all federal employees have been required to receive a one-hour block of initial ethics training within 90 days of beginning federal employment. This initial ethics training satisfies this requirement for procurement integrity/ethics training. Furthermore, the DOC Office of General Counsel (OGC) provides required annual ethics training for “covered employees,” i.e. federal employees required to complete financial disclosure forms. This OGC provided training also satisfies the requirement for procurement integrity/ethics training for this COR certification program.

Additional ethics training can be found online from other federal agencies and through commercial vendors. The following chart provides a sample of the procurement integrity/ethics training available through these two sources.

Organization/Vendor Name	Course Title	Course Length	Website
DISA	Annual Ethics Training Course	1 hour	<a href="http://www.disa.mil/acq/cor/ethicscourse.html">http://www.disa.mil/acq/cor/ethicscourse.html</a>
US Army	Annual Ethics Training Website	1 hour	<a href="http://www-rucker.army.mil/sja/ethics/annual_ethics_training.htm">http://www-rucker.army.mil/sja/ethics/annual_ethics_training.htm</a>
USDA	Training Modules	1 hour	<a href="http://www.usda-ethics.net/training/index.htm">http://www.usda-ethics.net/training/index.htm</a>
US Navy	Procurement Integrity Act	1 hour	<a href="http://www.ethics.navy.mil/piabrief/index.htm">http://www.ethics.navy.mil/piabrief/index.htm</a>
DISA	Annual Ethics Training Course	1 hour	<a href="http://www.disa.mil/acq/cor/ethicscourse.html">http://www.disa.mil/acq/cor/ethicscourse.html</a>
Management Concepts Inc. (MCI)	Ethics in Federal Contracting	1 day	<a href="http://www.managementconcepts.com/">http://www.managementconcepts.com/</a>
FAI Online	Ethics Block Training	1 hour	<a href="http://www.faionline.com">http://www.faionline.com</a>

Exceptions to training shall be granted sparingly. The rationale for the exception and the individual's plan for completing the required training within the 180 day period shall be kept in the contract file and a copy provided to the Director, Office of Acquisition Management.

Exceptions for appointment of CORs for major systems procurement actions must have the concurrence of the Senior Bureau Procurement Official and the approval of the Head of the Contracting Activity (HCA).

HCOs shall not issue certificates of eligibility until all the requirements for a particular COR appointment have been met.

#### **4.7 Waivers for Training**

Waivers of training requirements for specific topics may be granted only by the Director, Office of Acquisition Management. Waiver requests shall be submitted by the HCO setting forth the rationale for the request, the specific training which is to be waived, and evidence that all other required training has been completed. A sample waiver is included in Appendix B.

Requests for waivers of training must have the recommendation of the Senior Bureau Procurement Official (SBPO) before being forwarded to the Director, Office of Acquisition Management.

Procurement integrity/ethics training may not be waived. See paragraph 4.6 of this section for further information on required procurement integrity/ethics training.

#### **4.8 Contracting Professionals and COR Training Requirements**

Contracting professionals, occupying acquisition positions, that meet both the education and training requirements for their grade level, which are outlined in section 2.3 of the [DOC Acquisition Career Management Program, CAM 1306.6](#)<sup>34</sup> are exempt from the Procurement Knowledge and Performance training requirements outlined in paragraph 4.4 of this section. *{See Appendix H Glossary of Terms for definitions of Contracting professionals and acquisition positions}*

#### **4.9 Certified Project Managers and COR Training Requirements**

Experienced project managers who have attained their certification from a university program or by passing one of the recognized Project Management certification exams are considered to have met the COTR – Level 3 Project Management Knowledge and Performance training requirements outlined in paragraph 4.3 of this section.

## **Section 5 - COR Performance Evaluation**

- 5.1 Supervisors of CORs, with the assistance of the bureau servicing human resources office, shall include contract management in performance plans, if such language does not already exist:
- for new and existing CORs performing contracting management duties when the duties make up 20% or more of the COR's total job responsibilities; and
  - for COTRs certified Levels 2 and 3 under the former COTR Certification Program policy dated August 1992; and
- 5.2 COR performance plans shall incorporate:
- contract management as a separate critical element; or
  - contract management language into an existing element.
- 5.3 Supervisors are encouraged to consider input from the cognizant CO when preparing the performance rating of an employee with COR responsibilities described in paragraph 5.1 of this section. Contracting Officers may offer input to COR supervisors upon request and when COR performance is poor or superior. A sample COR Performance Evaluation is included in Appendix C and may be used by contracting officers to communicate information regarding COR performance or by COR supervisors to request input from contracting officers. A Fully Successful or higher level rating under a 5-Level appraisal system or a Meets or Exceeds Expectations rating under a 2-Level appraisal system of a COR by a supervisor shall not preclude the HCO's authority to cancel a COR appointment.
- 5.4 Appendix D provides sample contract management performance element language for a 5-Level Performance Rating System.
- 5.5 Appendix E provides sample contract management performance element language for a 2-Level Performance Rating System.

## **Section 6 - Eligibility, Nomination, Appointment & Cancellation Procedures**

### **6.1 Eligibility**

Upon the HCO's conclusion that the COR has satisfied the training and performance element requirements, HCOs may certify individuals as eligible for COR appointment by issuing a Certificate of Eligibility. Appendix A includes a sample Certificate of Eligibility. In accordance with **Section 4 – Training Requirements, paragraph 4.6 Exceptions to Training**, despite being granted an exception, HCOs shall not issue certificates of eligibility until all the requirements for a particular COR have been met. HCOs shall ensure that information in support of Certificates of Eligibility is maintained for audit or review purposes as discussed in **Section 7 - Certification Records** section of this Chapter.

### **6.2 Nomination**

Program officials shall nominate competent COR candidates to the HCO and submit documentation to the HCO indicating (1) contract management is included in the nominee's performance plan, if appropriate, as outlined in **Section 5 - COTR Performance Evaluation** of this Chapter and (2) the nominee successfully completed training as outlined in **Section 4 - Training Requirements** section of this Chapter. COR candidates may apply training taken within the past three years toward these training requirements, if the HCO is satisfied that the course content satisfies the subject matter.

### **6.3 Appointment**

Before making a COR appointment the CO shall consider the amount of time (either full- or part-time) the candidate is able to dedicate to performing delegated contract management duties. The CO may deem a COR candidate ineligible for a particular appointment, if the CO is not satisfied that the candidate is able to perform the delegated contract management duties successfully, given the other demands on the nominee's time. Major systems contract actions require appointment of a full-time COTR. Appointment of a full or part time COR for awards other than for major systems is at the discretion of the CO.

Once the HCO has certified a COR as eligible by issuing a Certificate of Eligibility and the CO is satisfied that the COR nominee can dedicate the amount of time necessary for successful contract performance, the CO may appoint a COR who is eligible for the same or higher level of COR by issuing a delegation and appointment memorandum. {See Section 2.2 for COR hierarchical levels.} A sample delegation and appointment memorandum is included in Appendix F. A CO may appoint a COR only from the list of certified individuals. COs shall remind prospective CORs of their obligation to

disclose any direct or indirect financial interest that would conflict with the COR's public duties, in accordance with [Department Administrative Order \(DAO\) 202-735](#) Employee Responsibilities and Conduct and [DAO 202-735a](#) Employee Responsibilities and Conduct Amendment 1, which cover employee responsibilities and conduct for U.S. Department of Commerce personnel. COs shall appoint CORs by memorandum, such as the samples provided in Appendices F and G of this Chapter.

The delegation and appointment memorandum shall identify the contract; state the roles and responsibilities of the COR; list the delegated contract management duties; and note the CO's authority to appoint successor CORs in cases such as transfers or fitness, and to withdraw COR appointments, if in the judgment of the CO and after compliance with paragraph 6.4 of this section, it is deemed necessary.

COR delegation and appointment memorandum shall be countersigned by the COR to indicate he or she has read and accepts the duties, responsibilities, and limitations of the appointment. As determined by the CO, the COR delegation and appointment memorandum may also be signed by the COR's supervisor to indicate that he or she recognizes and accepts the demands on the COR's time and performance.

The CO shall maintain a copy of the delegation and appointment memorandum and acknowledgement in the contract file. A copy of the delegation and appointment memorandum may be provided to the contractor.

Alternate and assistant COTRs shall be appointed in accordance with the same requirements applicable to COTRs.

#### **6.4 Cancellation**

COs have the authority to cancel COR appointments of individuals who are not, in the judgment of the CO, fulfilling their contract management duties satisfactorily or staying within the limits of their COR authority. Cancellation actions shall be undertaken only in serious circumstances and only after the CO has attempted to have the COR correct the problem and enlisted the assistance of the COR's supervisor, if necessary. The CO shall take this action only after consideration of the impact on the individual concerned, in balance with the CO's obligation to manage Department of Commerce contracts in a manner that safeguards the interest of the Department and the taxpayer. The CO shall document the basis for the decision and notify the COR in writing of the cancellation, providing 5 work days for appeal to the HCO or one level above the HCO if the HCO is the contracting officer. The appeal official shall render a decision within 5 work days of the appeal. The appeal decision is final.

The appeal official may waive the 5 day appeal period and issue an earlier decision in urgent situations. The appeal official also may extend the appeal period if requested and justified by the COR. The COR shall be notified of the appeal period at the time a cancellation memorandum is issued by the CO.

## Section 7 - Certification Records

Acquisition career management information shall be maintained for every COR issued a Certificate of Eligibility. HCO's must use the DOC Acquisition Workforce Database (AWD) to maintain the following data for all CORs under their purview:

- Name of COR candidate
- Series
- Bureau
- E-mail address
- Business Address
- Supervisor name and e-mail address
- COR , ie (COTR Level 1, 2, 3, or P/OC);
- Date certificate issued;
- Completed training by course title, date completed and the topic requirement(s) each course satisfies;
- Any exceptions granted;
- Any waivers granted;
- Specific contracts (contract numbers and descriptive titles) for which the individual has served as COR;
- Information on cancellation of any COR appointment, if such action is taken;
- Date certificate cancelled, if such action is taken.

**Appendix A**

**CERTIFICATE OF ELIGIBILITY  
having met training and other requirements**

\_\_\_\_\_   
is hereby certified eligible for appointment as

**CONTRACTING OFFICER'S TECHNICAL REPRESENTATIVE (COTR)  
for Level \_\_\_\_\_ complexity contracts**

**OR**

**POINT OF CONTACT/ORDER CONTACT (P/OC)  
for acquisitions below the simplified acquisition threshold**

**In accordance with the  
DEPARTMENT OF COMMERCE  
CONTRACTING OFFICER REPRESENTATIVE CERTIFICATION PROGRAM  
Requirements of March 2004**

\_\_\_\_\_  
**Signature of Head of Contracting Office**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Name of Bureau and/or Administrative  
Support Center (ASC)**

**Appendix B**

<b>Department of Commerce Waiver Request for a ___COTR Level 1 ___COTR Level 2 ___COTR Level 3 ___P/OC Pursuant to CAM 1301.670</b>		
HCO Name and Address	Phone	Date
Office of Acquisition Management (OAM) Contact Person and Room Number  {To be completed by OAM staff}	Phone	Date
<b>Contracting Officer Representative (COR) Name, Bureau, Organization and Address</b>		
Phone		
Specific training for which a waiver is sought:		
Rational justifying waiver request; please be specific; attach additional pages if necessary:		
Recommendation of Senior Bureau Procurement Officer (SBPO):  _____ Waiver Approved                      _____ Waiver Denied		
SBPO Signature: _____ Date: _____ Name Typed or Printed		
Determination of the Director of the Office of Acquisition Management:  _____ Waiver Approved                      _____ Waiver Denied		
Director's Signature: _____ Date: _____ Name Typed or Printed		
<b>Attach any supporting documentation Include evidence of COR completion of other required training</b>		

**Appendix C**

**COR Performance Evaluation**

Contracting Officer: \_\_\_\_\_

Date: \_\_\_\_\_

Contract Number(s): \_\_\_\_\_

**Rating Descriptions:**

**1 = Poor    2 = Fair    3 = Adequate    4 = Very Good    5 = Superior    NAA=Not Able to Assess**

**Please circle the appropriate answer:**

1. Timeliness of Documents Submitted to Contracting Office    **1    2    3    4    5    NAA**  
Comments:

\_\_\_\_\_  
\_\_\_\_\_

2. Management of Business Partner Relationship    **1    2    3    4    5    NAA**  
*(includes monitoring technical performance and/or labor hours, resolving technical issues, promoting communication, providing customer service, making timely requests, and managing resources)*  
Comments:

\_\_\_\_\_  
\_\_\_\_\_

3. Scope Management    **1    2    3    4    5    NAA**  
Comments:

\_\_\_\_\_  
\_\_\_\_\_

4. Performance of Delegated Contract Management Duties    **1    2    3    4    5    NAA**  
*(includes staying with the limits of appointment, invoice processing and other tasked described in COR delegation and appointment memorandum. )*  
Comments:

\_\_\_\_\_  
\_\_\_\_\_

5. Overall Performance    **1    2    3    4    5**  
Comments:

\_\_\_\_\_  
\_\_\_\_\_

Contracting Officer Comments/Suggestions:

\_\_\_\_\_  
\_\_\_\_\_

Suggested Area(s) for Improvement:

\_\_\_\_\_  
\_\_\_\_\_

**Appendix D**

<b>5-Level Performance Rating System</b>						
<b>5.5.1.1.1 Sample COTR Performance Element &amp; Standards</b>						
<b>Element</b>	<b>Description</b>	<b>General Measures</b>	<b>Specific Measures</b>	<b>Standards</b>		<b>Feedback Source for Monitoring</b>
Contract Management <input checked="" type="checkbox"/> Critical <input type="checkbox"/> Non Critical	Ensures the technical requirements of assigned contracts are met. Monitors the technical effort being performed under the contract. Communicates with the Contractor as necessary to ensure the contractor is making satisfactory progress in performance of the contract. Directs the flow of technical matters between the Government and the Contractor.	Quality Timeliness	Regularly communicates with Contracting Officer. Resolves technical issues in a timely manner. Contract deliverables are on time. Submissions to the Contracting Officer accurate and complete.	<b>1. Outstanding</b> Element objectives are achieved with maximum impact on organizational mission through exemplary work that demonstrates exceptional originality, versatility, and creativity. Activities and related tasks are carried out with the utmost effectiveness and reliability, rarely leaving room for improvement. Potential sources of unproductive conflict are anticipated and managed through creative alternatives. Cooperation and responsiveness are actively promoted. Written and oral communications related to the performance element activities are exceptionally convincing and typically result in new cooperative relationships.	<b>2. Commendable</b> Element objectives are accomplished effectively and efficiently with consistently high levels of quality and quantity of work. Activities and related tasks are carried out in an efficient, orderly sequence that achieves thorough, timely, correct, and cost-effective results. Accepted procedures are carried out in a highly proficient and constructive manner, and problems are dealt with skillfully and resourcefully. Cooperative efforts are typically positive and productive. Written and oral communications related to the performance of element activities are unambiguous and convincing.	Supervisory Observation; Contracting Officer Input

			<i>3. Fully Successful</i>	<i>4. Marginal</i>
			<p>Element objectives, activities and related tasks are completed with adequate quality and quantity of work. Procedures are consistently and correctly followed and problems are dealt with satisfactorily. Work methods demonstrate an acceptable degree of cooperation with others. Written and oral communication related to the performance of element activities are readily understandable.</p>	<p>Element objectives, activities and related tasks are completed with only a minimal quality and quantity of work. Procedures are minimally correct and problems are handled satisfactorily only after either intervention by the supervisor or coworkers or repetitive attempts. Work methods demonstrate a marginal degree of cooperation with others. The employee's written communication usually considers the nature and complexity of the subject and intended audience. They convey the central points of information important to accomplishing the work. However, too often the communication is not focused, contains too much or too little information, and/or is conveyed in a tone that hinders achievement of the purpose of the communication. In communication to coworkers, the listener must question the employee at times to secure complete information or avoid misunderstandings.</p>
			<i>5. Unsatisfactory</i>	
			<p>Element objectives and activities are typically not successfully completed due to failures in quality, quantity, completeness, or timeliness of work. Products or services are deficient or unacceptably late due to untimely, inefficient, incorrect, or technically deficient guidance, direction and oversight. Problems that arise during the performance of element activities are not satisfactorily resolved, or must be resolved by the supervisors or co-workers. The oral and written expression the employee uses in accomplishing the work of this element lacks the necessary clarity for successful completion of required tasks. Communication failures interfere with completion of work.</p>	

**Appendix E**

2-Level Rating System						
Sample COTR Performance Element/Result/Objective & Indicators						
Critical Element/Result/Objective	Description	General Measures	Specific Measures	Sample COTR Performance Element/Result/Objective & Indicators		Feedback Source for Monitoring
Contract Management	Ensures the technical requirements of assigned contracts are met. Monitors the technical effort being performed under the contract. Communicates with the Contractor as necessary to ensure the contractor is making satisfactory progress in performance of the contract. Directs the flow of technical matters between the Government and the Contractor.	Quality Timeliness	Regularly communicates with Contracting Officer. Resolves technical issues in a timely manner. Contract deliverables are on time. Submissions to the Contracting Officer accurate and complete.	<p><i>1. Meets or Exceeds Expectations</i></p> <p>Element objectives, activities and related tasks are achieved with a level of performance, which can range in quality and quantity from adequate to outstanding.</p> <p>Procedures are consistently and correctly followed and problems are dealt with satisfactorily. Work methods demonstrate an acceptable degree of cooperation with others. Written and oral communication related to the performance of element activities are readily understandable.</p> <p>At a maximum activities and related tasks are carried out with the utmost effectiveness and reliability, rarely leaving room for improvement. Potential sources of unproductive conflict are anticipated and managed through creative alternatives. Cooperation and responsiveness are actively promoted. Written and oral communications related to the performance element activities are exceptionally convincing and typically result in new cooperative relationships.</p>	<p><i>2. Does Not Meet Expectations</i></p> <p>Element objectives and activities are not successfully completed due to failures in quality, quantity, completeness, or timeliness of work. Products or services are deficient or unacceptably late due to untimely, inefficient, incorrect, or technically deficient guidance, direction and oversight. Problems that arise during the performance of element activities are not satisfactorily resolved.</p>	Supervisory Observation; Contracting Officer Input

## Appendix F

### Sample COR Delegation and Appointment Memorandum for a COTR

MEMORANDUM FOR:

FROM: Contracting Officer

SUBJECT: Delegation & Appointment Memorandum: Instructions to  
the Contracting Officer's Technical Representative

You are hereby appointed the Contracting Officer's Technical Representative (COTR) for Contract No. \_\_\_\_\_ with \_\_\_\_\_ NAICS Code \_\_\_\_\_. You and your immediate supervisor are requested to sign the last page of this memorandum and return it to this office within 7 calendar days to acknowledge your appointment as COTR and your receipt of this memorandum.

The Contracting Officer (CO) is the exclusive agent of the Government with authority to enter into, and administer contracts. Thus, the CO has the responsibility to see that all requirements of law and regulation are followed. However, as the CO's representative you are delegated the authority to monitor the technical effort being performed under the contract. You should familiarize yourself with the requirements of the contract, and communicate with the contractor as necessary to ensure the contractor is making satisfactory progress in performance of the contract. Other than the CO, you are the only Government employee who may direct the flow of technical matters between the Government and the Contractor.

A contract is a legally enforceable agreement that contains the rights and remedies of the parties. If the Contractor deviates from the terms of the contract, it is a matter between the Government (represented by the CO) and the contractor. You must keep the CO fully informed so that legally effective solutions can be applied to problems as they develop. Your suggestions to the Contractor may be construed as instructions and lead to claims for additional compensation or to a release of the contractor from its obligations under the contract. Suggestions sometime work out, but often lead to misunderstandings. Therefore, while you can and must make technical decisions, do not take any contract administration actions unless they are clearly authorized by this delegation and appointment memorandum.

Your delegated responsibilities as the COTR are to:

1. Maintain an arms-length relationship with the contractor in the interest of procurement integrity as well as sound contract management.
2. Keep the CO fully informed of any technical or contractual difficulties encountered during performance. You should also advise the CO of any potential problem areas under the contract.

3. Assure the CO that the Contractor is performing the technical requirements of the contract in accordance with the contract terms, conditions, and specifications.
4. Inform the Contractor of failures to comply with the technical requirements of this contract, and inform the CO of any failures to do so, particularly if the Contractor does not make corrections.
5. Coordinate site entry for Contractor personnel, if applicable.
6. Ensure that Government furnished property, if any, is available when required, and report any accountable property to the appropriate property personnel.
7. Ensure that all required items, documentation, data, and/or reports are submitted to you as required by the contract. If additional time is required by the Contractor, the Contractor should submit a formal request for a time extension to the CO through you. You should indicate your concurrence or state the reasons why you do not concur, and forward the request to the CO for finalization.
8. Evaluate proposals for and participate in negotiation of changes, modifications and claims at the request of the CO.
9. Review vouchers for cost-reimbursement type work and recommend approval by the CO if the Contractor's costs are consistent with the negotiated amounts and progress is satisfactory and commensurate with the rate of expenditure.
10. Review and approve invoices for fixed-price deliverables to ensure receipt of the goods and services.
11. Process all invoices and vouchers in a timely manner in accordance with the Prompt Payment Act.
12. Document actions taken and decisions that you have made as the COTR, and maintain adequate records to sufficiently describe the performance of your duties as COTR during the life of this contract. At a minimum, the COTR file should contain copies of the following:
  - a. COTR delegation and appointment memorandum and acknowledgement.
  - b. Contract and any modifications.
  - c. All contract correspondence.
  - d. Records of COTR inspections.
  - e. Records of conversations with the contractor.

f. Invoices/vouchers.

13. Provide the CO with a copy of any correspondence you send to the Contractor.
14. If the contract is for construction or services and you visit the site where work is being performed, check to see that the Department of Labor and Equal Employment Opportunity posters and applicable wage determination rates are posted in full view of employees.
15. Perform final inspection and acceptance of all work required under the contract, including the review and approval of reports and assist the CO with contract closeout activities as requested. See Commerce Acquisition Manual Part 4, Chapter 3, on Contract Closeout for specific procedures.
16. Submit reports on contractor performance, such as the SF-1421 for A&E work.
17. Evaluate contractor performance in accordance with Federal Acquisition Regulations (FAR) Part 42.15 and acquisition office procedures.

In your capacity as COTR you DO NOT have the authority to:

1. Award, agree to, or sign any contract, delivery order or task order. All contractual agreements, commitments, or modifications shall be made only by the CO.
2. Make any commitments or otherwise obligate the Government, or to make any changes to the contract.
3. Grant deviations from or waive any of the terms and conditions of the contract.
4. Impose or place a demand upon the Contractor to perform any task or permit any substitution not specifically provided for in the contract.
5. Increase the dollar limit of the contract, or authorize work beyond the dollar limit of the contract, or authorize the expenditure of funds.
6. Give direction to the Contractor or to the employees of the Contractor except as provided for in the contract.
7. Change the period of performance.
8. Authorize the purchase of equipment, except as required under the contract.
9. Authorize the furnishing of Government property, except as required under the contract.
10. Authorize subcontracting or the use of consultants.

11. Approve shifts of funding between line items of the budget.
12. Approve travel and relocation expense over and above that provided for in the contract.
13. Authorize the use of overtime.

Your appointment as COTR shall remain in effect through the life of the contract unless sooner revoked by the CO, and any such revocation of the appointment shall be in writing. If your appointment is revoked for any reason before completion of this contract, turn your records over to the successor COTR or obtain disposition instructions from the CO. If you are reassigned or separated from service, request termination and relief from your duties from the CO sufficiently in advance of your reassignment or separation to permit timely selection and appointment of a successor COTR.

If you have or may have direct or indirect financial interests which would place you in a position where there is a conflict between your private interests and the public interests of the United States, you shall immediately advise your supervisor and the CO of the conflict so that appropriate action may be taken. You shall avoid the appearance of such conflict to maintain public confidence in the Government's conduct of business with the private sector. Note Department Administrative Orders 202-735 and 202-735A which cover employee responsibilities and conduct for U. S. Department of Commerce personnel.

**[AS AN INDICATION THAT YOU HAVE READ, UNDERSTAND AND AGREE TO COMPLY WITH YOUR COTR ROLE AND RESPONSIBILITIES, PLEASE COMPLETE THE NEXT PAGE OF THIS MEMORANDUM AND RETURN IT TO THE CONTRACTING OFFICER WITHIN 7 CALENDAR DAYS OF THE DATE OF THIS APPOINTMENT.]**

**MEMORANDUM FOR:** (Contracting Officer)

The undersigned acknowledges the COTR appointment on Contract No. \_\_\_\_\_ and accepts the duties, responsibilities and limitations described in the delegation and appointment memorandum.

I understand and accept that you, as the Contracting Officer, reserve the authority to cancel this COTR appointment in accordance with conditions set forth in the Department of Commerce COR Certification Program, set forth in Commerce Acquisition Manual 1301.670.

As such:

I agree to satisfy and perform the contract management duties assigned to me in accordance with the ethical standards of conduct for procurements and for federal employees.

I agree to diligently monitor the technical performance of the contractor to ensure that technical requirements under the contract are met by the delivery date or within the period of performance set forth in the contract.

I agree to partner with the CO by keeping him/her informed of any technical difficulties arising under the contract.

I agree to promote fair and open competition whenever possible.

I agree not to make any commitments or otherwise obligate the Government to make any changes to the contract.

I agree not to make any commitments or obligations that would otherwise go beyond the limits of my COTR delegation.

\_\_\_\_\_  
COTR (Typed name and signature)

\_\_\_\_\_  
Date

Supervisor Acknowledgment:

\_\_\_\_\_  
Supervisor (Typed name and signature)

\_\_\_\_\_  
Date

**Appendix G**

MEMORANDUM FOR: \_\_\_\_\_

Point of Contact/Order Contact (P/OC)

FROM: \_\_\_\_\_

Contract Specialist

*SUBJECT:* Appointment, Delegation & Briefing of Point of Contact/Order Contact (P/OC) for \_\_\_\_\_ {Order Number} \_\_\_\_\_ (Name of Contractor)

1. You have been designated P/OC for the subject purchase order. Please acknowledge receipt of this memorandum and one (1) copy of the purchase order by signing and returning a **duplicate** copy of this memorandum to me.
2. The following are guidelines that you should follow in administering the purchase order:
  - (a) Maintain contact with the Vendor and follow the progress of the work, immediately notifying the Contracting Officer if difficulties or situations arise, which may hinder or delay performance.
  - (b) Assist the Vendor in interpreting technical requirements of the scope of work of the purchase order. Differences of opinion shall be referred to the Contracting Officer for resolution.
  - (c) Promptly process all invoices against this purchase order. The vendor has been notified that invoices against this award document shall be submitted as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If you cannot accept the product or service for any reason, please contact either the Contracting Officer or me immediately. Do not approve the invoice or submit the receiving report until the issue is resolved. Notify the invoice processing office that the product or service has not been accepted and the invoice should not be processed until the matter is resolved.

3. Maintain adequate records to sufficiently describe the performance of your duties as P/OC during the life of this contract. As a minimum, the P/OC file should contain copies of the following:
  - a. P/OC appointment, delegation & briefing memorandum and acknowledgement.
  - b. Purchase Order and any modifications.
  - c. All purchase order correspondence.
  - d. Records of P/OC inspections.
  - e. Records of conversations with the vendor.
  - f. Invoices/vouchers.
  
4. The P/OC does not have the authority to:
  - (a) Execute or agree to any changes in the purchase order specification, delivery schedule, or other terms and conditions of the contract.
  - (b) Make or infer legal interpretations on the scope or intent of the purchase order.
  - (c) Levy or impose upon the Vendor any task or permit any substitution not specifically provided for in the purchase order.
  - (d) Give direction to the Vendor or to employees of the Vendor except as provided in the purchase order.
  - (e) Offer advice to the Vendor which may adversely affect performance, compromise the rights of the Government, provide the basis of a claim for constructive change, or impact any pending or future Contracting Officer determination as to fault or negligence.
  - (f) Authorize work outside the scope of the purchase order.
  - (g) Resolve any dispute concerning a question of fact or law arising under the purchase order.
  - (h) Further delegate the above responsibilities.

I hereby certify receipt of this memorandum and copy of the purchase order.

\_\_\_\_\_  
P/OC

Date: \_\_\_\_\_

## Appendix H

### Glossary of Terms

**Acquisition Positions:** Employees who are in the acquisition system with duties that fall into an acquisition category. These positions comprise the contracting series (GS-1102), the purchasing series (GS-1105), and positions in other job series in which significant acquisition-related functions are performed.

**Acquisition Workforce:** Employees performing acquisition-related work. The acquisition workforce includes permanent civilian employees who occupy acquisition positions as well as Contracting Officer Representatives.

**Certificate of Eligibility:** A document attesting the competency of an individual to perform delegated contract management duties

**Certification:** A process that formally recognizes professionals for achieving expertise and excellence performing selected duties. The process considers the individual's experience, education and training, in addition to business acumen, judgment, character, reputation and ethics performing selected duties.

**Competency:** A generalized subject or performance area for which an individual masters both the general and relevant technical knowledge and skills in the subject/performance area.

**Competency-based Training:** Development activities specifically designed to achieve a high level of proficiency for a particular competency

**Contract:** A mutually binding legal relationship obligating the seller to furnish the supplies or services (including construction) and the buyer to pay for them. It includes all types of commitments that obligate the Government to an expenditure of appropriated funds and that, except as otherwise authorized, are in writing. In addition to bilateral instruments, contracts include (but are not limited to) awards and notices of awards; job orders, task or delivery orders issued under basic ordering agreements; letter contracts; orders, such as purchase orders, under which the contract becomes effective by written acceptance or performance; and bilateral contract modifications.

**Contract Management Duties:** Specific activities performed by the acquisition workforce related to the administration of a contract from contract award through contract closeout

**Contracting Officer:** A person delegated authority to enter, administer, and terminate contracts in accordance with Federal acquisition laws and regulations.

**Contracting Officer Representative:** A Federal employee delegated limited authority by a Contracting Officer to monitor and perform specific, enumerated contract

management duties related to contract closeout and technical oversight during the performance period of a contract ensuring the contractor's performance meets the standards set forth in the contract, the technical requirements under the contract are met by the delivery date or within the period of performance, and at the price or within the estimated cost stipulated in the contract. A Contracting Officer Representative may be designated as a Level 1, 2 or 3 Contracting Officer Technical Representative (COTR) or as a Point of Contact/Order Contact (P/OC). All designations are considered Contracting Officer Representatives (CORs).

A COR may serve in a full- or part-time capacity. A full-time COR performs contract management duties at least 35 hours per week. A part-time COR performs contract management duties less than 35 hours per week.

**Contracting Professional:** A federal employee occupying an acquisition position who, through teamwork, strives to exceed customer needs and expectations by providing expert business advice and contracting support.

**Contractual vehicle:** A legal agreement used by the Federal Government to procure contractor services or sources of supply

**Currency Training:** courses, seminars, briefings, ect. taken to remain up-to-date and current in a particular field of course or study

**Delivery Order:** A written demand by the Federal Government for products which are covered by another agency's contract in accordance with the prices, delivery terms, quality, minimum/maximum order quantities or dollar amounts, or other terms and conditions of the agency contract.

**Receiving Official:** Individual charged with certifying the receipt and acceptance of property or services for the Government

**Task Order:** A written demand by the Federal Government for services which are covered by another agency's contract in accordance with the prices, delivery terms, quality, minimum/maximum order quantities or dollar amounts, or other terms and conditions of the agency contract.

**Technical Direction:** To monitoring, surveillance, guide, to show or to indicate the way, to conduct a task or activity. Such direction is distinguished from the administrative and business management aspects and is technical in nature and does not change any of the terms or conditions of the contract.

**Program:** A related series of undertakings that continue over a period of time which are designed to pursue or are in support of a focused scientific or technical goal.

**Program Official:** An operating unit head or Office of the Secretary manager who is responsible for carrying out specified substantive functions (i.e. programs) necessary for the performance of the Department's mission.

**Program/Project Manager (PM):** PMs direct a group of related activities performed within a specified time period to meet a specific set of objectives. The related activities involve a series of undertakings that continue over a period of time, which are designed to pursue or are in support of a focused scientific, business, technical, statutory or regulatory goal that are characterized by: initiation, planning, execution, administration, closeout phases; firm schedules; and firm scientific, business, technical, statutory or regulatory objectives.

**Project:** A project is a unique major effort within a program which has firmly scheduled beginning, intermediate, and ending date milestones; prescribed performance requirements, prescribed costs; and close management, planning, and control. A project is a basic building block, in relation to a program, which is individually planned, approved and managed.

## Appendix I

### References

- 1.0 Clinger-Cohen Act of 1996
- 2.0 Federal Acquisition Regulation (FAR) Subpart 1.6, Contracting Authority and Responsibilities and Part 42, Contract Administration.
- 3.0 Commerce Acquisition Regulation (CAR) Subpart 1301.6, Contracting Authority and Responsibilities and Part 1342, Contract Administration.
- 4.0 Commerce Acquisition Manual (CAM) Part 4, Chapter 3, Contract Closeout Procedures.
- 5.0 Commerce Acquisition Manual (CAM) Part 1, Chapter 1, Acquisition Career Management Program and Warrant Policy
- 6.0 Departmental Administrative Order (DAO) 208-3, "Major Systems," dated December 9, 1977.
- 7.0 Departmental Administrative Order 202-735 as supplemented and amended, "Employee Responsibilities and Conduct."
- 8.0 Office of Federal Procurement Policy document, "Government-wide Guidance on Contract Administration," dated March 15, 1991.
- 9.0 Office of Federal Procurement Policy document, "Procurement System Education, Training and Experience Requirements for Acquisition Personnel," dated September 12, 1997.

## ENDNOTES

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- <sup>1</sup> <http://www.corporatelearningsolutions.com/pages/11/index.htm>
- <sup>2</sup> [http://www.projectoutfitters.com/training/acp\\_.htm](http://www.projectoutfitters.com/training/acp_.htm)
- <sup>3</sup> <http://www.esi-intl.com/public/FindaCourse/INDEX.ASP>
- <sup>4</sup> <http://www.westney.com/Training.htm>
- <sup>5</sup> <http://users.erols.com/fedtrain/#Project%20Management>
- <sup>6</sup> <http://www.managementconcepts.com/>
- <sup>7</sup> <http://www.agu.edu/>
- <sup>8</sup> <http://e-learning.doc.gov/coursecatalog/index.cfm>
- <sup>9</sup> [http://www.acqsolinc.com/training\\_p-b.html](http://www.acqsolinc.com/training_p-b.html)
- <sup>10</sup> <http://www.esi-intl.com/Register/course.asp?coursecode=GCP-BST>
- <sup>11</sup> <http://institute.brtrc.com/Pbsa.html>
- <sup>12</sup> <http://www.fedpubseminars.com/seminar/pbcont.html>
- <sup>13</sup> <http://www.amciweb.com/ast/training.htm>
- <sup>14</sup> <http://www.npi-training.com/>
- <sup>15</sup> <http://www.housemanandassociates.com/>
- <sup>16</sup> <http://www.managementconcepts.com/scripts/mcibrowse.asp?Catalog=AC&menuID=264>
- <sup>17</sup> <http://www.housemanandassociates.com/>
- <sup>18</sup> <http://bmra.com/elective.htm>
- <sup>19</sup> <http://www.npi-training.com/>
- <sup>20</sup> <https://www.atrrs.army.mil/channels/nondod/default.asp>
- <sup>21</sup> <http://www.npi-training.com/>
- <sup>22</sup> <http://www.esi-intl.com/public/contracting/cmspecialized.asp>
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- <sup>25</sup> <http://www.housemanandassociates.com/>
- <sup>26</sup> [http://www.faionline.com/kc/main/kc\\_frame.asp](http://www.faionline.com/kc/main/kc_frame.asp)
- <sup>27</sup> <http://www.fedpubseminars.com/seminar/gcplist.html>
- <sup>28</sup> <http://www.esi-intl.com/public/contracting/cmspecialized.asp>
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