



NNSA Policy Letter: BOP.003.0302

Date: January 10, 2003

**TITLE: Appointment of Contracting Officer's Representatives (COR) for
NNSA Management & Operating Contracts**

I. OBJECTIVES:

- A. To ensure that only trained and qualified NNSA professionals serve as CORs.
- B. To supplement DOE O 541.1A, Appointment of Contracting Officers and Contracting Officer Representatives, by establishing specific requirements and procedures for the nomination, appointment, and termination of CORs for the oversight and management of NNSA Management & Operating (M&O) contracts.

II. APPLICABILITY: All NNSA elements except Naval Reactors.

III. REQUIREMENTS:

- A. Nomination. Pursuant to the procedures contained in this Policy Letter, Site Offices, the Service Center, or NNSA HQ may nominate individuals to be CORs for M&O contracts. Nominees must meet the following requirements:
 - Be an NNSA federal employee or an individual formally assigned to NNSA. If the nominee is from within an NNSA Program element, that individual must be a Program Manager for a Major Program and/or Major Function performed by the M&O contractor.
 - Successfully complete the NNSA tailored COR training for M&O contracts.

The nomination to the Site Office Manager/Contracting Officer (SOM/CO) must include the following documentation:

1. A discussion of the need for the COR appointment and a statement that the nominee meets the qualification requirements in Paragraph III A.
 2. If the nominee has not previously filed a financial disclosure report, upon being nominated, the report must be submitted to the local field counsel (for field employees) or the NNSA Office of General Counsel (for NNSA HQ employees). Prior to making an appointment, the SOM/CO must receive a statement from counsel that the nominee's financial interests do not conflict with the proposed COR duties.
 3. Recommended COR authority limitations (e.g. limited to certain programs/subprograms; limited to certain actions).
- B. Appointment. In the event that the SOM is not a Contracting Officer, the CO will appoint the COR with the concurrence of the SOM. The SOM/CO appointment of the COR shall be in writing to the appointee and must include:
1. COR's name, position, title, and location;
 2. Limitations of authority (e.g. limited to certain programs/subprograms; limited to certain actions);
 3. Instructions identifying any specific actions that may or may not be taken by the COR for the Contracting Officer consistent with the terms and conditions of the M&O contract; and
 4. Term of the appointment.
- C. Termination. If a COR's name, position title, or location changes, the COR must notify the appointing official who must process a new appointment for the individual or terminate the individual's appointment. Terminations of COR appointments must be made in writing and a copy of the termination must be provided to the COR central repository at the Service Center.
- D. Record Keeping. A copy of each COR appointment letter must be forwarded to the central repository at the NNSA Service Center.
- E. Crosscutting COR Appointments. Certain functional areas (e.g. legal and Chief Financial Officer) may require COR appointments that are limited to

very specific functions but must be valid for each NNSA M&O contract. The Senior Procurement Executive will make these COR appointments and provide a copy to the SOM and the central repository.

- F. Exceptions. In exceptional circumstances, SOM/COs may consider conditional appointment of CORs who do not meet the requirements in Paragraph III A. The Senior Procurement Executive must approve each conditional appointment. The request for approval should be submitted to the Contracts Assessment and Systems Division, NA-63, 30 days before the appointment is needed; must discuss the reasons for conditional appointment; and must include a plan to ensure that the COR will be fully qualified within 90 days. Appointment of non-Government personnel as a COR requires approval of the Senior Procurement Executive.

IV. RESPONSIBILITIES:

- A. The Office of Procurement and Assistance Management (NA-63) is responsible for:
1. Establishing policy for the selection, appointment, and termination of CORs for NNSA M&O contracts;
 2. Establishing an effective COR program that maintains clear lines of COR and CO authority and accountability; and
 3. Appointment of crosscutting CORs
 4. Publishing the NNSA Acquisition Regulation.
- B. The NNSA Service Center is responsible for:
1. Establishing and maintaining the central repository of COR appointments; and
 2. Funding and conducting NNSA tailored COR training as frequently as is necessary to maintain a full cadre of qualified M&O CORs.
- C. Each NNSA Site Office is responsible for reviewing, approving, and issuing COR appointments for their M&O contract.

V. DEFINITIONS

- A. “Contracting Officer” (CO) means a person with the authority to enter into or administer an NNSA M&O contract and to make related determinations and findings. This includes the appointment of CORs to act as representatives of the CO.
- B. “Contracting Officer’s Representative” (COR) means an NNSA employee (or an individual that is officially assigned to NNSA) who is formally designated to act as a representative of the CO for specific functions. CORs may act only within the stated limits of their appointment letter. COR functions may include technical monitoring, inspection, and other functions of a technical nature not involving a change in the scope, cost, or terms and conditions of the contract.

VI. POINT OF CONTACT FOR ADMINISTRATION OF POLICY LETTER:
Contracts Assessment and Systems Division, Office of Procurement and Assistance Management (NA-63), 202-586-4321.

BY ORDER OF THE SENIOR PROCUREMENT EXECUTIVE:

Robert C. Braden
Senior Procurement Executive
National Nuclear Security Administration