

Appendix A

EXECUTIVE OFFICE OF THE PRESIDENT OFFICE OF MANAGEMENT AND BUDGET WASHINGTON, D.C. 20503

Office of Federal Procurement Policy June 24, 1992

Policy Letter 92-3

TO: THE HEADS OF EXECUTIVE DEPARTMENTS AND ESTABLISHMENTS

SUBJECT. Procurement Professionalism Program Policy Training for Contracting Personnel

Purpose. To establish a Government-wide standard and associated policies for skill-based training in performing contracting and purchasing duties.

Authority. This Policy Letter is issued pursuant to Section 6(a) of the Office of Federal Procurement Policy (OFPP) Act [Public Law 93-400], as amended, (41 U.S.C. 405(a)). It establishes a standard for procurement systems (which includes the professional development of procurement personnel) under the authority of Section 6(d)(2) of the OFPP Act, as amended, (41 U.S.C. 405(d)(2)).

Background. The quality of contracting actions depends largely on the professional skills of the Government procurement workforce to help meet agency mission needs. Improved management will help ensure Government interests are effectively represented within a changing legislative and regulatory environment.

In July 1990, this office established an inter-agency group to develop a detailed Procurement Professionalism Plan for agencies to identify a comprehensive program of workforce improvement. Four subgroups devised recommended actions on the recruitment, training, retention and the evaluation of performance of the procurement workforce. The Defense Systems Management College led the training subgroup, which identified several opportunities for improvement and efficiencies when coupled with an enhanced Federal Acquisition Institute (FAI).

Among other things, the training subgroup strongly recommended competency based education for Federal contracting and purchasing personnel. Competency-based education refers to programs that provide an opportunity for the trainee to develop and demonstrate an appropriate level of skill (given the characteristics of the agency's overall mission) at performing a duty. The training subgroup recommendations were used in formulating this policy.

This Policy Letter establishes a standard set of contracting competencies after repeated and extensive coordination with Executive agencies through the FAI. The FAI conducted Government-wide research from 1977 to 1979 to identify contract management tasks. The survey used had a very high participation rate of almost half of all contract specialists in all Executive agencies at the time. During the period 1980 - 1985, FAI worked with representatives of Procurement Executives to select duties and tasks for training. The selected duties collectively constitute the body of contracting "competencies." Subsequently, the FAI developed "Units of Instruction" for core competencies, each of which is a blueprint for training one of the selected duties both in the classroom and on-the-job. In 1992, the FAI published these "Units of Instruction" under the title Contract Specialist Workbook. The 1992 edition covers almost 80 duties (see the Contract Specialist Workbook for an updated summary list) and more than 800 related tasks. Every contracting official in the Federal Government is expected to attain an appropriate level of skill at performing all contracting competencies identified by FAI. However, agencies may modify this standard by assigning levels of learning commensurate with agency needs and adding agency-level competencies.

Policy. Heads of Executive Departments and Agencies shall ensure that the procurement career management program required under Section 16 of the OFPP Act (41 U.S.C. 414(4)):

- a. Requires personnel in the contracting occupational series (General Schedule Series 1102), and uniformed personnel in comparable positions, to complete course work and related on-the-job training necessary to attain an appropriate level of skill (given the unique missions, policies and workload of the agency) in each Contract Management duty represented by a Unit of Instruction in the FAI Contract Specialist Workbook. These may be supplemented with additional contracting duties and tasks by the agency head. Alternative means may be used for these individuals to demonstrate their competence to perform required duties (e.g. through practicums, equivalency examinations, or managerial reviews of an individual's current level of skill in each duty);
- b. Requires civilian and uniformed personnel appointed under Section 1.6 of the Federal Acquisition Regulation (FAR) as contracting officers with authority to award or administer contracts above the small purchase threshold to complete course work and related on-the-job training necessary to attain an appropriate level of skill (given the unique missions, policies, and workload of the agency) in each Contract Management duty represented by a Unit of Instruction in the FAI Contract Specialist Workbook, or otherwise demonstrate their competence to perform those duties through alternative means;
- c. Requires personnel in the purchasing occupational series (General Schedule Series 1105), other civilian and uniformed personnel performing purchasing duties, and individuals with contracting authority at or under the small purchase threshold, or with authority to place delivery orders at any dollar level, to complete training in duties related to making small purchases under FAR Part 13 and placing delivery orders;
- d. Provides for a system for certifying and reporting the completion of all required courses and on-the-job training;

e. Encourages self-development activities of contracting personnel to stay current with the acquisition knowledge base for professional growth throughout their careers, and

f. Directs the Senior Procurement Executive to designate a procurement career manager with authority for agency-wide policy and oversight responsibility for the procurement career management program, including authority and responsibility for working in cooperation with other agencies through the FAI to make the most effective and efficient use of existing instructional material or facilities and minimize duplication of effort in the development and delivery of training and education.

Implementation. The FAI is developing instructional materials in the contracting competencies to support comprehensive training in formal classroom settings as well as at the work site and through on-the-job training. FAI training courses now available or under development include "Introduction to Contracting," "Procurement Planning," "Sealed Bidding," "Negotiation Process," "Price Analysis," "Cost Analysis," "Advanced Cost or Price Analysis," "Basic Contract Administration," "Construction Contracting," "Contracting for Federal Information Processing Resources," and "Source Section." These courses will be offered by the General Services Administration Interagency Training Center.

As courses are completed, the FAI will provide the instructional materials for that course (in hard copy or electronic forms) to agencies for incorporation (in whole or in part, with any necessary agency-specific tailoring) in their respective courses. An agency may modify the Contract Specialist Workbook, and associated FAI instructional materials, to reflect the unique missions, policies and workload of the agency.

The Director of FAI shall further assist agency training programs through the following actions:

- Maintain the Contract Specialist Workbook as a Government-wide standard for the professional development of contracting personnel, and distribute copies of Procurement Executives.
- Recommend minimum Government-wide training requirements and goals to the Administrator, OFPP.
- Assist agencies, and encourage cooperation among agencies, in the development of instructional materials to implement the training requirements of Section 4 above.
- Advise the Administrator, OFPP, on the effectiveness of Federal training programs to develop competence in the performance of acquisition-related duties and tasks.
- Establish joint programs with other Federal procurement training facilities or contracting activities under Section 4103 of Title 5, United States Code, to help Federal agencies implement provisions of this Policy Letter.

- Assist colleges and universities in establishing procurement and acquisition courses as part of continuing education, associate, baccalaureate, and graduate programs.
- Review the acquisition courses of colleges and universities, identify and document the levels of learning attained in contracting duties and tasks, and recommend academic courses to Procurement Executives that may be substituted for Government training in those duties and tasks.

Reporting Requirements. Within 90 days of the effective date of this Policy Letter, the Senior Procurement Executive of each agency is to advise the Administrator, OFPP, of the agency's procurement career management program required by 41 U.S.C. 414(4) and implementing Section 4 of this letter, including:

- (1) a description of the agency's plan for prescribing and providing the training required;
- (2) a description of actions taken or planned to assess the extent to which training courses now provide, or will provide, skill training in the Units of Instruction of the FAI Contract Specialist Workbook, including the level of skill in each Contract Management duty that the training will be designed to attain;
- (3) a description of the agency's system for certifying and reporting the completion of training requirements, and
- (4) the name and position of the individual designated under Section 4.f. above. Periodic reports on the procurement career management program may be requested by the Administrator, OFPP, thereafter.

Federal Acquisition Regulation (FAR) Councils. The Defense Acquisition Regulatory Council and the Civilian Agency Acquisition Council shall conduct a thorough review of the relevant parts of the FAR to (1) assure that no unintended encumbrances to this Policy Letter are contained therein, and (2) that the policies established by this Policy Letter are fully reflected in the FAR within 210 days of the effective date of this Policy Letter. Issuance of final regulations within this 210-day period shall be considered issuance "in a timely manner" as prescribed in 41 U.S.C. §§ 405(b).

Judicial Review. This Policy Letter is not intended to provide a constitutional or statutory interpretation of any kind, and it is not intended, and should not be construed, to create any right or benefit, substantive or procedural, enforceable at law by a party against the United States, its agencies, its officers, or any person. It is intended only to provide policy guidance to agencies in the exercise of their discretion concerning Federal contracting. Thus, this Policy Letter is not intended, and should not be construed, to create any substantive or procedural basis on which to challenge any agency action or inaction on the ground that such action or inaction was not in accordance with this Policy Letter.

Effective Date. This Policy Letter is effective 30 days after the date of issuance.

Information. Questions or inquiries about this Policy Letter should be directed to Mr. Wayne Wittig, Deputy Associate Administrator, OFPP, 725 17th Street, N.W., Washington, D.C. 20503, telephone (202) 395-6803.

Allan V. Burman

Administrator