United States Department of Agriculture

Office of the Assistant Secretary for Departmental Management

Management Services

Procurement Operations Division

Reporters Building
300 7th Street, SW Suite 353
Washington, DC 20024

ACQUISITION OPERATING PROCEDURE (AOP)

FROM: Shawn E. Kerkes, Shawn E. Kerkes
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MAR 08 2012

SUBJECT: AOP No. 2: Federal Acquisition Certification for Contracting Officer Representative (FAC-COR)

◆ **PURPOSE:** The purpose of this Acquisition Operating Procedure (AOP) is to provide supplemental procedures of the Federal Acquisition Certification for Contracting Officer Representative (FAC-COR).

◆ **REVISIONS:** The AOP is revised in its entirety and incorporates the Federal Acquisition Institute Training Application System (FAITAS) process. This replaces AOP No. 3, dated March 12, 2009.

◆ **AUTHORITIES:** Office of Federal Procurement Policy, memorandum dated September 6, 2011; and Agriculture Acquisition Regulation Number 85, Acquisition Workforce Training, Delegation and Tracking System, dated May 9, 2008.

◆ **FAC-COR CERTIFICATION:**

a. FAC-COR Certification is an assurance that the individual has the experience, education and training plus personal factors such as business acumen, judgment, character, reputation, and ethics to perform selected COR duties.

b. The FAC-COR will be issued to those individuals that will serve as a COR under a designated contract.

c. A request for FAC-COR Certification is submitted through the FAITAS found at www.fai.gov. The user guide is found under the Help tab on the site. The request must include the Application for FAC-COR (*Attachment 1*).

◆ **FAC-COR TRAINING, EXPERIENCE AND CONTRACT RISK:**

Training should cover COR roles and responsibilities as well as fundamental contract procedures, rules and regulations. The initial training must include the 32 or 40 hours Basic COR course.

	Training	Experience	Contract Risk	Training Every 2-Years
Level I	8 hours	0 year	Low-risk contracts, e.g., supply contracts and orders	8 clps/hrs
Level II	40 hours	1 year	Perform general project management activities/ moderate to high complexity contracts for supply and service contracts	40 clps/hrs
Level III	60 hours	2 years	Perform significant program management activities/ moderate to high complexity with significant/major acquisition investment as defined by OMB Circular A-11/agency-mission critical contracts	40 clps/hrs

◆ COR DELEGATION LETTER:

a. COR Delegation Letter authorizes the individual to serve as the COR to work on a particular contract and outlines the roles and responsibilities of the COR to monitor the contractor's performance; contract surveillance; perform inspections to assure compliance with the contract terms, conditions, and specifications; perform acceptance; make technical changes to the contract requirement; recommend contract payment, etc.

b. The Contracting Officer will designate a COR for <u>all</u> contracts and orders other than those that are firm-fixed price, and for firm-fixed-price contracts and orders as appropriate. (*FAR 1.602-2(d)*)

c. The Contracting Officer will issue the COR Delegation Letter to those individuals holding an active FAC-COR Certification. Some contracts may only need a Point of Contact instead of a COR; e.g., a point of contact may receive, accept, and approve an invoice for payment for the delivery of laser printers.

d. The COR Delegation Letter must be signed by the COR and contractor, and then the Contracting Officer must place a copy of the COR Delegation Letter in the contract file and submit a copy to the COR and contractor.

e. If after the COR Delegation Letter is issued, the Contracting Officer determines that the COR does not have the experience and technical competencies to perform the critical technical functions to help manage the contract, discussions may be requested with the COR's supervisor and/or Contracting Branch Chief to discuss the individual's experience, technical competencies and training. The Contracting Officer may request a replacement COR.

◆ TERMINATION OF THE COR DELEGATION LETTER:

The Contracting Officer may terminate the COR's delegation in writing on a case-by-case basis and assign a replacement COR. A COR who has failed to complete the required 2-year training or has had the COR delegation terminated must complete the necessary training to be reinstated.

◆ STANDARD 2-YEAR TRAINING CYCLE:

a. It is the COR's responsibility to ensure that the required training is completed within the Standard 2-year Training Cycle listed below. Subsequent years will follow the same date format as shown below.

October 1, 2007	to	September 30, 2009
October 1, 2009	to	September 30, 2011
October 1, 2011	to	September 30, 2013
October 1, 2013	to	September 30, 2015
October 1, 2015	to	September 30, 2017
October 1, 2017	to	September 30, 2019
October 1, 2019	to	September 30, 2021

b. CORs should <u>not</u> repeat the same or similar training within a 4-year cycle. Training that is repeated within the 4-year cycle will not be applied to retain the FAC-COR Certification. Rather, CORs should take other courses relevant to the work to be performed as a COR under the contract.

c. Training may be completed via the Internet, televised broadcasts, classroom, etc.

d. Copies of the training certificates/transcript should be submitted in FAITAS.

e. A list of recommended continuous training courses is shown in Attachment 2 of this procedure.

◆ SUPERVISOR OF THE COR

a. Supervisors must ensure that designated individuals with the technical responsibilities and duties for their program areas are fully trained and qualified to help alleviate possible delays in carrying out the contractual requirements. By designating an individual to be a COR, the supervisor is confirming the qualifications of the individual.

b. Supervisors should designate individuals with adequate technical and management experience to accommodate the complexities or visibility of the contract. Supervisors should assess the COR's experience as it relates to the type of contract the COR will be managing to determine if additional training is needed, e.g., performance-based acquisition, earned value management, incentive contracts, green purchasing.

Attachment 1

Application for Federal Acquisition Certification - COR

PART A – EMPLOYEE INFORMATION

Name (Last, First, Middle Initial): _____

Division/Branch/Address: _____

(Ex: OCIO-ITSD-CRMB, 2150 Centre Ave, Bldg A, Suite 45, Ft Collins, CO 80526)

Title: _____ Phone: _____ Email: _____

PART B – COR EXPERIENCE

(Attach the documents below in FAITAS)

[ ] Resume/Detailed Narrative of Experience as a COR (*attach under Experience*)

[ ] FAC-COR Application (*attach under Experience*)

[ ] FAC-COR certified by another Agency (*attach under supporting Documentation*)

PART C – CONTRACTING OFFICER & CONTRACT REFERENCE

1. Name of the Contracting Officer of USDA Departmental Management managing the existing contract or that will manage the upcoming requirement/project.

2. Provide the existing contract number/project name <u>and</u> the name of the COR/COR being replaced.

PART D – COMPETENCIES AND ALIGNED SKILLS

Technical Competencies and Aligned Skills *(check all applicable competencies/skills)*	
<u>Acquisition Planning</u>: [ ] **Document Sources**- Assist to determine and properly document whether a source selection plan is needed. [ ] **Methods of Payment**- Assist in selecting payment method to minimize the Government's overhead. [ ] **Contract Financing**- Assist in determining the need for and method of Government financing. [ ] **Unpriced Contracts**- Assist in preparing unpriced orders and contracts. [ ] **Recurring Requirements**- Assist in determining whether and how to provide for recurring requirements. [ ] **Pricing Arrangements**- Assist in selecting the most appropriate pricing arrangements to solicit. [ ] **Compliance with FAR Guidelines**- Assist in identifying applicable FAR guidelines. [ ] **Determine Need for EVM**- Mitigate potential problems with cost, schedule, and technical risks. [ ] **Task & Delivery Order Contracts**- Suggest ordering vehicles when submitting work package to request work. [ ] **Strategic Planning**- Advise on developing and implementing strategies to meet mission requirements.	**<u>Market Research</u>** [ ] **Market Research**- Conduct, collect apply, and understand the market place/requirement to provide Sources for the supply/service; and the terms & conditions under which those goods/services are sold to the public. [ ] **Sources Information**- Gather information of potential sources of an acquisition, for commercial items, and the terms & conditions for which the sources sell the goods and/or services involved. **Defining Government Requirements in <u>Commercial/Non-Commercial Terms</u>** [ ] **Statements of Work**- Prepare statements of work, SOOs, PWS and other related documents. [ ] **Needs Analysis and Requirements Documents**- Perform an analysis, based on a standard methodology to identify requirements and obligations to assist in the developing requirement/documents. [ ] **Acquisition Strategy**- Assist the CO with developing an appropriate acquisition strategy.

PreAward Communication

[ ] **Publicizing Proposed Acquisitions-** Recommend additional methods of publicizing, when appropriate.

[ ] **Subcontracting Requirements-** Recommend requirements for subcontracting or make-or-buy situations.

[ ] **Solicitation Preparation-** Assist in the preparation of a written solicitation, providing guidance as needed.

[ ] **Pre-Quote/Pre-Bid/Pre-Proposal Conferences-** Assist with the pre-quote, pre-bid, or pre-proposal conference.

[ ] **Amending/Cancelling Solicitations-** Provide input for amendments/cancellation of a solicitation, when it is in the best interest of the Government and/or Agency.

Technical Analysis (Evaluation) of Proposals

[ ] **Evaluate Non-Price Factors-** Apply non-price factors in evaluating quotations, proposals, and past performance.

[ ] **Pricing Information from Offerors-** Assist in determining the pricing information required from offerors.

[ ] **Evaluation Documentation-** Ability to clearly document reasoning behind proposed evaluation.

Negotiation

[ ] **Negotiation Strategy-** Assist in preparing a negotiation strategy to maximize the ability to obtain best value.

[ ] **Discussions/Negotiations-** Assist in negotiating an agreement on cost/price, terms and conditions.

[ ] **Determining Capability-** Assist in determining and documenting the capability of a firm to effectively perform the terms and conditions of the contract.

Contract Management

[ ] **Contract Administration Planning and Orientations-** Define the COR roles and responsibilities by knowing the terms and conditions to which they are assigned; and participate in post-award orientation meetings to review contract milestones and responsibilities.

[ ] **Contract Modification and Adjustment-** Request and recommend contract modifications or adjustments and provide the appropriate request documents to the CO.

(-cont-) Contract Management

[ ] **Work Order Management-** Submit work package to request work under the contract.

Performance Management

[ ] **Performance Metrics-** Monitor performance by evaluating actual performance processes, workflow requirements, and outputs with pre-determined goals.

[ ] **Performance Management-** Monitor contract performance and recommend to the CO actions related to delays in contract performance or need to stop work, and document past performance by accurately characterizing the contractor's actual performance.

[ ] **Financial Management-** Monitor the contractor's financial progress and assist with contract enforcement; technical cost, schedule and performance. Review contractor payment requests, review interim invoices (cost reimbursement, LH and T&M contracts) to make sure charges are commensurate with observed performance. Report any discrepancies in invoices to the CO with supporting documentation of representation.

[ ] **Contract Reporting-** Monitor and verify contract expenditures, anticipated funding issues or over runs, contract schedule compliance and anticipated schedule delays, contract technical performance and compliance with terms and conditions of the contract to the CO in an efficient and timely manner.

[ ] **Inspection and Acceptance-** Inspect and accept deliveries/services and monitor services for conformance with contract/order/agreement terms and conditions to accept or reject. Ensure compliance and completion by the Contractor of all required operations, including the preparation of the any forms or equivalent which shall be authenticated and certified by the COR that the services/supplies have been received and are acceptable. Process inspection report to support payment and maintain documentation of all inspections performed including disposition of the results.

[ ] **Specialized Requirements-** Perform contract surveillance and ensure contractor compliance with environmental, health and safety issues for the special requirements inherent in a hazardous material, services contracts, and construction contracts.

PART E– CERTIFICATION

I certify that the individual above possesses the core Technical and Professional Business Competencies required for Contracting Officer's Representative (COR) that forms the foundation for the required knowledge, skills, and abilities to effectively perform as a COR.

Print Name of Director/Branch Chief: _____

Print Title: _____ Phone: _____

Signature of Director/Branch Chief: _____ Date: _____

RECOMMENDED CONTINUOUS TRAINING COURSES

*The Federal Acquisition Institute Training Application System (FAITAS) of the Federal Acquisition Institute (**FAI**) found at http://www.fai.gov/ offers online and classroom courses, which are "free of charge." The list below is not inclusive. Commercial vendors, colleges and universities, etc. may offer other similar related training opportunities pertinent roles of the COR and the acquisition process.*

Market Research for Technical Personnel
Writing Performance Work Statements
Writing Statement of Work
Cost Estimating for Technical Personnel
Developing Independent Government Cost Estimates
Competition Requirements
Evaluating a Contractor's Performance
COR with a Mission Focus
Contracting Officer's Representative Course
Overview of Acquisition Ethics
Contracting for the Rest of Us
Technical Review
Scheduling
Work Breakdown Structure
Best Value Source Section Using Tradeoffs
Federal Appropriation Law
Risk Management
Information Technology Acquisition
Incentive Contracts
Task and Delivery Order Contracting
Terminating Contracts
Types of Contracts
Earned Value Management
Risk Analysis and Management
Contractor Proposal Analysis
Acquisition of Commercial Items
Contract Source Selection
Patent, Technical Data and Computer Software
Contract Management: Strategies for Mission Success
Service Contract Act Overview
Software Cost Estimating
Forecasting Technique
Analyzing Contract Cost
Enterprise Integration Overview
Technical Planning
COR Workshop
COR/COTR Refresher
Prompt Payment Act and Voucher Examination
Antideficiency Act
Customer Service Skills and Techniques
Performance-Based Payment Overview
Past Performance Information
Green Purchasing
Contract Property Fundamentals
Performance-Based Service Acquisition
Managing Performance Based Service Contracts
Strategic Sourcing Overview
Commercial Item Pricing
Small Business Program Contracting
Technical Planning
Government Contract Law
Contracting Organizational Conflict of Interest
Competition in Contracting Act
Fundamental of System Acquisition Management
Intermediate System Acquisition
Progress Payments
Program Manager Course
Software Acquisition Management
Enterprise Life Cycle Logistics Management
Information Systems Acquisition
Construction Contracting
Facilities Engineering
Architect and Engineer Contracting
Project Management
Changes Under Government Contracts
Cost Risk Analysis
Cost and Price Analysis
Introduction to Earned Value Management
Interagency Acquisition Basics
Contract Claims
Construction Claims
Rates
Value Engineering
Introduction to Lean Enterprise Concepts
Quality Assurance Auditing
Ethics in Federal Contracting
Managing IT Projects
Managing Project Quality
Procurement for Project Managers