



United States Department of Agriculture

OFFICE OF INSPECTOR GENERAL





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REPORT  
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TO: Agency Heads

ATTN: Agency Audit Liaisons

FROM: Gil H. Harden  
Assistant Inspector General for Audit

SUBJECT: Assessment of USDA's Contracting Officer's Representatives

This report presents the results of the Department of Agriculture's (USDA) Contracting Officer's Representatives (COR) assessment performed by Jefferson Solutions (Jefferson). USDA's Office of Inspector General (OIG) contracted with Jefferson to assess the current perceptions and practices of USDA's CORs. The COR plays a critical role in the outcome of the contract administration process and functions as the "eyes and ears" of the contracting officer, monitoring technical performance and reporting any potential or actual problems to the contracting officer. Jefferson conducted a comprehensive assessment and prepared the attached report for OIG containing observations and best practices. This information should be beneficial to USDA in strengthening its current and future contracting activities.

OIG plans to use the results of this assessment to identify areas in USDA's procurement processes that would benefit from additional audit work. We are not making any specific recommendations at this time and, therefore, no response is required by the agencies.

We appreciate the courtesies and cooperation extended to us and to Jefferson by members of your staff during this assessment. This report contains publically available information and will be posted in its entirety to our website (<http://www.usda.gov/oig>) in the near future.





United States Department of Agriculture  
Office of Inspector General

**Contracting Officer's Representative  
Support Services Analysis**  
Final Report

February 18, 2015





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## Executive Summary

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The United States Department of Agriculture (USDA) Office of Inspector General (OIG) competitively awarded Jefferson Solutions (Jefferson), a woman-owned small business, a contract to assess the current practices of the Department's Contracting Officer's Representatives (CORs) in its agencies and staff offices. The COR plays a critical role in the outcome of the contract administration process and functions as the "eyes and ears" of the contracting officer, monitoring technical performance and reporting any potential or actual problems to the contracting officer.

Jefferson developed a comprehensive COR survey, which was sent to 4,322 USDA CORs identified through the Federal Acquisition Institute Training Application System (FAITAS). All federal civilian agency employees use this system to manage their Federal acquisition career development. A total of 1,802 CORs completed a survey instrument—a 41.7% response rate. In addition to the survey tool, we conducted structured interviews with Heads of the Contracting Activity (HCA), Acquisition Career Managers (ACMs), contracting officers, and CORs within the USDA agencies and staff offices. The purpose of the interviews was to validate survey data and to provide a platform for a more in-depth discussion of the areas addressed in the survey.

Eighty-nine percent of the CORs responding to the survey indicated that they were active, certified CORs. A significant number of survey respondents reported having between three to ten years of experience, and some reported having over ten years of experience. Seventy-seven percent are certified above Level I.<sup>1</sup> Almost half manage between two and five contracts, and 88% of the respondents reported that the COR function is a collateral duty. Seventy-nine percent cited their technical work or technical qualifications as a reason for their selection as a COR. This fact is particularly noteworthy because many agencies wrestle with finding individuals to serve in the COR function and often resort to selecting individuals based on their availability rather than their technical capabilities.

Based on the survey and our interviews, we concluded that CORs generally understand their roles and responsibilities. However, HCAs and contracting officers raised concerns regarding holding CORs accountable for those responsibilities and mentioned that COR functions are often deprioritized in favor of competing program office responsibilities. With some exceptions, explicit COR responsibilities are not contained in the COR's performance evaluation standards. To strengthen the COR Program, at least one critical element in a COR's performance standards should be specific to contract management or the COR duties described in the contracting officer's delegation letter.

COR challenges included, in the preaward phase, defining requirements and writing statements of work. CORs reported that they typically learn how to develop requirements through trial-and-error in working with the contracting office. The majority of the CORs that we spoke with stated that they would benefit from additional guidance and training in this area. In the postaward

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<sup>1</sup> As defined in Office of Federal Procurement Policy (OFPP) Memorandum, *Revisions to the Federal Acquisition Certification for Contracting Officer's Representatives (FAC-COR)*, September 6, 2011, Level I certification requires eight hours of training with no experience required.

phase, CORs seemed most challenged with providing technical guidance to the contractor and monitoring the daily work of the contractor. In the area of document maintenance, the majority of the interviewees reported that they were unclear as to what documentation should be maintained in their contract files. CORs also stated that initiating the contractor performance assessment in the Contractor Performance Assessment Reports System (CPARS) was challenging due to a wide range of reasons, which included “not enough time” and “did not know it had to be done.” Training on CPARS registration and use, thresholds for CPARS reporting, timeframes for completing evaluations, and training on collecting documentation and writing narratives would help with CPARS compliance.

The survey and interviews identified other training issues as well. Some CORs located in rural areas cited lack of funding for travel to training sites and scarcity of local training opportunities as obstacles to meeting and maintaining certification requirements. The other prevalent issue was the usefulness of training. We heard complaints that training is too Department of Defense (DoD)-oriented. We also heard complaints that the Federal Acquisition Certification-Contracting Officer’s Representatives (FAC-COR) Program has no core curriculum tied to each certification level. While there was general agreement on the need for a more structured training curriculum, CORs did not want to go as far as the Federal Acquisition Certification-Contracting (FAC-C) Program—recognizing that the COR function was only a collateral duty and should not overshadow their main program responsibilities.

We heard instances where the project manager was performing the COR responsibilities without certification and a letter of delegation, while the “official” COR’s responsibilities was reduced to processing invoices. The project manager should be trained to understand that only the appointed COR who receives the delegation of authority can direct contractor performance. Implementing enhanced communication practices wherein the COR is included in all technical meetings between the project manager and the contractor, as well as establishing regular standing meetings between the project manager and COR would assist in this area.

We identified areas where additional policy or guidance may be beneficial to the agency. These include:

- Developing a COR competency model that maps the certification level to experience, contract type and complexity knowledge, minimum core training, and recertification requirements.
- Developing a suggested training curriculum for each certification level as well as specific training courses and competencies for recertification.
- Establishing guidelines for evaluating training courses for credit towards continuous learning points (CLP) achievement requests.
- Establishing guidelines requiring supervisors to review and identify duplicative training courses as recertification issues during their review of CLP achievement requests.

- Ensuring that at least one critical element in a COR’s performance standards should be specific to contract management or the COR duties described in the contracting officer’s delegation letter.
- Ensuring that the COR’s supervisor’s own evaluation contains a performance standard related to oversight of COR responsibilities.
- Establishing guidelines to standardize the manner in which supervisors hold employees assigned as CORs accountable for their performance.
- Establishing guidelines to standardize the manner in which supervisors of CORs obtain feedback from contracting officers regarding employee performance and incorporate this feedback into performance evaluations for affected employees.
- Developing a COR “toolkit” containing forms and templates commonly used by CORs as well as updated policy information.
- Developing a communication strategy or issuing guidance that defines acceptable response times.
- Establishing guidance/reference materials outlining processes and procedures for performing preaward duties and responsibilities.
- Establishing guidelines as to the content and proper maintenance of COR contract files.
- Developing a COR file documentation checklist.
- Establishing and conducting periodic spot audits on COR file documentation to ensure compliance with the Federal Acquisition Regulation (FAR) and agency policy.
- Establishing policy guidance for oversight in the use of CPARS.

Interviews with CORs indicate that many agencies and staff offices maintain a shared platform, such as a SharePoint site, where reference materials are centrally located. USDA has appointed an ACM at the Department level who has had some success in facilitating meetings between agency-level ACMs. These meetings serve as a platform for USDA to share information, policy, and best practices. The additional policy and guidance developed based on the aforementioned recommendations should be disseminated and maintained on a shared platform.

Lastly, we found that communication practices could be strengthened. The majority of respondents characterized their telephone and in-person meetings with contracting officers as infrequent and only occurring when issues regarding their contract arose. This suggests that the approach of those involved in the contract administration process is more reactive than proactive. Providing training on effective workplace communication and interpersonal skills, making program-contracting communication an explicit core competency in an employee’s performance plan, and developing a communication strategy or issuing guidance that defines acceptable response times and frequency of communication would foster better communication. Appendix A of this report expands on these issues and offers additional detailed recommendations for addressing them, and Appendix B provides a prioritization of the recommendations.

## **Introduction**

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In August 2014, the United States Department of Agriculture (USDA) Office of Inspector General (OIG) competitively awarded Jefferson Solutions<sup>2</sup> (Jefferson) a contract to assess the current practices of the Department's Contracting Officer's Representatives (CORs) in its agencies and staff offices.

The COR plays a critical role in the outcome of the contract administration process and functions as the "eyes and ears" of the contracting officer, monitoring technical performance and reporting any potential or actual problems to the contracting officer. Important COR responsibilities are many and varied and include the following:

- Receiving and reviewing deliverables;
- Reviewing and approving invoices;
- Conducting regular correspondence with the contractor and the contracting officer;
- Documenting contract actions; and
- Providing technical direction within the scope of the contract.

## **Background and Objectives**

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OIG is responsible for performing audits and investigations of the Department's programs and operations to promote economy, efficiency, effectiveness, and integrity, and to prevent and detect fraud, waste, and abuse in programs and operations. The third goal of the OIG's Annual Plan for FY 2014 is to "provide USDA with oversight to help it achieve its results-oriented performance." This goal contains acquisition-related audits and reviews to ensure appropriate stewardship of taxpayer dollars.

Given that the Department spent over \$5 billion on contracts in FY 2014, having compliant, accountable, and properly trained CORs is imperative to USDA receiving the best outcome and value from its contracts. With 34 agencies and staff offices, 11 of which have delegated procurement authority, it is important that OIG identify practices across the Department that may not be compliant with regulations or those that can be improved through proven practices.

The overall objective of the study was to examine the COR workforce and to recommend how it can be better managed to ensure positive contract outcomes.

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<sup>2</sup> Jefferson Solutions is a Jefferson Consulting Group, LLC company, a woman-owned small business.

## Scope and Methodology

To accomplish the objectives identified in our introduction, we developed a lengthy, comprehensive survey. USDA's Acquisition Career Manager (ACM) provided Jefferson with an Excel spreadsheet containing 4,325 USDA CORs listed in the Federal Acquisition Institute Training Application System (FAITAS). The mission area-specific percentage distribution of the 4,325 CORs is depicted in Figure 1.

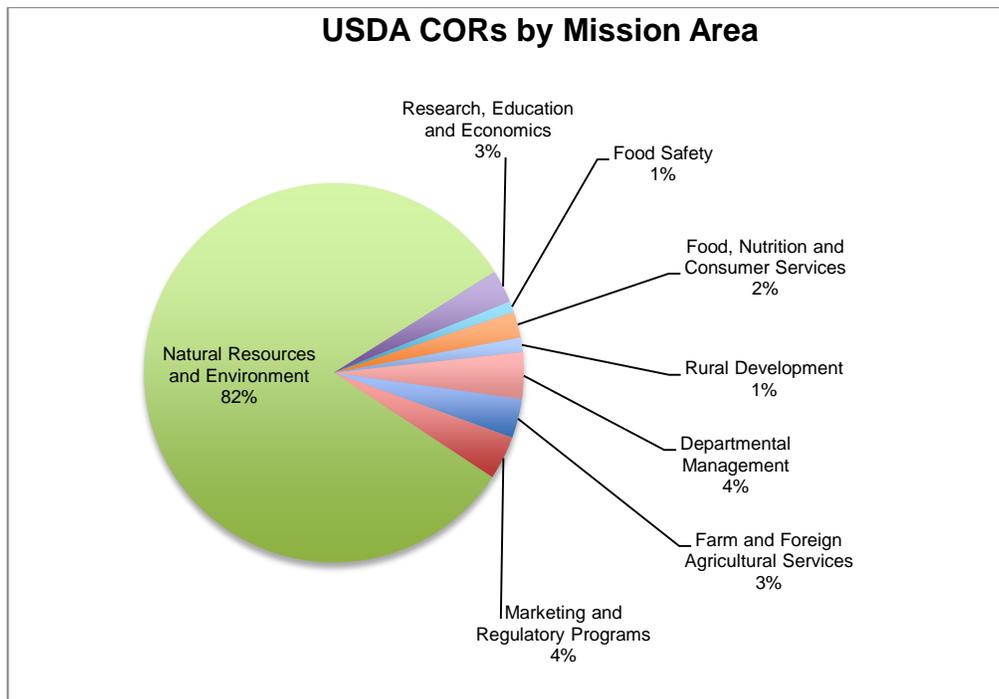


Figure 1 depicts the percentage of USDA CORs in each mission area.

On October 28, 2014, 4,322 USDA CORs were sent email invitations with information about the survey and an individualized link to access and respond to it.<sup>3</sup> Reminders were sent via email on November 3<sup>rd</sup> and 12<sup>th</sup>, and the survey was closed on November 14<sup>th</sup>. Our subcontractor partner, J.D. Power, programmed the survey using the IBM software suite SPSS Dimensions—Version 6.0, and all data was hosted locally on an encrypted Linux server. We collected 1,802 completed survey instruments—a 41.7% response rate. This response rate is significantly higher than that of other eSurvey methodology instruments fielded by Jefferson. We generally see a 3-30% response rate, depending on the level of engagement an organization has with the type of respondent. This robust response indicates a high level of engagement among USDA CORs and reflects their willingness to share their thoughts.

<sup>3</sup> Originally the universe data consisted of 4,325 CORs, which included OIG's CORs. OIG's operations, however, are reviewed by the Office of Compliance and Integrity (OCI). OCI performs independent quality assurance and internal control reviews of OIG operations. Therefore, we excluded OIG's 3 CORs from the 4,325 universe total. Hence, the reviewed universe totals 4,322 CORs.

Our COR survey instrument covered the following contracting topics:

- Certification and Experience
- Training
- Policy and Guidance
- Communication
- Initiation of COR Involvement
- Performance Standards
- Performance Activities
- File Documentation and Maintenance
- Initiation of the Performance Assessment Record in the Contractor Performance Assessment Reports System (CPARS)
- Management's Recognition of the COR Role
- COR Challenges at the Department Level

In addition to the survey tool, we conducted structured interviews with 10 of the 11 Heads of the Contracting Activity (HCAs)<sup>4</sup>, 11 ACMs<sup>5</sup>, six contracting officers, and 40 CORs within USDA agencies and staff offices. The purpose of the interviews was to validate survey data and to provide a platform for a more in-depth discussion on the areas addressed in the survey.

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<sup>4</sup> Originally, the universe data consisted of 11 HCAs, which included OIG's HCA. We excluded OIG's HCA and thus the review consisted of 10 HCAs.

<sup>5</sup> We interviewed one ACM at 9 of the HCAs and 2 ACMs from Food Safety and Inspection Service (FSIS) for a total of 11 ACMs. We did not interview OIG's ACM.

## Role of the Contracting Officer's Representative

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*The Contracting Officer's Representatives (CORs) play a critical role in ensuring that contractors meet the commitment of their contracts. They ensure proper development of requirements and assist Contracting Officers in managing their contracts.*

*- Federal Acquisition Institute*

The Federal Acquisition Regulation (FAR) defines “Contracting Officer’s Representative (COR)” to mean an individual designated and authorized in writing by the contracting officer to perform specific technical or administrative functions.<sup>6</sup> The COR is the technical liaison between the contractor and the contracting officer and is responsible for ensuring satisfactory performance and timely delivery as set forth in the contract. Typically, the COR can:

- Perform preaward program management tasks such as preparation of work statements and Independent Government Cost Estimates (IGCEs);
- Act as liaisons and coordinate contractor/Government activities;
- Arrange for and coordinate the use of Government resources;
- Provide guidance concerning the technical performance of the contract; and
- Receive, review, and approve (but not reject or deny) progress reports, selected invoices, and final reports, or other functions of a technical nature. The authority to reject performance and deny associated invoices is expressly reserved for the contracting officer.

CORs are not authorized to make contractual commitments or provide any direction that would constitute a change to the price, quality, quantity, delivery schedule, or any other term and condition of the contract. The COR function must be performed by a Government employee, although inspection and testing services may be supported by a contractor.

The COR plays a vital role in federal acquisition in that it is the COR’s responsibility to ensure that an agency gets what it pays for through good contractor performance. The COR role is a program office function. CORs represent a program office and can be program managers or project managers, provided that they meet the certification requirements that have been established. The table on the following page depicts the acquisition-related roles and responsibilities of the program and acquisition office.

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<sup>6</sup> As defined in FAR Subpart 2.1.

<b>Programmatic Function</b>	<b>Contracting Function</b>
<i>Pre-Solicitation Phase Activities</i>	
Prepares purchase request, which includes statement of work (SOW), funding, and other required documents	Reviews purchase request
Establishes technical evaluation criteria and their relative importance	Determines contract type
Provides input on program technical risk	Issues formal delegation letter to the Contracting Officer's Representative
Provides information to support any justification or determinations required	Prepares and issues solicitation document (Request for Quote [RFQ], Invitation for Bid [IFB], Request for Proposal [RFP])
Determines who will be COR (must have appropriate certification)	
<i>Solicitation Phase Activities</i>	
Provides technical input to contracting officer in response to offeror questions	Responds to inquiries from prospective offerors
Performs the technical evaluation of proposals	Amends solicitations as necessary
Provides technical support to the contracting officer concerning proposed costs/prices	Controls receipt of offers
	Determines which proposals are in the competitive range
<i>Award Phase Activities</i>	
Provides technical input into the negotiation process	Obtains requisite programmatic and pricing support and negotiates final contract(s)
Participates in debriefing of unsuccessful offerors	Awards contracts
Provides input to contracting officer regarding any protests	Conducts debriefings
	Handles protests
<i>Contract Administration Phase Activities</i>	
Assesses contractor performance	Exercises contractual remedies to deal with reported performance problems
Inspects delivery of supplies/services	Ensures contractor payments are consistent with performance and contract terms
Recommends needed changes to contract	Negotiates equitable adjustment to contract and issues modifications
Reviews contractors' invoices/vouchers	
Assesses CPARS rating and provides narrative justification	Enters the contract in CPARS and reviews COR CPARS evaluation

## USDA COR Demographics and Experience

Of the 1,802 USDA agency or staff office CORs who responded to the survey, 89% (1,603 respondents) indicated that they were active, certified CORs. Only 9% of survey respondents indicated that they were certified but not active in the last 2 years. One percent of respondents indicated that they were an active COR but were not COR certified. While 15% of the CORs had two years of experience or less, a significant number of survey respondents reported having between three to ten years (49%) and some reported having over ten years of experience (33%).

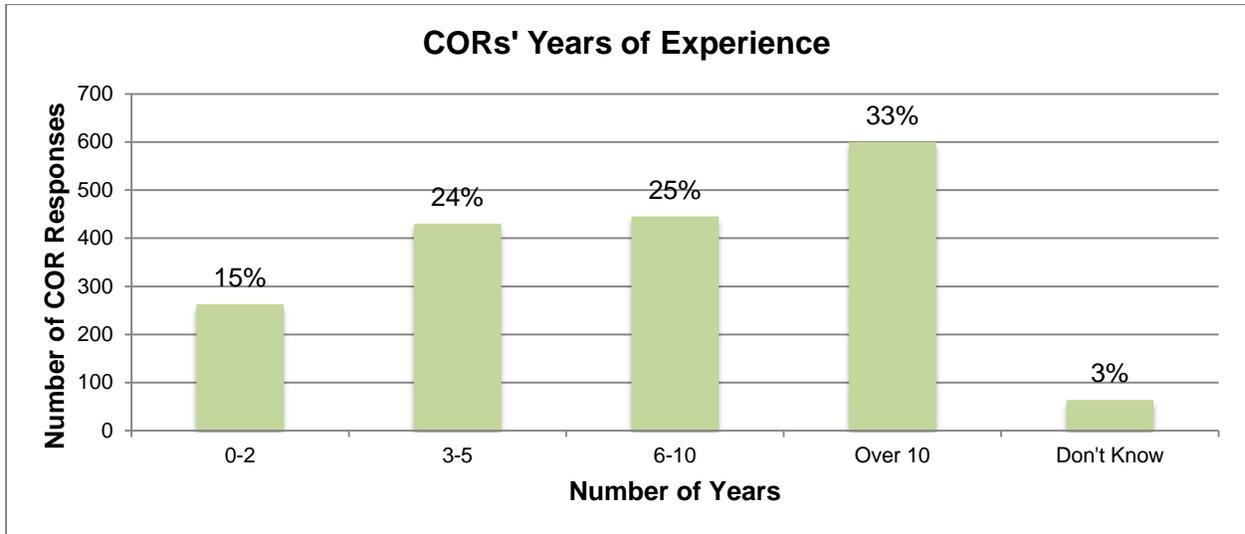


Figure 2 depicts the number of years of experience among CORs surveyed.

Twenty-two percent of survey respondents (405) reported being assigned COR duties on only one contract, while 50% of survey respondents (894) reported managing between two to five contracts. A small proportion (4.6%) managed between six and ten contracts, and an even smaller proportion managed more than ten contracts at one time (1.9%).

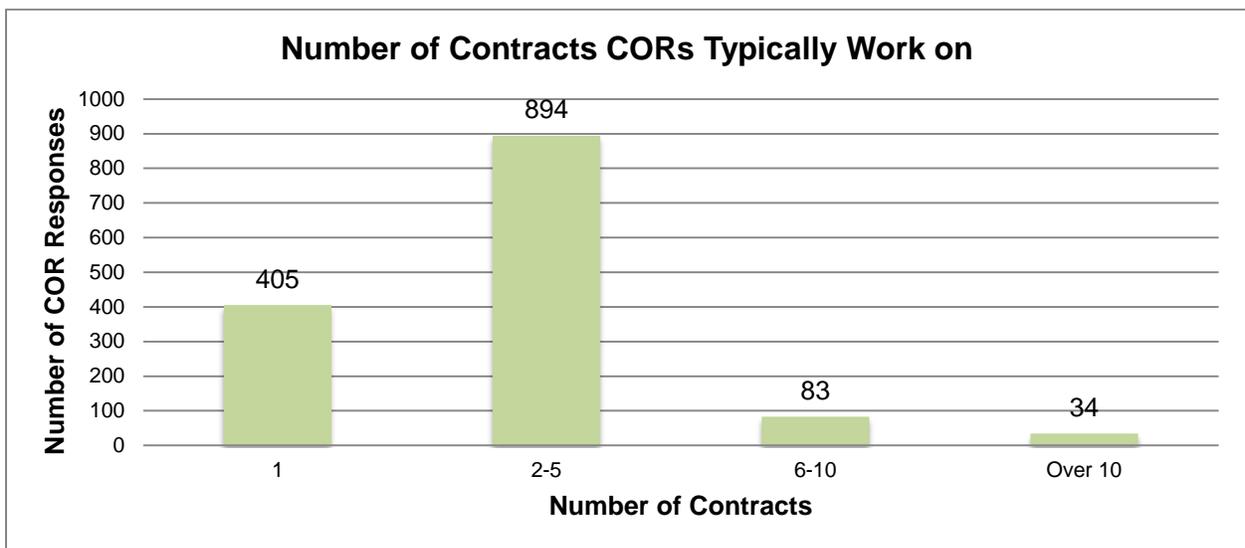


Figure 3 depicts the number of contracts survey respondents typically work on at the same time. Those who responded that were not currently working on contracts or did not know how many contracts they were currently working on are excluded.

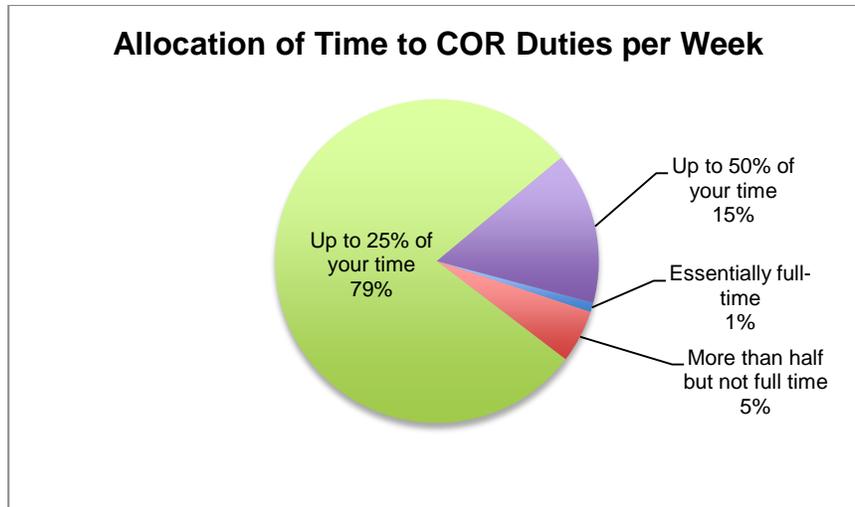


Figure 4 depicts the amount of time spent on COR duties in a given week by individuals who perform COR functions as a collateral duty.

Eighty-eight percent of respondents reported that the COR function is a collateral duty. Of those who responded as such, the majority (79%) indicated that they spend “up to 25% of their time” on COR duties. Only a negligible number of respondents (15) said that despite the fact that their role as a COR is a collateral duty, they are “essentially full-time” CORs.

Most CORs either somewhat agreed (35%) or strongly agreed (24%) that their respective agencies’ management recognizes the importance of COR duties to the achievement of USDA’s overall mission and goals. Additional responses are reflected in Figure 5. Our interviews with HCAs, however, identified a need for increased recognition of and messaging on the importance of COR duties and responsibilities from senior leadership.

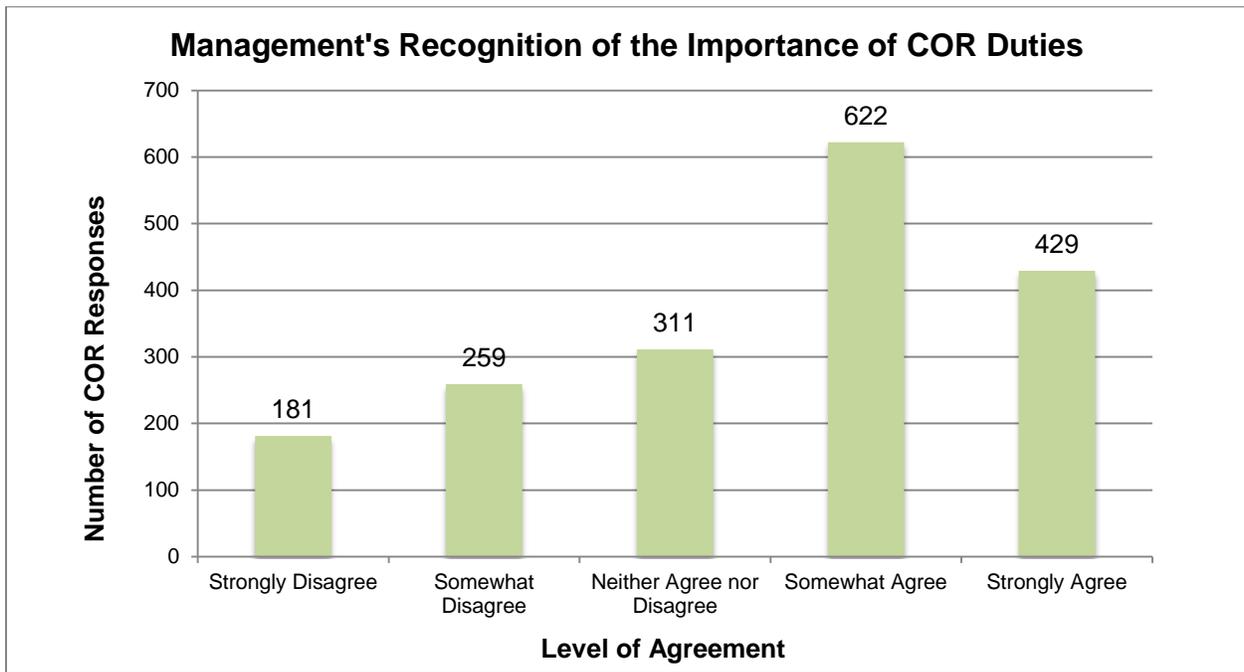


Figure 5 depicts CORs’ responses to the following statement: Your agency’s management recognizes the importance of COR duties to the achievement of USDA’s mission and goals.

Department level challenges that CORs experienced within the past year are shown in Figure 6. The top three challenges with a relatively even ranking, are unclear policy and procedure, lack of communication, and conflict between COR responsibilities and program office duties.

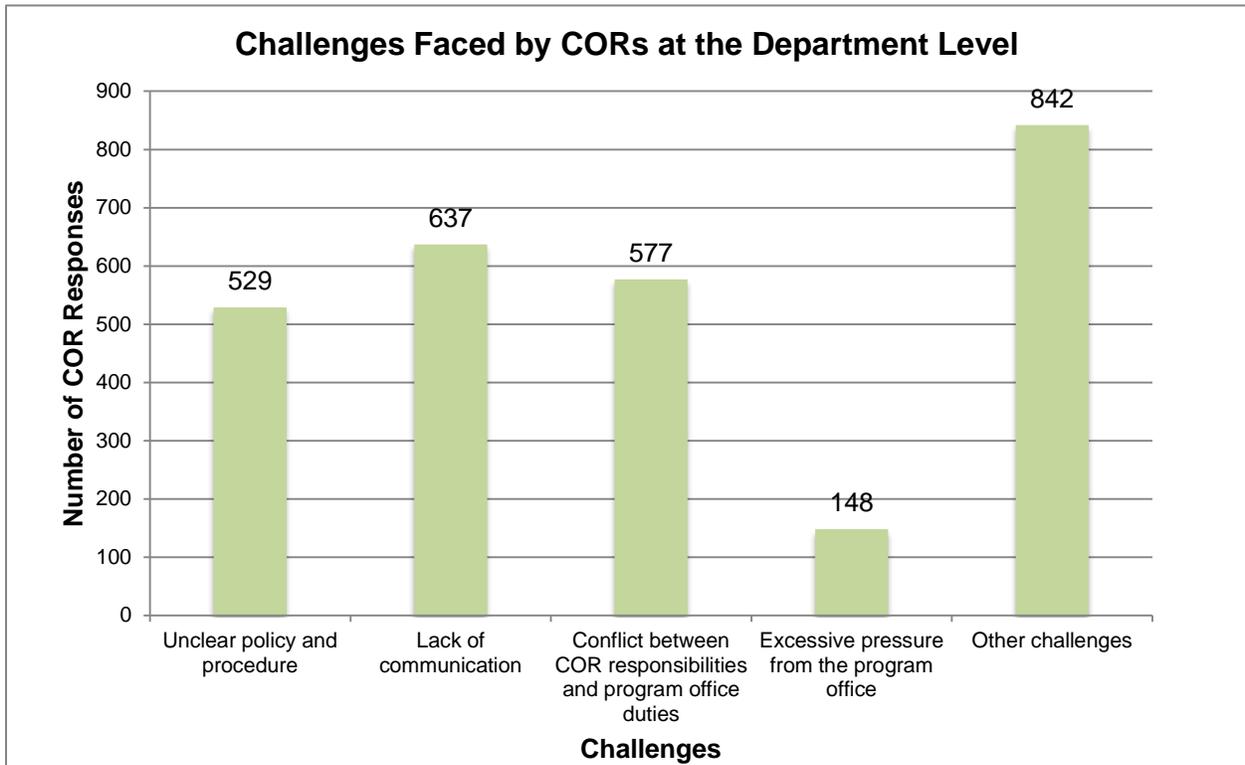


Figure 6 depicts the different challenges survey respondents faced in the past year at the Department level. Survey respondents were instructed to mark all challenges that applied.

Other challenges were:

- Availability and quality of training;
- Meeting training requirements;
- Issues with the contracting office;
- Issues with FAITAS;
- Infrequency of performance as a COR; and
- Insufficient time.

## Strategic Management of the COR Workforce

As part of its efforts to strategically manage the acquisition workforce, USDA develops an annual Acquisition Human Capital Plan (AHCP). In addition to identifying challenges and goals in managing the acquisition workforce, including CORs, the report includes acquisition workforce data. USDA's FY 2014 AHCP projected 4,500 CORs in FY 2014, with anticipation for growth to 4,600 in FY 2015. The USDA ACM makes these projections at the Department level based on historical contract data, financial and budgetary trends, and historical COR data from FAITAS.

USDA reported in FPDS-NG procurement contract obligations of \$5,166,929,586.32 and 77,961 contract actions for FY 2014.<sup>7</sup> USDA is managing the COR workforce by identifying and locating their CORs by office and tracking their competencies. As shown in the table below, the universe of CORs are listed in FAITAS.

USDA CORs by Mission Area and Agencies/Offices <sup>8</sup>					
Mission Area	Agency/Office	CORs			
		Level I	Level II	Level III	Total
Farm and Foreign Agricultural Services	Farm Service Agency	28	25	8	61
	Foreign Agricultural Service	59	7	1	67
	Risk Management Agency	4	13	0	17
Marketing and Regulatory Programs	Agricultural Marketing Service	6	8	1	15
	Animal and Plant Health Inspection Service	58	77	7	142
	Grain Inspection, Packers and Stockyards Administration	0	4	0	4
Natural Resources and Environment	Forest Service	763	1,413	999	3,175
	Natural Resources Conservation Service	159	190	13	362
Research, Education and Economics	Agricultural Research Service	36	60	1	97
	Economic Research Service	2	2	0	4
	National Agricultural Library	0	0	0	0
	National Agricultural Statistics Service	8	1	0	9
	National Institute of Food and Agriculture	4	6	1	11
	Office of the Chief Scientist	0	0	0	0
Food Safety	Food Safety and Inspection Service	6	25	10	41
Food, Nutrition and Consumer Services	Center for Nutrition Policy and Promotion	0	0	0	0
	Food and Nutrition Service	16	76	3	95
Rural Development	Rural Development	23	30	1	54
<b>Offices</b>	Departmental Management (DM) <sup>9</sup> <ul style="list-style-type: none"> <li>• Office of Advocacy and Outreach</li> <li>• Office of the Chief Financial Officer</li> <li>• Office of the Chief Information Officer</li> <li>• Office of the Executive Secretariat</li> <li>• Office of the Chief Economist</li> <li>• Office of Communications</li> <li>• Office of Congressional Relations</li> <li>• Office of Environmental Markets</li> </ul>	50	96	25	171

<sup>7</sup> Source: FPDS-NG, December 3, 2014.

<sup>8</sup> Source: FAITAS, September 2, 2014.

<sup>9</sup> DM and staff offices do not report at the office level.

USDA CORs by Mission Area and Agencies/Offices <sup>8</sup>					
Mission Area	Agency/Office	CORs			
		Level I	Level II	Level III	Total
	<ul style="list-style-type: none"> <li>• Faith-Based and Neighborhood Partnerships</li> <li>• Office of General Counsel</li> <li>• Office of Inspector General</li> <li>• Office of Tribal Relations</li> <li>• National Appeals Division</li> <li>• Office of the Assistant Secretary for Civil Rights</li> <li>• Office of Budget and Program Analysis</li> </ul>				
<b>TOTAL</b>		<b>1,222</b>	<b>2,033</b>	<b>1,070</b>	<b>4,325</b>

## Findings and Recommendations

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After completing our analysis of the data, we determined it beneficial to present our findings in two main categories—regulatory aspects of managing CORs and contract management issues. The discussion on the regulatory aspects of managing CORs deals with the broader issues of COR appointment, training, and policy. The contract management discussion includes all issues from the preaward phase through contract administration and closeout. Appendix A of this report provides a summary of problems, best practices, and recommendations.

### Regulatory Aspects of Managing CORs

There are important regulatory requirements for managing CORs that affect the ability of CORs to do their job effectively. First, according to the FAR, the contracting officer must formally delegate contracting authority on a contract to his or her COR.<sup>10</sup> Second, agencies are required to train CORs in their contracting duties.<sup>11</sup>

#### Formal Delegation of COR Authority

The FAR requires a COR to have a formal delegation of authority from the contracting officer before he or she can perform any contracting duties. This formal delegation—usually in the form of a letter or memorandum—assigns a COR to manage a specific contract and states what the COR can do, must do, and cannot do in relation to the contract. The delegation letter helps protect the agency and the COR from the potential adverse effects of a COR acting beyond the scope of his or her authority or acting without authority. When asked if they always receive a letter of delegation when being assigned as a COR to a contract, 79% of CORs chose “yes,” 16% chose “no,” and the remaining 5% chose “don’t know.”

The proportion of survey respondents who cited their technical work or technical qualifications as a reason for being chosen to act as a COR was relatively high (79%). This is particularly noteworthy because many federal agencies wrestle with finding individuals to serve in the COR function and often resort to selecting an individual based on their availability rather than their technical capabilities.

#### Recommendations

- Ensure that contracting officers in all agencies and staff offices formally delegate to CORs the authority to work on particular contracts.
- Ensure CORs are selected and assigned based on established criteria rather than on availability.
- At the time of appointment, the contracting officer should meet with the COR in person, if practical, to ensure the COR understands his or her duties, roles, and responsibilities in regard to the contract and in regard to agency-specific processes and requirements. CORs should be informed that their duties, responsibilities, and obligations are limited to those

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<sup>10</sup> As required by FAR 1.602-2(d).

<sup>11</sup> Office of Federal Procurement Policy (OFPP) Letter 05-01, *Developing and Managing the Acquisition Workforce*, April 15, 2005.

articulated in their appointment letter and must be exercised in accordance with agency policies.

**COR Training**

The Federal Acquisition Institute (FAI) determines the training requirements for CORs in federal civilian agencies. The Federal Acquisition Certification-Contracting Officer’s Representatives (FAC-COR) Program requirements are governed by the September 6, 2011, *OMB Revisions to the Federal Acquisition Certification for Contracting Officer’s Representatives*. This memorandum replaces the Office of Federal Procurement Policy’s (OFPP) *Federal Acquisition Certification for Contracting Officer’s Technical Representatives (FAC-COTR)*, originally issued in November 2007, and revises the competency requirements for CORs to establish a risk-based, three-tiered certification program for civilian agencies that better reflects the important role of the COR. The new FAC-COR requirements became effective as of January 1, 2012.

Certification Levels

The new three-tiered certification program has varying requirements—depending on the types of contracts being managed—for training, experience, and continuous learning. The essential competencies required for CORs or equivalent positions form the foundation for the knowledge, skills, and abilities needed to effectively perform as a COR. Generally, CORs should be developed and assigned as follows:

Certification Level	Criteria
Level I Entry/Apprentice	Eight (8) hours of training and no experience required. This level of COR is generally appropriate for low-risk contract vehicles, such as supply contracts and orders.
Level II Mid-Level/ Journeyman	Forty (40) hours of training and one (1) year of previous COR experience required. These CORs may be called upon to perform general project management activities and should be trained accordingly. This level of COR is generally appropriate for contract vehicles of moderate to high complexity, including both supply and service contracts.
Level III Senior/Expert	Sixty (60) hours of training and two (2) years of previous COR experience required on contracts of moderate to high complexity that require significant acquisition investment. Level III CORs are the most experienced CORs within an agency and should be assigned to the most complex and mission critical contracts within the agency. These CORs are often called upon to perform significant program management activities and should be trained accordingly. At a minimum, those CORs for major investments, as defined by OMB Circular A- 11, shall generally be designated as Level III CORs.

USDA COR training requirements are mandated by USDA, Office of Procurement and Property Management, Procurement Advisory 85A, *Acquisition Workforce, Training, Delegation, and Management System*, May 9, 2008, revised October 2, 2014. The procurement advisory establishes policy and procedures for the USDA Acquisition Workforce including CORs. The policy provides:

- Employees appointed as CORs must first show as being FAC-COR certified in FAITAS.

- Failure of CORs to meet their continuous learning requirements will result in revocation of appointment to any assigned contracts.

Nineteen percent of survey respondents are certified at Level I, 45% at Level II, and 32% at Level III. Four percent of respondents reported that they were unsure of their certification level.

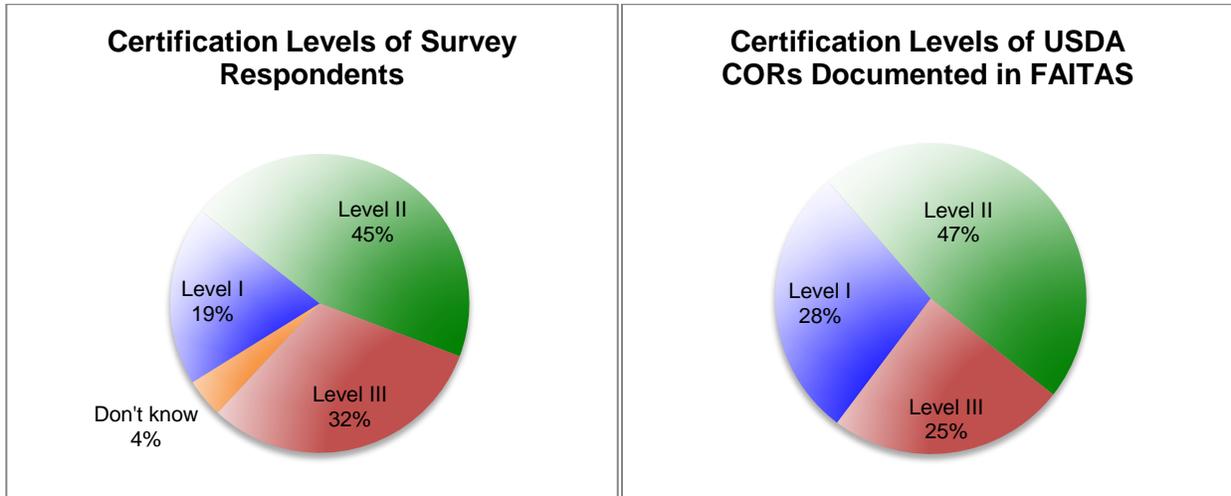


Figure 7 includes two pie charts: the pie chart on the left depicts the percentage of USDA CORs in each level of certification, and the pie chart on the right depicts the percentage of survey respondents in each level of certification.

### Availability of Training

An overwhelming majority of respondents (90%) reported that requests for training submitted during the past 12 months had been approved by supervisors. We found that most respondents (84%) had participated in training within the past year, with 48% having participated in training within the past six months. Only 16% of respondents (280) said they had not participated in training during this time period. Reasons cited by these respondents for not participating are depicted in Figure 8. During the interviews, CORs and ACMs who expressed a preference for training in a traditional classroom setting cited lack of funding for travel to training sites and scarcity of local training opportunities as obstacles to meeting and maintaining certification requirements for CORs located in rural areas.

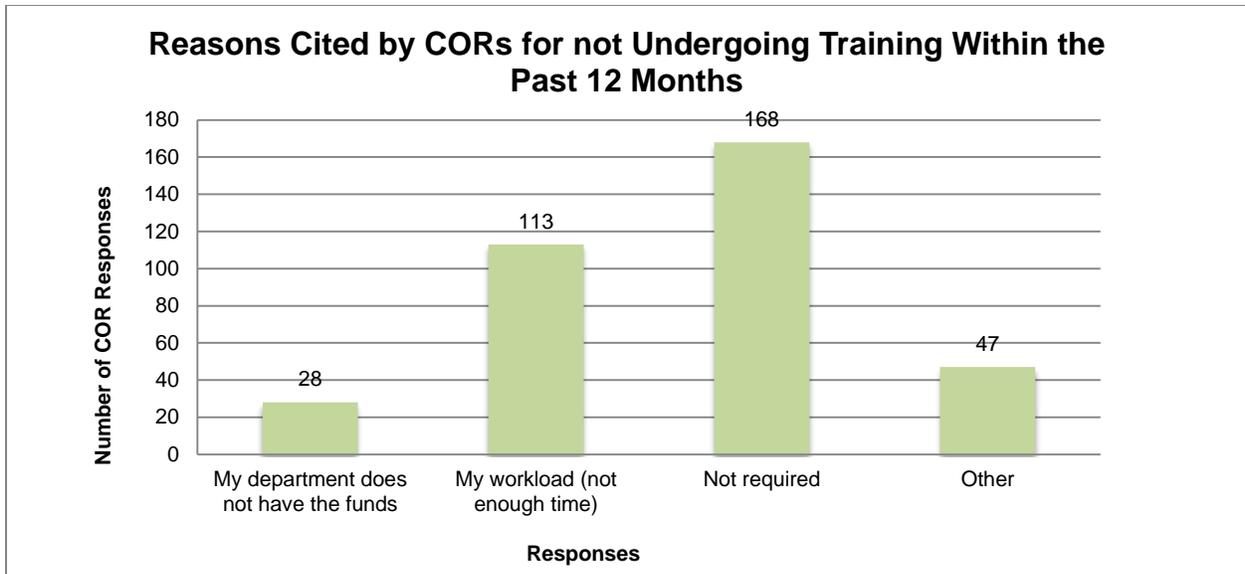


Figure 8 depicts the reasons cited by CORs for not training in the past 12 months. Respondents were instructed to mark all reasons that applied.

Usefulness of Training

When asked to rate the usefulness of training on a scale of 1 to 10—with 1 being “unacceptable,” 5 being “average,” and 10 being “outstanding”—54% (966) of respondents chose a rating of 6 or higher. Sixty-eight percent (1,225) of all survey participants said they would like to see improvements in COR training. Furthermore, when participants were asked to select what COR improvements they would like to make, the number one response was “training.” The anecdotal data gathered during the interviews suggest that much of the training is not useful for many CORs throughout USDA.

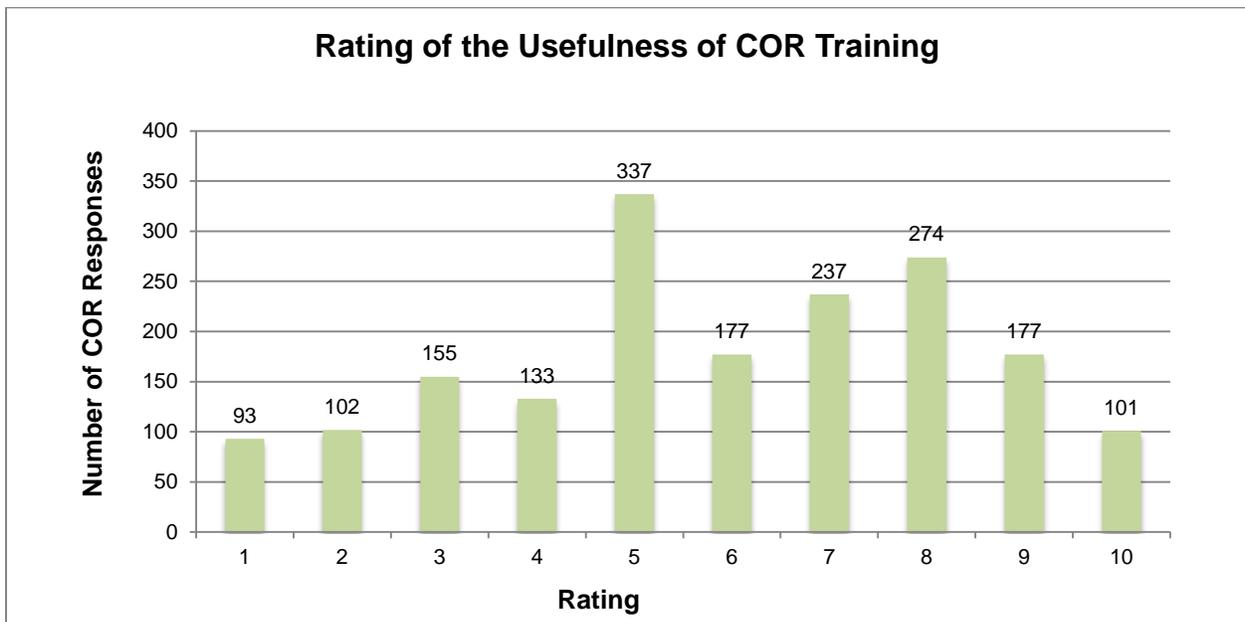


Figure 9 depicts the ratings given by CORs for usefulness of training. Those who responded “not applicable” are excluded.

Interviewees stated that training opportunities afforded to CORs often do not relate to their specific roles and day-to-day responsibilities. Much of the training is DoD-oriented—e.g., the examples used in class illustrate how to purchase a missile weapons system. CORs expressed that training tied to their agency’s mission and buying requirements would be more beneficial than training that was DoD-centric.

Many interviewees stated that there is a need for more and better quality requirements development training. Many CORs reported learning about the requirements development process through trial-and-error on the job rather than through formal training. Some CORs reported that they have yet to receive training on how to use the Contractor Performance Assessment Reports System (CPARS)—a web-based system that is required for documenting and reporting on contractor performance. The FAR requires all agencies to use CPARS to measure the quality and timely reporting of past performance information.<sup>12</sup>

During the course of the interviews, some ACMs and CORs stated that a weakness of the FAC-COR Program is that there is no core curriculum tied to each certification level. FAI does identify general business and technical competencies and aligned skills, but these do not map to training courses. OFPP has not mandated any specific training curriculum for the FAC-COR Program. CORs stated that they often take the same general COR course repeatedly when recertifying. In contrast, the Federal Acquisition Certification-Contracting (FAC-C) Program provides a specific core curriculum that must be achieved for each level of certification. For instance, in addition to the experience and education requirements for FAC-C Level I, five core courses plus an elective are required. While there was general agreement on the need for a more structured training curriculum, CORs did not want to go as far as the FAC-C Program—recognizing that the COR function was only a collateral duty and should not overshadow their main program responsibilities.

#### *Tracking and Maintaining Training Needs and Requirements*

OFPP requires that agencies track CORs and COR certification training. FAC-COR certification is valid for two years. To maintain FAC-COR certification, CORs are required to earn continuous learning points (CLPs) of skills currency training every two years. The two-year CLP period begins on the date an individual is certified or recertified. CORs are responsible for tracking and maintaining their training records, monitoring and managing their acquisition training needs, and notifying their immediate supervisors of ongoing training requirements for maintenance of their certifications.

FAITAS is the central acquisition workforce information system for all civilian agencies and supports the FAC-COR program. In accordance with OFPP Policy Letter 05-01, *Developing and Managing the Acquisition Workforce*, CORs must enter their training data into FAITAS. CORs must update their existing FAITAS records in a timely manner, maintain a print-out of the records, and keep these records current to reflect their certification status and CLPs. OFPP, FAI, and federal agencies use FAITAS information to make strategic acquisition workforce decisions. Ninety-six percent of survey respondents indicated that they enter their training data into FAITAS. However, CORs interviewed indicated that the system is cumbersome and that it can

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<sup>12</sup> As required by FAR Subpart 42.15.

be difficult to get documentation uploaded and certifications approved. Survey respondents noted that Forest Service CORs are required to take additional training for construction contracts through the National Construction Certification Program (NCCP). They would like to see the certifications integrated into FAITAS for more streamlined management of training requirements.

FAITAS automatically sends notifications to CORs to remind them that training is due—a function that ACMs find very useful. Prior to FAITAS, the ACMs were sending out the email notifications on an individual basis. The system can also be programmed to send the notifications to the ACMs and supervisors. Some agencies have opted to list the ACM as the COR's nominal supervisor in FAITAS in order to prevent delays in training approval. The Marketing and Regulatory Programs mission area of USDA is in the process of transitioning to listing the name of the COR's actual supervisor in FAITAS to keep management informed of the COR's training status and to help emphasize the importance of completing the training in a timely manner.

Contracting officers issue delegation letters to CORs, and should do so only after ensuring that a COR is certified. However, contracting officers do not currently have access to the reporting function in FAITAS. Because they are unable to log in and check a COR's certification, the contracting officer must rely on monthly reports provided by the ACM. ACMs reported that they have no way of confirming that contracting officers are actually verifying COR certifications unless the contracting officer reaches out to the ACMs directly. In addition, if a COR's certification lapses, the delegation letter, which establishes a COR's authority, must be revoked in writing by the contracting officer. However, if the COR's supervisor or ACM does not notify the contracting officer of the change in status, the contacting officer has no way of knowing that he or she should revoke the delegation letter.

Another challenge identified during the course of this assessment relates to the reporting function in FAITAS. Annually, USDA reports on the number of certified CORs in the Department in the Acquisition Human Capital Plan (AHCP). While this data can be pulled at the agency level, the system is not equipped to pull accurate data at the Department level.<sup>13</sup> Reports at the Department level contain multiple entries for the same COR. Data from this report must be manually scrubbed before it is useful. Additionally, some ACMs reported that they have or have had difficulty running reports in the system.

## **Recommendations**

- Develop a COR competency model that maps the certification level to experience, contract type and complexity knowledge, minimum core training, and recertification requirements.
- Develop a suggested training curriculum for each certification level as well as specific training courses and competencies for recertification.

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<sup>13</sup> A Department level report of all CORs was provided to Jefferson during the course of this assessment. The duplicate entries were brought to the attention of the USDA Acquisition Career Manager (ACM), who raised the issue with the FAITAS Help Desk. The USDA ACM was informed that in order to eliminate duplicate entries, the report had to be pulled at the agency/office level. Access to this data at the Department level would require an enhancement to the current functionality.

- Establish guidelines for evaluating training courses for credit towards CLP achievement requests.
- Provide periodic training to contracting officers that covers how they should make a determination of the appropriate level of certification required for particular contracts.
- Establish guidelines requiring supervisors to review and identify duplicative training courses as recertification issues during their review of CLP achievement requests.

### **Project Manager and COR Relationship**

The project manager carries out a project by defining the work, providing technical direction, ensuring satisfactory project progress and completion, and reporting project information to the program manager and staff. The project manager is not, however, authorized to direct the contractor. Only the designated COR has the authority to provide direction to the contractor. Generally, the contracting officer authorizes the COR to perform the following functions independently:

- Correspond directly with the contractor (the contracting officer receives copies of all correspondence);
- Conduct on-site visits;
- Hold conferences with the contractor;
- Approve all technical data, reports, and deliverables submitted by the contractor;
- Approve invoices for payment; and
- Provide direction to the contractor in technical matters as long as the direction is:
  - Within the scope of the contract as written; and
  - Will not affect cost, period of performance, or any other terms and conditions of the contract.

When the project manager wants to provide technical direction to a contractor, he or she must do so either through the COR or with the COR present. The COR is responsible for determining whether or not any technical direction is within the scope and terms of the contract. If the COR determines that the technical direction requires a modification to the contract, the COR would know to communicate this information to the contracting officer.

Only 32% of survey respondents reported that they provided overall technical oversight. We heard in some instances that the project manager was performing most of the aforementioned COR duties, with the COR's responsibilities reduced to processing invoices. Further, there were occasions when the COR was not present during discussions between the contractor and project manager regarding technical direction. This situation increases the likelihood of performance problems not being communicated to the contracting officer as well as contract cost overruns.

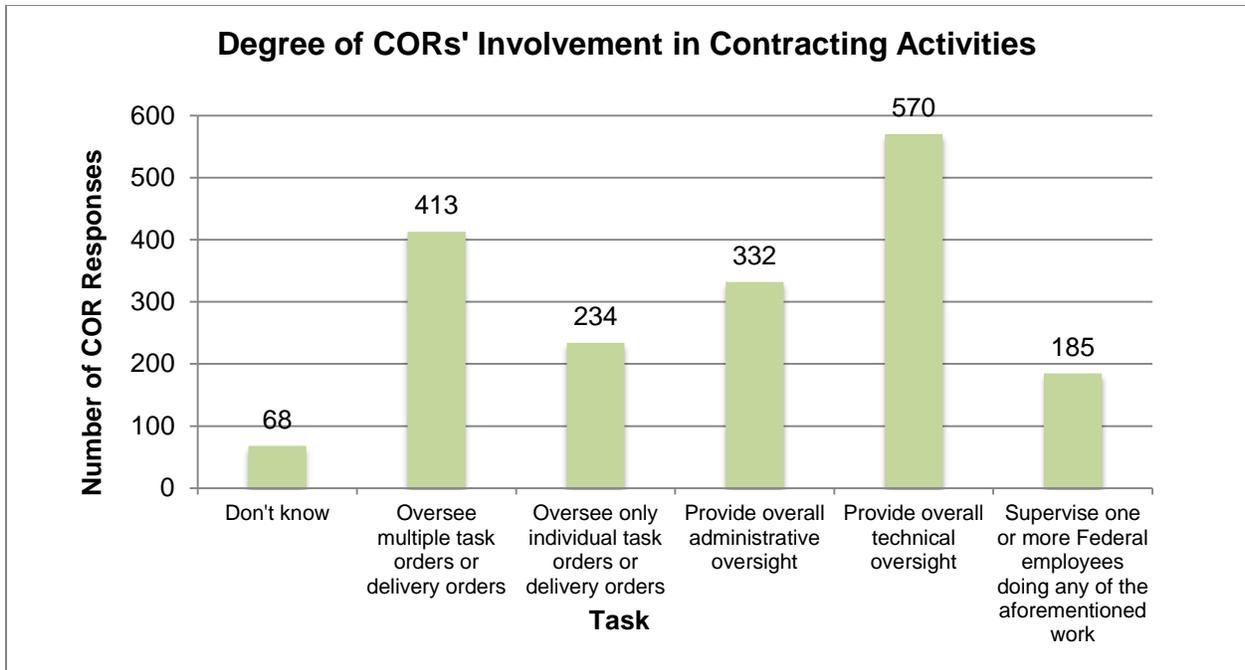


Figure 10 depicts the degree of survey respondents' involvement in contracting activities.

### Recommendations

- Provide an acquisition essentials training to project managers who are not serving as certified CORs so they understand that only the COR has the authority to direct contractor performance.
- The project manager should include the COR in all technical meetings with the contractor, and establish regular communication practices with the COR.
- The kickoff meeting with the contractor should include the contracting officer, COR, and project manager to ensure an understanding of roles and responsibilities with the contractor.

## **Performance Accountability**

Sound contract management depends on the effective execution of COR responsibilities. CORs protect the Government's interests by ensuring that the Government receives services and items that meet contract requirements for quality and quantity, contractor performance is timely, and payments to contractors are appropriate. According to a report by the U.S. Merit Systems Protections Board, CORs who reported that their agencies rated their COR performance also reported better contract outcomes.<sup>14</sup>

Sixty percent of survey respondents said they believe they were rated or otherwise held accountable for their performance of COR activities. However, interviews indicated a general lack of understanding among CORs and HCAs as to what adequately constitutes performance accountability. When asked how they were held accountable for their performance, many CORs reported that their performance standards included the category "other duties as assigned," and that their COR responsibilities fell under this category. It should be noted that any performance standard should sufficiently capture the complexity and range of COR responsibilities.

While a COR's duties are overseen by a contracting officer, within USDA generally the contracting officer is not afforded the opportunity to provide formal input into the COR's annual performance appraisal. A COR's performance appraisal is generally completed by the COR's direct supervisor and does not include specific measures of success for COR duties. We heard of a few instances where the program office had reached out and initiated a request for performance input, but that was generally not the norm. CORs and contracting officers seemed to agree that it would be helpful if the contracting officer or specialist provided formal input. Because CORs are ultimately evaluated by their program office supervisor, CORs may be more inclined to focus on meeting the program office's needs and on their program duties and responsibilities rather than on their collateral COR duties and responsibilities.

## **Recommendations**

- Ensure that at least one critical element in a COR's performance standard be specific to contract management or the COR duties described in the contracting officer's delegation letter.
- Ensure that the COR's supervisor's own evaluation contains a performance standard related to oversight of COR responsibilities.
- Establish guidelines to standardize the manner in which supervisors hold employees assigned as CORs accountable for their performance.
- Establish guidelines to standardize the manner in which supervisors of CORs obtain feedback from contracting officers regarding employee performance, and incorporate this feedback into performance evaluations for affected employees.

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<sup>14</sup> U.S. Merit Systems Protection Board, *Contracting Officer Representatives: Managing the Government's Technical Experts to Achieve Positive Contract Outcomes*, December 2005.

## Policies and Guidance

Using a 10-point scale—where 1 is “unacceptable,” 5 is “average,” and 10 is outstanding—survey participants were asked to rate the adequacy of USDA COR policy and procedures. Fifty-five percent (983) of respondents gave a rating of 6 or higher, but only two percent (42 respondents) gave a rating of 10. Additional responses are reflected in Figure 11. Twenty-nine percent (529 respondents) identified unclear policy and procedures as one of the challenges they experienced at the Department level, and 43% (786) of respondents said they would like to see improvements in policy, procedure, and guidance. Forty-nine percent (875 respondents) said they completely understood COR policies and procedures, and 50% (904 respondents) said they partially understood. These results suggest a moderate level of satisfaction among CORs regarding this issue area.

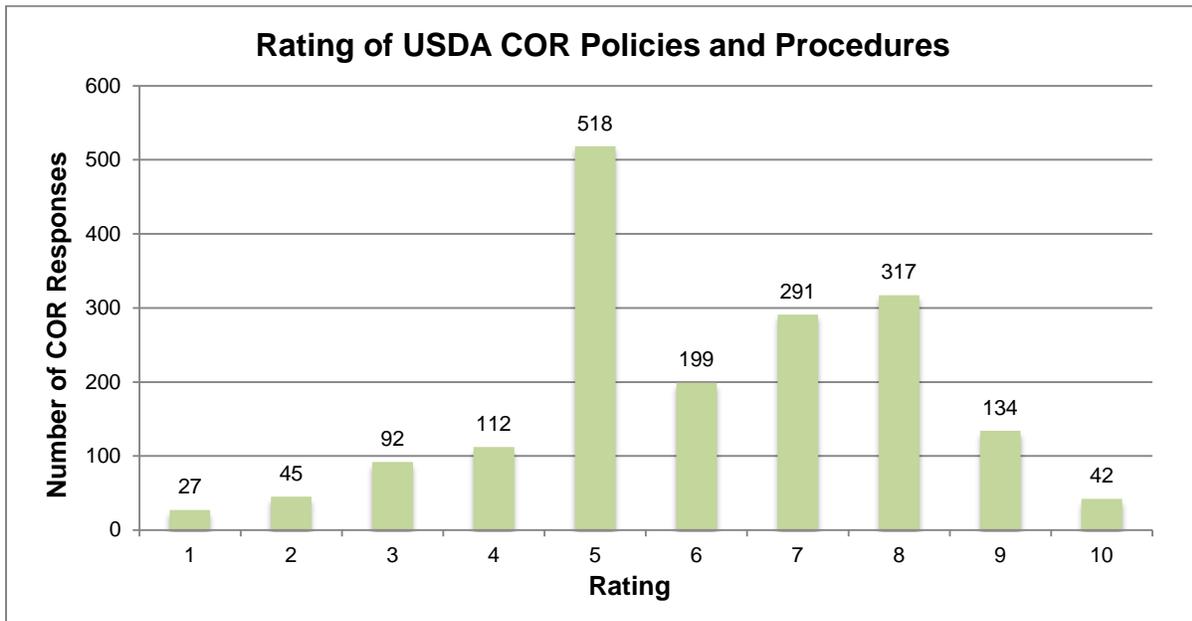


Figure 11 depicts the rating given by survey respondents for adequacy of policies and procedures. Those who responded “not applicable” are excluded.

Only 39% of the CORs surveyed reported using hard copy guidance materials when questions arise while performing COR duties.

The Office of Procurement & Property Management (OPPM) is responsible for providing policy, advice, coordination of acquisitions, and procurement and management of real and personal property for USDA. OPPM’s Procurement Policy Division is responsible for USDA-wide procurement policy and regulations including the Agriculture Acquisition Regulation, Procurement Advisories, and Departmental Procurement Regulations and Notices. USDA-issued policies and guidance documents related to the COR function include:

Policy	Brief Description
USDA, Office of Procurement and Property Management, Procurement Advisory 112B, <i>Continuous Learning Management for USDA's Acquisition Workforce</i> , March 21, 2013, last revised October 21, 2014	Establishes the requirements, roles, and processes involved in managing continuous learning for USDA's Acquisition Workforce. This policy places the burden on CORs to complete training and submit certification in the Federal Acquisition Institute Training Application System (FAITAS).
USDA, Office of Procurement and Property Management, Procurement Advisory No. 96, <i>Contractor Performance Information and Contractor Performance Assessment Reporting System (CPARS) Evaluations</i> , issued September 17, 2010	Establishes COR roles and responsibilities and timelines related to completing contractor performance assessments.
USDA, Office of Procurement and Property Management, Procurement Advisory No. 93 A, <i>Contract Closeout Procedures</i> , issued January 5, 2010, Revision A, August 8, 2013	Defines COR responsibilities related to contract closeout procedures.
USDA, Office of Procurement and Property Management, Procurement Advisory 85A, <i>Acquisition Workforce, Training, Delegation, and Management System</i> , May 9, 2008, revised October 2, 2014	<p>Establishes policy and procedures for the USDA Acquisition Workforce including CORs. The policy provides:</p> <ul style="list-style-type: none"> <li>• Employees appointed as CORs must first show as being FAC-COR certified in FAITAS.</li> <li>• COs must certify experience requirements for CORs certified at Level II or Level III.</li> <li>• COs and PMs shall use a consistent and transparent process to determine when a COR is required and the level necessary to administer the contract.</li> <li>• Failure of CORs to meet their continuous learning requirements will result in revocation of appointment to any assigned contracts.</li> </ul>

Areas of additional policy or guidance requested by CORs is:

- A COR Handbook at the Department level;
- Guidance on training requirements for FAC-COR certification;
- Clarification on COR competencies and responsibilities at each certification level; and
- Additional guidance on how to select the appropriate COR.

Interviews with CORs indicate that many agencies maintain a shared platform, such as a SharePoint site, where reference materials are centrally located. USDA has appointed an ACM at the Department level who has had some success in facilitating meetings between agency-level ACMs. These meetings serve as a platform for USDA to share information and policy down to its agencies and provide an opportunity to share best practices across agencies. Interviews with ACMs indicate that these meetings used to occur quarterly but are currently occurring less frequently. In addition to Department-wide ACM meetings, USDA has worked to establish an online knowledge-sharing tool.

### **Recommendations**

- Identify areas where standardized processes and policies may be appropriate across USDA.
- Facilitate formal knowledge sharing across USDA agencies.
- Develop a COR “toolkit” containing forms and templates commonly used by CORs as well as updated policy information.

## Contract Management Issues

### Communication

The majority of survey respondents (63%) characterized their telephone and in-person meetings with contracting officers as infrequent and only occurring when issues regarding their contracts arose. Only 25% of survey respondents said they communicate with contracting officers on a weekly or more frequent basis. These results suggest that the approach of those involved in the contract administration process is more reactive than proactive. Several contracting officer interviewees indicated a desire for greater involvement in the postaward process.

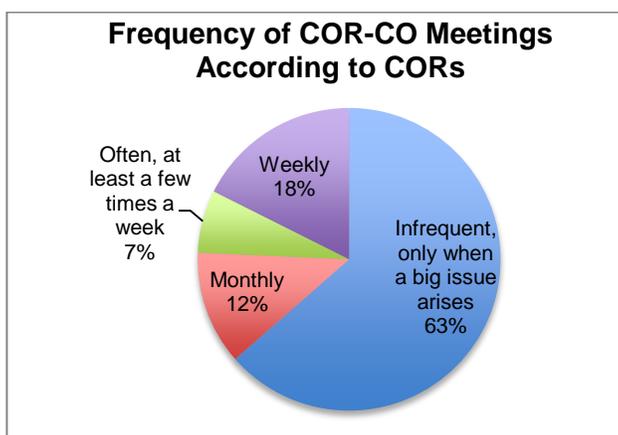


Figure 12 depicts the frequency with which CORs meet with their contracting officers.

Although the majority of survey respondents (64%) said they communicate with their contracting officer only when issues arose, an even larger majority (81%) described the amount of time available to discuss contracts with their contracting officer as “just right.” Most respondents also gave relatively high ratings for the effectiveness of their communication with contracting officers; 72% (1,290 respondents) gave a rating of 7 or higher. This suggests that there is a general perception among CORs that regular communication with contracting officers is not necessary to the successful fulfillment of their responsibilities.

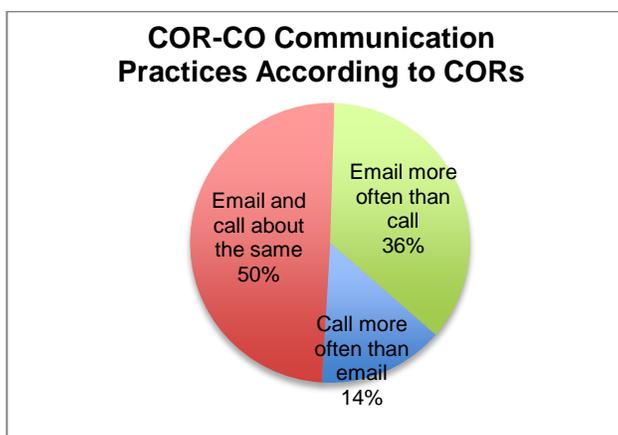


Figure 13 depicts the preferred methods used by CORs to communicate with their contracting officers.

Survey results show that CORs rely heavily on email correspondence to communicate with contracting officers. Only 14% of CORs said they call their contracting officers more than they correspond via email. Interviewees from the Farm Service Agency identified co-location as one of the factors that facilitated regular communication and good relationships between contracting officers and CORs.

When asked to rate the responsiveness of contracting officers, most survey respondents gave relatively high ratings; 69% (1,248 respondents) gave a rating of 7 or higher. Most respondents also gave high ratings when asked to assess the knowledge of their contracting officers; 75% (1,360 respondents) gave a rating of 7 or higher. CORs' comments regarding the quality and frequency of communication with contracting officers ranged from "good," "great," "very responsive," and "pretty helpful" to "not helpful," "not a lot of communication," "not very timely," and "[not] available." Contracting officer, HCA, and ACM interviewees also indicated that the quality and frequency of communication with CORs varied.

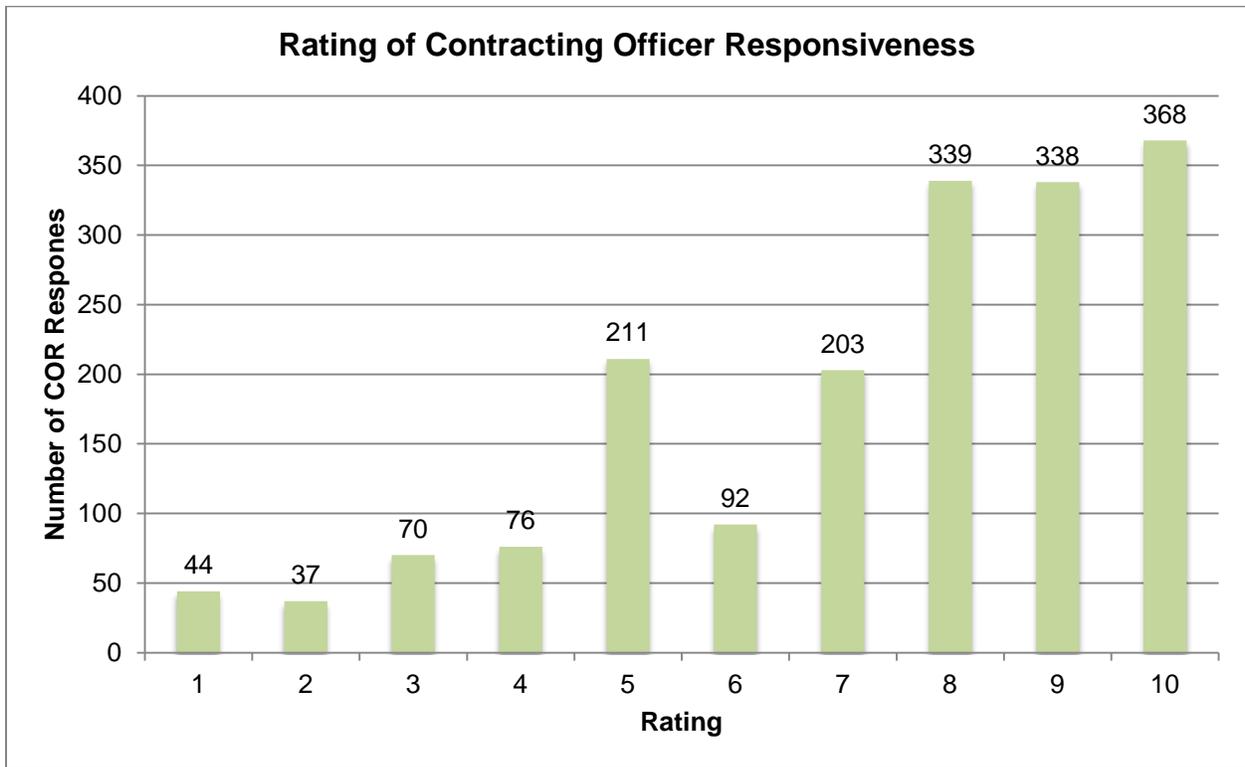


Figure 14 depicts the ratings given by survey respondents for the responsiveness of contracting officers to CORs. Those who responded "not applicable" are excluded.

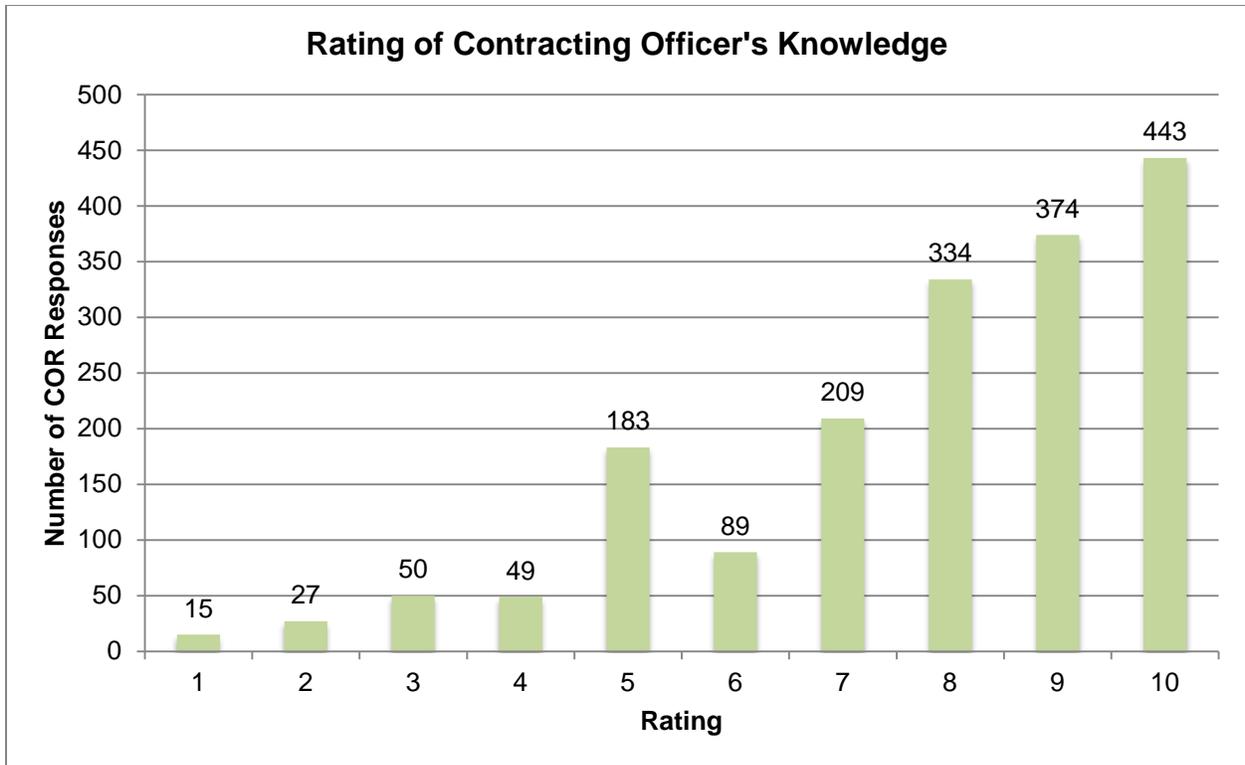


Figure 15 depicts survey respondents' assessment of their contracting officers' knowledge. Those who responded "not applicable" are excluded.

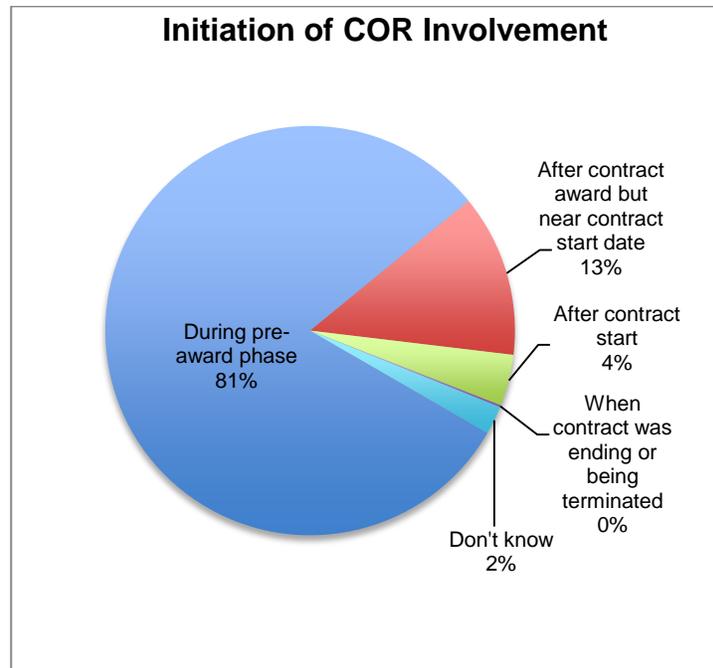
As a result of a recent initiative to improve organizational culture, Farm Service Agency (FSA) established a communication plan directed at strengthening the relationship between the contracting officer and COR through a "one team" approach. FSA has worked with contracting officers and CORs on successful communication techniques in both verbal and email correspondence with a goal of facilitating open communication and increased collaboration.

### Recommendations

- Provide training on effective workplace communication and interpersonal skills.
- Provide team-building training programs, small-group problem solving activities, and role-playing exercises that foster empathy and cooperation among contracting officers and CORs.
- Provide more opportunities for face-to-face interactions between contracting officers and CORs.
- Make program-contracting communication an explicit core competency or part of any performance review for both employees and their supervisors.
- Develop a communication strategy or issue guidance that defines acceptable response times.

## **COR Preaward Activities**

The majority of survey respondents (81%) reported that their involvement in the contracting process began during the preaward phase. CORs play a critical role during the preaward phase of the acquisition process. The COR represents the program office and is often the end user or recipient of the services under the resulting contract. CORs possess the technical expertise needed to develop requirements and identify capable vendors. COR participation in preaward activities also ensures familiarity with all aspects of the contract, which is important during the postaward or contract administration phase of the acquisition process.



*Figure 16 depicts the percentage of CORs who initiate their involvement at a particular phase.*

Defining good requirements is critical to a successful acquisition. CORs are responsible for ensuring that the statement of work (SOW) completely and accurately describes the Government need. Clear, well-defined requirements result in contracts that are less prone to misinterpretation and other problems during contract performance. Approximately 67% of CORs reported frequently or always establishing requirements and developing statements of work. Interview findings indicate that many CORs have never received formal requirements development training. As previously mentioned, CORs typically learn how to develop requirements through trial-and-error in working with the contracting office. The majority of the CORs that we spoke with stated that they would benefit from additional guidance and training on how to define requirements and write statements of work. Feedback from contracting officer interviews confirmed that requirements development is a weakness for the majority of CORs.

COR Involvement						
Preaward Task	N/A	Never	Rarely	Sometimes	Frequently	Always
Recommend or decide what specific work is to be contracted	4%	8%	7%	16%	30%	35%
Establish requirements, prepare requirements documents, write statements of work (SOWs)	4%	8%	7%	14%	29%	38%
Conduct market research to define requirements or to find possible contractors	5%	16%	15%	24%	23%	17%
Assess contractor past performance	4%	12%	11%	22%	26%	25%
Help determine contract method and or type	5%	19%	16%	23%	22%	15%
Define contract objectives and incentives	5%	15%	12%	21%	26%	21%
Forecast budget or funding needs	5%	18%	13%	17%	22%	25%
Conduct cost-benefit analysis	6%	24%	21%	25%	14%	10%
Estimate costs, calculate Government's cost estimate	5%	11%	7%	16%	25%	36%
Develop and/or apply proposal review criteria	5%	16%	13%	24%	24%	18%
Communicate with contractors prior to award	5%	19%	16%	28%	20%	12%
Participate in contractor selection process	5%	13%	9%	21%	27%	25%

Survey results clearly indicate that many CORs are not always performing critical preaward tasks. These tasks are required in order to develop an acquisition package. Market research is another important and required preaward task that allows CORs to become informed buyers.<sup>15</sup> Only 17% of respondents reported that they always conduct market research. Estimating costs and calculating the Government's cost estimate are crucial to determining the fairness and reasonableness of an offeror's proposal; only 36% reported that they always performed these tasks. Cost-benefit analysis is an area that requires particular improvement; 45% of respondents reported that they never or rarely conduct a cost-benefit analysis.

### Recommendations

- Provide training on requirements development and developing acquisition package documentation in the following areas:
  - Acquisition planning;
  - Writing statements of work and performance work statements;
  - Conducting market research;
  - Developing an independent government cost estimate; and
  - Developing evaluation criteria for the source selection.
- Establish guidance/reference materials outlining processes and procedures for performing preaward duties and responsibilities.

<sup>15</sup> As required by FAR Part 10.

## **COR Contract Administration Activities**

After contract award, CORs assist contracting officers in contract administration. Specifically, CORs are responsible for technical oversight and management of the contractor. Postaward COR activities include administrative tasks, such as contract file documentation, and providing technical direction to the contractor. Oversight provided by the COR is critical to ensuring the contract outcomes align with the Government's needs. CORs are often the first to recognize when a contract is underperforming. Survey results clearly show that many CORs are not always performing all of their postaward responsibilities.

<b>COR Involvement</b>						
<b>Postaward Task</b>	<b>N/A</b>	<b>Never</b>	<b>Rarely</b>	<b>Sometimes</b>	<b>Frequently</b>	<b>Always</b>
Approve and certify funds for contracting actions, request de-obligation of funds	6%	37%	12%	13%	15%	17%
Review contractor employee resumes, ensure personnel security	7%	30%	16%	20%	16%	11%
Review and/or approve contractor work plans	5%	13%	10%	22%	27%	23%
Review and/or approve invoices	2%	5%	3%	10%	25%	55%
Act as liaison between contractor and contracting officer, or between contractor and management	3%	3%	4%	15%	31%	44%
Monitor the day-to-day work of the contractor	3%	3%	5%	13%	30%	46%
Provide technical guidance or interpretation of technical requirements to contractor	3%	3%	5%	15%	32%	42%
Evaluate and/or certify the performance of the contractor	2%	4%	4%	14%	32%	44%
Conduct program management reviews	10%	25%	18%	22%	14%	11%
Manage contractor use of or access to government property and facilities	9%	14%	13%	20%	21%	23%
Report suspected conflict of interest and/or fraud, waste and abuse	15%	18%	26%	14%	5%	22%
Coordinate and track deliverables	8%	8%	9%	17%	24%	34%
Track and report contract delays	6%	5%	8%	20%	24%	37%
Review and accept or reject deliverables	7%	8%	8%	16%	24%	37%
Determine and/or certify that new work is within scope of contract	5%	9%	11%	19%	23%	33%
Suggest, initiate and/or recommend contract changes or modifications	3%	7%	10%	31%	23%	26%
Document actions, ensure appropriate records are maintained	2%	3%	3%	8%	28%	56%

Coordinating and tracking deliverables are important to ensuring the timely delivery of goods and services by the contractor; only 34% of respondents reported that they always coordinate and track deliverables. The process of reviewing and accepting or rejecting deliverables helps ensure that the Government receives high quality goods and services; only 37% of respondents said they always carry out this responsibility. Complete and accurate documentation of acquisition actions is vital to holding contractors accountable and ensuring that the terms and conditions of the contract are met in full; it reduces liabilities for the Government and other stakeholders. Only 56% of respondents said they always document actions and ensure appropriate records are maintained.

CORs are to provide technical guidance or interpretation of technical requirements to the contractor. Forty-two percent of respondents reported that they always provide this type of guidance to contractors. Monitoring the daily work of the contractor is another postaward responsibility that rests primarily on the COR. Less than half of respondents (46%) indicated they perform this postaward task. Failure to perform these contract oversight and management activities creates potential weaknesses in the COR function. Some of the weaknesses in contract administration identified through interviews include:

- Directing contractors to perform outside of contract scope;
- Ensuring contractor adherence to contract terms and conditions; and
- Monitoring performance against Quality Assurance Surveillance Plans (QASPs) and Service Level Agreements (SLAs).

### **Recommendation**

- Provide training on measuring contractor performance against performance standards/SLAs.

### **File Documentation and Maintenance**

The FAR contains requirements for proper file maintenance. Records are needed to support decisions made and actions taken. A standardized storage method is necessary so that documents are available if there is a change in personnel or if there is any disagreement over contract performance. Further, contractors deserve a fair and accurate evaluation of their performance. This evaluation must be captured in CPARS,<sup>16</sup> where it is available for contracting officers to use when considering future awards. The majority of the interviewees reported that they were unclear as to what documentation should be maintained in their contract files. Sixty-one percent of respondents reported “no” or that they “did not know” when asked if a checklist was available to help ensure COR contract files are properly maintained. Of note, Food and Nutrition Service (FNS) shared that they do have a COR documentation checklist.

Data also indicated that COR files are not being reviewed or audited. Forty-eight percent of CORs indicated that their contract file documentation has never been reviewed or audited. Twenty-one

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<sup>16</sup> FAR 42.1502.

percent indicated that they did not know whether their files have ever been reviewed or audited. FNS interviewees shared that they are scheduled to begin auditing COR files in 2015.

**Recommendations**

- Establish guidelines as to the content and proper maintenance of COR contract files.
- Develop a COR file documentation checklist.
- Establish and conduct periodic spot audits on COR file documentation to ensure compliance with the FAR and agency policy.

**Requirement for Performance Assessment in Contractor Performance Assessment Reports System (CPARS)**

FAR Subpart 42.15 provides policies and establishes responsibilities for recording and maintaining contractor performance information. FAR 42.1502 provides that past performance information shall be entered into CPARS, the Governmentwide evaluation reporting tool for all past performance reports on contracts and orders. Seventy percent of COR respondents reported familiarity with CPARS, but only 53% said they knew when CPARS should be accessed.

The Government Accountability Office (GAO) reported USDA’s rate of compliance with past performance reporting requirements as of April 2014 at 27%. Although USDA’s compliance rate improved from the previous year, it remains substantially lower than the compliance rate of that of the entire Federal Government.

<b>Rate of Compliance with Past Performance Reporting Requirement as of April 2013 and April 2014 for Top Ten Agencies Based on Number of Evaluations Due</b>		
<b>Agency</b>	<b>Compliance Rate as of April 2013</b>	<b>Compliance Rate as of April 2014</b>
Defense	76%	83%
Treasury	47%	71%
Interior	15%	51%
Homeland Security	34%	45%
Justice	21%	29%
Agriculture	13%	27%
Veterans Affairs	4%	25%
Health and Human Services	10%	24%
State	3%	15%
General Services Administration	3%	13%
Other Agencies	32%	47%
Total Federal Government	32%	49%

Source: Past Performance Information Retrieval System, GAO-14-707

Only 10% of respondents reported that they always initiate the performance assessment record in CPARS. While USDA is at least monitoring and reporting on CPARS compliance,<sup>17</sup> both HCAs and contracting officers interviewed admitted that compliance has been a struggle due to a lack of resources. Contracting officers reported that the biggest challenge with CPARS assessments is that they are not completed by CORs in a timely manner.<sup>18</sup> Of the interviewees that reported having completed an assessment in CPARS, the majority reported that they received a notification from the contracting officer and/or the CPARS system prompting them to complete the report. Contracting officers reported in the interviews that the CORs, who are the primary assessing official representative, are not timely in responding to the request.

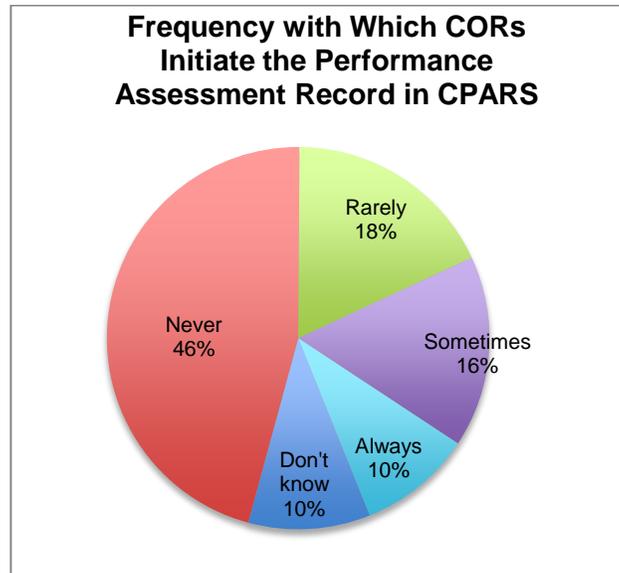


Figure 17 depicts the frequency with which CORs initiate the performance assessment record in CPARS

COR survey respondents reported several causes for not initiating a contractor performance assessment in CPARS. These findings were consistent with the COR interviews. Seventeen percent reported that they did not have enough time, six percent reported system problems, and 11% reported that they did not have sufficient technical understanding to evaluate contractor performance. The last category “other” accounted for 62% of responses. Those who selected “other” had the opportunity to provide a more detailed written response. The most frequently occurring response among those who chose “other” was that someone else was responsible for this task. Many of the CORs interviewed did indeed state that the contracting officer had completed the CPARS assessment. Other reasons that were frequently cited are: the COR was never informed that initiation of an assessment in CPARS was required; the amount or type of contract did not require such an assessment; and the COR had never heard of CPARS or had only recently been introduced to it.

<sup>17</sup> The Office of Management and Budget (OMB) released the memorandum, *Improving the Collection and Use of Information about Contractor Performance and Integrity*, dated March 6, 2013.

<sup>18</sup> USDA OPPM, Procurement Advisory No. 96, *Contractor Performance Information and Contractor Performance Assessing Reporting System (CPARS) Evaluations*, issued Sept. 17, 2010, requires CORs, as the primary assessing official representative, to submit ratings and comments into CPARS within 14 days from the date of the email message request generated by the CPARS.

The CPARS guidance states that each assessment must include detailed and complete statements about the contractor's performance and be based on objective data—or measurable, subjective data when objective data are not available—supported by program and contract or task order management data. Such performance assessments can significantly reduce the risk to the Government on future awards. Several of the CORs we interviewed reported that if they gave a contractor low ratings for performance, the contracting officer would ask them to change the rating to something better. On the contracting officer side of this issue, they reported that the documentation failed to sufficiently support a low rating. This finding, coupled with the finding that 11% reported they did not have sufficient technical understanding to evaluate contractor performance, is of particular concern.

### **Recommendations**

- Establish policy guidance for oversight in the use of CPARS.
- Conduct CPARS training on:
  - CPARS registration and use;
  - Thresholds for CPARS reporting;
  - Timeframes for completing evaluations; and
  - Collecting documentation and writing narratives to justify and support the evaluation rating.

## Appendix A: Summary of Findings, Best Practices, and Recommendations

Issue Area	Problems	Best Practices	Recommendations
<p><b>Policy and Guidance</b></p>	<ul style="list-style-type: none"> <li>• Twenty-one percent of survey respondents reported either “no” or “don’t know” to whether they always receive a letter of delegation when being assigned as a COR to a contract.</li> <li>• While a high percentage (79%) of CORs reported being selected based on their technical capabilities, some reported being selected based on availability.</li> <li>• No curriculum tied to the COR certification levels.</li> <li>• CORs often take the same general COR course repeatedly when recertifying.</li> <li>• Only 10% of respondents reported that they always initiate the performance assessment record in CPARS.</li> <li>• Contracting officers do not currently have access to the reporting function in FAITAS and have to rely on the ACM or supervisor to verify training and certification status.</li> <li>• No existing guidance/checklist for COR file documentation</li> </ul>	<ul style="list-style-type: none"> <li>• It is highly encouraged that the COR and his/her supervisor sign the appointment letter acknowledging acceptance of COR responsibilities. It is recommended that COR responsibilities be added as a critical element in their performance plans. The COR’s performance management process should allow for CO input into the COR’s performance appraisal. It is also a best practice for the COR’s supervisor to have a performance standard related to oversight of COR responsibilities.</li> <li>• COR mentors are very helpful in acquainting new CORs with specific agency requirements and enhancing the expertise of CORs at all levels. It is also helpful to build the community of CORs within the agency to facilitate collaboration and sharing of best practices.</li> <li>• It is essential that program offices designate technically competent people with</li> </ul>	<ul style="list-style-type: none"> <li>• Identify areas where standardized processes and policies may be appropriate across USDA.</li> <li>• Facilitate formal knowledge sharing across USDA agencies.</li> <li>• Ensure that contracting officers in all agencies and staff offices formally delegate to CORs the authority to work on particular contracts.</li> <li>• Ensure CORs are selected and assigned based on established criteria, rather than on availability.</li> <li>• Develop a COR competency model that maps the certification level to experience, contract type and complexity knowledge, minimum core training, and recertification requirements.</li> <li>• Develop suggested training curriculum for each certification level as well as specific training courses and competencies for recertification.</li> <li>• Ensure that at least one critical</li> </ul>

	<p>and COR files are not currently audited or reviewed.</p> <ul style="list-style-type: none"> <li>• CORs are not held accountable for COR duties in performance appraisals.</li> </ul>	<p>specialized qualifications and expertise as CORs.</p>	<p>element in the COR performance standard be specific to contract management or the COR duties described in the contracting officer delegation letter.</p> <ul style="list-style-type: none"> <li>• Ensure that the COR's supervisor's own evaluation contains a performance standard related to oversight of COR responsibilities.</li> <li>• Establish and conduct periodic spot audits on COR file documentation to ensure compliance with the FAR and agency policy.</li> <li>• Establish guidelines for evaluating training courses for credit towards CLP achievement requests.</li> <li>• Establish guidelines requiring supervisors to review and identify duplicative training courses as recertification issues during their review of CLP achievement requests.</li> <li>• Establish guidelines to standardize the manner in which supervisors should hold employees assigned as CORs accountable for their performance in that position.</li> </ul>
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			<ul style="list-style-type: none"> <li>• Establish guidelines to standardize the manner in which supervisors of CORs obtain feedback from contracting officers regarding employee performance and incorporate this feedback into performance evaluations for affected employees.</li> <li>• Develop a COR “toolkit” containing forms and templates commonly used by CORs as well as updated policy information.</li> <li>• Establish guidelines as to the content and proper maintenance of COR file records.</li> <li>• Develop a COR file documentation checklist.</li> <li>• Establish policies for oversight in the use of CPARS.</li> <li>• Establish guidance/reference materials outlining processes and procedures for performing preaward duties and responsibilities.</li> </ul>
<b>Training</b>	<ul style="list-style-type: none"> <li>• Lack of funding to travel to training sites (rural CORs)</li> <li>• Moderate level of satisfaction with training, but 68% of all survey participants would like to see improvements.</li> </ul>	<ul style="list-style-type: none"> <li>• The development of a contract administration plan is essential for good contract administration. Plan can be simple or complex but must specify what the performance</li> </ul>	<ul style="list-style-type: none"> <li>• Provide periodic training to contracting officers that cover how they should make a determination of the appropriate level of certification required for</li> </ul>

	<ul style="list-style-type: none"> <li>• Training does not relate to their specific roles and day-to-day responsibilities.</li> <li>• Training is DoD centric.</li> <li>• Need training on requirements development (drafting statements of work) and monitoring against performance standards.</li> <li>• Some CORs reported that they received no training on CPARS. Other CORs reported that he/she was never informed that to perform the CPARS performance assessment, do not understand the CPARS threshold requirements, or have never heard of CPARS.</li> <li>• Repeating same general course material when recertifying.</li> </ul>	<p>outputs of the statement of work are, and describe the methodology to conduct the inspections. This saves time and resources because the COR is not monitoring the mundane, routine portions of the contract; instead the COR is focusing on the major outputs of the contract.</p> <ul style="list-style-type: none"> <li>• A valuable tool in monitoring is reviewing contractor reporting requirements such as progress reports, shop plans, and blueprints which often can uncover potential cost overruns, late deliveries, and poor contractor performance.</li> <li>• Documenting surveillance and monitoring is key to the contract administration process.</li> <li>• CORs must always remember that payment to a contractor implies work is progressing according to the contract; therefore, CORs must be assured that the government is getting what it is paying for.</li> </ul>	<p>particular contracts.</p> <ul style="list-style-type: none"> <li>• Provide training on requirements development and developing acquisition package documentation in the following areas: <ul style="list-style-type: none"> <li>○ Acquisition planning</li> <li>○ Writing statements of work and performance work statements</li> <li>○ Conducting market research</li> <li>○ Developing an independent government cost estimate</li> <li>○ Developing evaluation criteria for the source selection</li> </ul> </li> <li>• Provide training on measuring contractor performance against performance standards/SLAs.</li> <li>• Provide CPARS training on— <ul style="list-style-type: none"> <li>○ CPARS registration and use</li> <li>○ Thresholds for CPARS reporting</li> <li>○ Timeframes for completing evaluations</li> <li>○ Collecting documentation and writing narratives to justify and support the evaluation rating</li> </ul> </li> </ul>
<b>Roles and</b>	<ul style="list-style-type: none"> <li>• CORs are not always</li> </ul>	<ul style="list-style-type: none"> <li>• A partnership between the</li> </ul>	<ul style="list-style-type: none"> <li>• At the time of appointment,</li> </ul>

<p><b>Responsibilities</b></p>	<p>performing all preaward and postaward duties.</p> <ul style="list-style-type: none"> <li>• Project managers sometimes perform COR functions without being designated as the COR (COR reduced to processing invoices).</li> </ul>	<p>COR and the contracting officer is essential to establishing and achieving contract objectives because these two officials are responsible for ensuring that the contracting process is successful.</p> <ul style="list-style-type: none"> <li>• It is essential that the program personnel and the procurement office work as a team.</li> <li>• A copy of the delegation letter should be provided to the project officer and the contractor so they will understand clearly the COR's roles and responsibilities.</li> <li>• CORs are responsible for understanding the contract terms and conditions and knowing the scope and limitations of their authority. CORs are encouraged to contact the contracting officer for guidance if they are unclear about their authority or any aspects of the contract.</li> </ul>	<p>the contracting officer should meet with the COR in person, if practical, to ensure the COR understands his/her duties, roles and responsibilities in regard to the contract and in regard to agency specific processes and requirements. CORs should be informed that their duties, responsibilities, and obligations are limited to those articulated in their appointment letter and must be exercised in accordance with agency policies.</p> <ul style="list-style-type: none"> <li>• Provide an acquisition essentials training to project managers who are not serving as certified CORs so they understand that only the COR has the authority to direct contractor performance.</li> <li>• The kickoff meeting with the contractor should include the contracting officer, COR, and project manager to ensure an understanding of roles and responsibilities with the contractor.</li> </ul>
<p><b>Communication Practices</b></p>	<ul style="list-style-type: none"> <li>• Project managers do not include CORs in day-to-day management of a contract.</li> </ul>	<ul style="list-style-type: none"> <li>• CORs are critical in ensuring successful contract outcomes. As such, CORs must read and</li> </ul>	<ul style="list-style-type: none"> <li>• The project manager should include the COR in all technical meetings with the</li> </ul>

	<ul style="list-style-type: none"> <li>• CORs don't always have regular communications with the contracting officer after contract award.</li> <li>• Contracting officers only hear from CORs when issues regarding the contract arise.</li> <li>• Communication with contracting officer more reactive than proactive.</li> </ul>	<p>understand the contract and work closely with their contracting officer. CORs who are physically located where the contract is being performed can help facilitate effective communication with the contractor.</p> <ul style="list-style-type: none"> <li>• The COR should furnish to the contracting officer a copy of government-contractor conference reports and correspondence in order to keep the contracting officer up-to-date on contractor performance.</li> <li>• Creating a good working relationship between the contracting officer, the financial officer, and the COR is key to the voucher review and approval process.</li> </ul>	<p>contractor and establish regular communication practices with the COR.</p> <ul style="list-style-type: none"> <li>• Provide training on effective workplace communication and interpersonal skills.</li> <li>• Provide team-building training programs, small-group problem solving activities, and role-playing exercises that foster empathy and cooperation among contracting officers and CORs.</li> <li>• Provide more opportunities for face-to-face interactions between contracting officers and CORs.</li> <li>• Make program-contracting communication an explicit core competency or part of any performance review for both employees and their supervisors.</li> <li>• Develop a communication strategy or issue guidance that defines acceptable response times.</li> </ul>
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## Appendix B: Prioritized List of Recommendations

The following recommendations are based on information gleaned from Jefferson’s review of USDA survey and interview findings. Jefferson developed the below list of prioritized recommendations designed to produce the greatest positive change for the agency.

Prioritized List of Recommendations	
Priority One	
<ul style="list-style-type: none"><li>● Strengthen COR acquisition competencies .<ul style="list-style-type: none"><li>○ Provide training on requirements development and developing acquisition package documentation in the following areas:<ul style="list-style-type: none"><li>▪ Acquisition planning</li><li>▪ Writing statements of work and performance work statements</li><li>▪ Conducting market research</li><li>▪ Developing an independent government cost estimate</li><li>▪ Developing evaluation criteria for the source selection</li></ul></li><li>○ Provide training on measuring contractor performance against performance standards/SLAs.</li><li>○ Provide CPARS training on—<ul style="list-style-type: none"><li>▪ CPARS registration and use</li><li>▪ Thresholds for CPARS reporting</li><li>▪ Timeframes for completing evaluations</li><li>▪ Collecting documentation and writing narratives to justify and support the evaluation rating</li></ul></li></ul></li><li>● Develop policy and guidance directed at training, materials, file management, and oversight.<ul style="list-style-type: none"><li>○ Develop a COR competency model that maps the certification level to experience, contract type and complexity knowledge, minimum core training, and recertification requirements.</li><li>○ Develop suggested training curriculum for each certification level as well as specific training courses and competencies for recertification.</li><li>○ Develop a COR “toolkit” containing forms and templates commonly used by CORs as well as updated policy information.</li><li>○ Establish guidelines as to the content and proper maintenance of COR file records (include a COR file documentation checklist).</li><li>○ Establish policies for oversight in the use of CPARS.</li></ul></li><li>● Clarify roles and responsibilities and foster good communication practices.<ul style="list-style-type: none"><li>○ Provide an acquisition essentials training to project managers who are not serving as certified CORs so they understand that only the COR has the authority to direct contractor performance.</li><li>○ Include project managers in contract kickoff meetings to establish contracting officer, COR and project manager roles and responsibilities with the contractor.</li></ul></li></ul>	

### **Prioritized List of Recommendations**

- Include CORs in all technical meetings with the contractor and establish regular communication practices between the PM and the COR.

#### **Priority Two**

- Institute audits and file reviews.
  - Establish and conduct periodic spot audits on COR file documentation to ensure compliance with the FAR and agency policy.
- Revise performance standards.
  - Ensure that at least one critical element in the COR performance standard be specific to contract management or the COR duties described in the contracting officer delegation letter.
  - Ensure that the COR's supervisor's own evaluation contains a performance standard related to oversight of COR responsibilities.
  - Make program-contracting communication an explicit core competency or part of any performance review for both employees and their supervisors.

#### **Priority Three**

- Institute and practice best practices.
  - Ensure that contracting officers in all agencies and staff offices formally delegate to CORs the authority to work on particular contracts.
  - Ensure CORs are selected and assigned based on established criteria, rather than on availability.
  - Establish guidelines for evaluating training courses for credit towards CLP achievement requests.
  - Establish guidelines requiring supervisors to review and identify duplicative training courses as recertification issues during their review of CLP achievement requests.
  - Establish guidelines to standardize the manner in which supervisors of CORs obtain feedback from contracting officers regarding employee performance and incorporate this feedback into performance evaluations for affected employees.
  - Provide training on effective workplace communication and interpersonal skills.
  - Provide team-building training programs, small-group problem solving activities, and role-playing exercises that foster empathy and cooperation among contracting officers and CORs.
  - Develop a communication strategy or issue guidance that defines acceptable response times and frequency of communication.

## Appendix C: COR Survey Instrument

### 1. Which office or agency do you work for?

- a) Agricultural Marketing Service (AMS)
- b) Agricultural Research Service (ARS)
- c) Animal and Plant Health Inspection Service (APHIS)
- d) Center for Nutrition Policy and Promotion (CNPP)
- e) Economic Research Service (ERS)
- f) Farm Service Agency (FSA)
- g) Food and Nutrition Service (FNS)
- h) Food Safety and Inspection Service (FSIS)
- i) Foreign Agricultural Service (FAS)
- j) Forest Service (FS)
- k) Grain Inspection, Packers and Stockyards Administration (GIPSA)
- l) National Agricultural Library (NAL)
- m) National Agricultural Statistics Service (NASS)
- n) National Institute of Food and Agriculture (NIFA)
- o) Natural Resources Conservation Service (NRCS)
- p) Risk Management Agency (RMA)
- q) Rural Development (RD)
- r) Rural Utilities
- s) Rural Housing Service
- t) Rural Business Cooperative Service
- u) Departmental Management (DM)
- v) Office of Cultural Transformation,
- w) Office of Homeland Security & Emergency Coordination
- x) Office of Small & Disadvantaged Business Utilization
- y) Office of Procurement & Property Management
- z) Office of Operations
- aa) Office of Human Resources Management
- bb) National Appeals Division (NAD)
- cc) Office of Advocacy and Outreach (OAO)
- dd) Office of the Assistant Secretary for Civil Rights (OASCR)
- ee) Office of Budget and Program Analysis (OBPA)
- ff) Office of the Chief Economist (OCE)
- gg) Office of the Chief Financial Officer (OCFO)
- hh) Office of the Chief Information Officer (OCIO)
- ii) Office of the Chief Scientist (OCS)
- jj) Office of Communications (OC)
- kk) Office of Congressional Relations (OCR)
- ll) Office of Environmental Markets (OEM)
- mm) Office of the Executive Secretariat (OES)
- nn) Faith-Based and Neighborhood Partnerships (FBNP)
- oo) Office of Tribal Relations (OTR)
- pp) Other, not listed above \_\_\_\_\_

2. **Which of the following best describes you as a COR?**
  - a) Active COR Certified
  - b) Certified but not active in the last 2 years
  - c) Active not COR Certified
  - d) Inactive
  
3. **How many years of experience do you have as a Contracting Officer's Representative?**
  - a) Number of years (0-99)
  - b) Don't know
  
4. **What is your current certification level?**
  - a) Tier I
  - b) Tier II
  - c) Tier III
  - d) Don't know
  
5. **Do you enter your training data into the Federal Acquisition Institute Training Application System (FAITAS)?**
  - a) Yes
  - b) No
  - c) Don't know
  
6. **Are you a full time COR or is it a collateral duty?**
  - a) Full time
  - b) Collateral duty
  
7. **How much time do you spend on COR duties in a given week?**
  - a) Up to 25% of your time
  - b) Up to 50% of your time
  - c) More than half but not full time
  - d) Essentially full time
  
8. **In general, how many contracts do you typically work on at the same time?**
  - a) Number of contracts (0-99)
  - b) Don't know
  - c) Not currently working on a contract now
  
9. **When did you last participate in training to maintain or increase your certification level or to satisfy your continuous learning requirements?**
  - a) Within the past 6 months
  - b) 7-12 months ago
  - c) More than 12 months ago
  - d) Don't know
  
10. **Why didn't you participate in training within the past 12 months**

- a) My department does not have the funds
  - b) My workload (not enough time)
  - c) Not required
  - d) Other (please specify)
11. **Within the past 12 months, has your supervisor not approved a request for training?**
- a) Yes
  - b) No
  - c) Don't know
12. **How well do you understand COR Policies and Procedures?**
- a) Policies and Procedures do not exist
  - b) Not at all
  - c) Partially
  - d) Completely
13. **When questions arise while performing your COR duties, which of the following do you use for guidance?**
- a) Go to the contracting officer
  - b) Use hard copies of guidance at desk
  - c) Go to supervisor in program office
  - d) Go to the contractor
  - e) Other (please specify)
14. **When contacting your contracting officer, do you...?**
- a) Email more often than call
  - b) Email and call about the same
  - c) Call more often than email
15. **How often do you meet (telephone or in person) with your contracting officer to discuss the progress of your contract?**
- a) Often, at least a few times a week
  - b) Weekly
  - c) Monthly
  - d) Infrequently, only when a big issue arises
16. **Is the time you have with your contracting officer to discuss your contract...**
- a) Too much
  - b) Just right
  - c) Not enough
17. **Why do you need more discussion time with your contracting officer (e.g., what information is not being covered)?**
18. **Do you always receive a letter of delegation when being assigned as a COR to a contract?**

- a) Yes
  - b) No
  - c) Don't know
19. **Why were you selected to perform contract-related activities?**
- a) Technical work or technical qualifications
  - b) Program responsibilities
  - c) Knowledge of contracting
  - d) Availability
  - e) Volunteered
  - f) Don't know
  - g) Other (please specify)
20. **When in the contracting process do you usually first become involved?**
- a) During the preaward phase
  - b) After the contract award but near the contract starting date
  - c) After the contract started
  - d) When the contract was ending or being terminated
  - e) Don't know
21. **Why is your initial involvement usually after the contract has started?**
- a) This is the normal practice for assigning CORs in my agency
  - b) The original COR left the organization or the position
  - c) The original COR was not performing his or her duties
  - d) There was a particular need for my expertise
  - e) There was a particular problem with the contract
  - f) Don't know
  - g) Other (please specify)
22. **Are you rated on or otherwise held accountable for the performance of your COR activities?**
- a) Yes
  - b) No
  - c) Don't know
23. **Please select your degree of involvement with your contracting activities.**
- a) Oversee only individual task orders or delivery orders
  - b) Oversee multiple task orders or delivery orders
  - c) Provide overall technical oversight
  - d) Provide overall administrative oversight
  - e) Supervise one or more Federal employees doing any of the above work
  - f) Don't know
24. **When working on COR activities, how often do you perform the following tasks?**

	Never	Rarely	Sometimes	Frequently	Always	Not applicable
<b>Preaward Phase</b>						
Recommend or decide what specific work is to be contracted						
Establish requirements, prepare requirements documents, write statements of work						
Conduct market research to define requirements or to find possible contractors						
Assess contractor past performance						
Help determine contract method and or type						
Define contract objectives and incentives						
Forecast budget or funding needs						
Conduct cost-benefit analysis						
Estimate costs, calculate Government's cost estimate						
Develop and/or apply proposal review criteria						
Communicate with contractors prior to award						
Participate in contractor selection process						
Other						
<b>Postaward Phase</b>						
Approve and certify funds for contracting actions, request de-obligation of funds						
Review contractor employee resumes, ensure personnel security						
Review and/or approve contractor work plans						
Review and/or approve invoices						
Act as liaison between contractor and contracting officer, or between contractor and management						
Monitor the day-to-day work of the contractor						
Provide technical guidance or interpretation of technical requirements to contractor						
Evaluate and/or certify the performance of the contractor						
Conduct program management reviews						
Manage contractor use of or access to government property and facilities						
Report suspected conflict of interest and/or fraud, waste and abuse						
Coordinate and track deliverables						
Track and report contract delays						

Review and accept or reject deliverables						
Determine and/or certify that new work is within scope of contract						
Suggest, initiate and/or recommend contract changes or modifications						
Document actions, ensure appropriate records are maintained						
Other						

25. **Is there a checklist to use to ensure COR contract files are properly maintained?**
- a) Yes
  - b) No
  - c) Don't know
26. **Has any party (to include contracting officer, program office, internal audit team) reviewed your COR contract file documentation to ensure that it is being properly maintained?**
- a) Yes
  - b) No
  - c) Don't know
27. **Do you understand what Contractor Performance Assessment Reports System (CPARS) is?**
- a) Yes
  - b) No
28. **Do you know when CPARS should be accessed?**
- a) Yes
  - b) No
29. **How often do you initiate the performance assessment record in the Contractor Performance Assessment Reports System (CPARS)?**
- a) Always
  - b) Sometimes
  - c) Rarely
  - d) Never
  - e) Don't know
30. **Why do you not initiate a contractor performance assessment in CPARS?**
- a) System problems
  - b) Do not have enough time
  - c) Do not have sufficient technical understanding to evaluate contractor performance
  - d) Other (please specify)
31. **In your agency, does your management recognize the importance of COR roles and duties in the following areas?**

	Yes	No	Do not know
Employee Performance Reviews			
Prioritization of resources (e.g. which services are given priority in the work week)			
Allocation of training resources			

32. **Your agency’s management recognizes the importance of COR duties to the achievement of USDA’s mission and goals.**
- a) Strongly Disagree
  - b) Somewhat Disagree
  - c) Neither Agree nor Disagree
  - d) Somewhat Agree
  - e) Strongly Agree
33. **In the last year, what challenges at the Departmental level have you experienced as a COR?**
- a) Unclear policy and procedure
  - b) Lack of communication
  - c) Conflict between COR responsibilities and program office duties
  - d) Experienced excessive pressure from the program office
  - e) Other challenges that were not presented as options (please specify)
34. **Thinking about your experience as a COR, please rate the following using a 10-point scale where 1 is Unacceptable, 10 is Outstanding, and 5 is Average.**
- a) Adequacy of USDA COR Policies and Procedures
  - b) Responsiveness of your contracting officer
  - c) Knowledge of your contracting officer
  - d) Usefulness of COR training
  - e) Effectiveness of communication with contracting officer
35. **What COR improvements would you like to make?**
36. **Additional comments or concerns:**

## Appendix D: Acronyms

ACM	Acquisition Career Manager
AHCP	Acquisition Human Capital Plan
CLPs	Continuous Learning Points
COR	Contracting Officer's Representative
CPARS	Contractor Performance Assessment Reports System
DM	United States Department of Agriculture Departmental Management
DoD	Department of Defense
FAC-C	Federal Acquisition Certification-Contracting
FAC-COR	Federal Acquisition Certification-Contracting Officer's Representatives
FAC-COTR	Federal Acquisition Certification-Contracting Officer's Technical Representatives
FAI	Federal Acquisition Institute
FAITAS	Federal Acquisition Institute Training Application System
FAR	Federal Acquisition Regulation
FNS	Food and Nutrition Service
FPDS-NG	Federal Procurement Data System-Next Generation
FSA	Farm Service Agency
GAO	Government Accountability Office
HCA	Head of the Contracting Activity
IFB	Invitation for Bid
IGCE	Independent Government Cost Estimate
NCCP	National Construction Certification Program
OFPP	Office of Federal Procurement Policy
OIG	United States Department of Agriculture Office of Inspector General
OMB	Office of Management and Budget
OPPM	United States Department of Agriculture Office of Procurement & Property Management
QASPs	Quality Assurance Surveillance Plans
RFP	Request for Proposal
RFQ	Request for Quote
SLA	Service Level Agreement
SOW	Statement of Work
USDA	United States Department of Agriculture

## Appendix E: Jefferson Solutions Resumes

**Allan V. Burman:** Under Dr. Burman's leadership as the President of Jefferson Solutions, Jefferson has provided acquisition support to over 48 federal departments and agencies. Prior to joining The Jefferson Group, Dr. Burman had a lengthy career in the federal government, serving in policy positions in the Office of Management and Budget (OMB) and the Office of the Secretary of Defense. As the former Administrator for Federal Procurement Policy, he had the longest tenure of any Administrator, serving in the Executive Office of the President under Presidents Reagan, Bush, and Clinton. He has testified before Congress over forty times on management, acquisition and budget matters. In this Senate-confirmed, Executive Level III position, Dr. Burman authored the 1991 policy letter that established "performance-based contracting" and greater reliance, where appropriate, on fixed-price contracting, as the favored approach for contract reform. He also authored the 1992 policy letter that encouraged agencies to make greater use of past performance. Both of these documents reinforce the shift in Federal management practices from an emphasis on procedure to a focus on outcomes.

Dr. Burman is Chairman of the Procurement Round Table, a Fellow of the National Academy of Public Administration (NAPA), a Partnership in Public Service SAGE, a Fellow and Member of the Board of Advisors of the National Contract Management Association, and an Honorary Member of the National Defense Industrial Association. He is also an adjunct professor at the International Law Institute (ILI) and a member of ILI's Procurement Advisory Board as well as an adjunct professor at George Mason University. Dr. Burman has served on numerous panels to include the White House Acquisition Advisory Panel established by the Services Acquisition Reform Act legislation and co-chaired the performance-based acquisition subcommittee of the panel. In 2009, he received the Fed 100 award, recognizing outstanding contributions in improving federal information technology programs.

**Karen R. O'Brien:** Ms. O'Brien is a seasoned government contracts attorney and recognized expert on procurement law with over 24 years of experience in the field. She provides senior level acquisition expertise and support to her government clients. For the past six years, she has provided acquisition assistance to numerous agencies, to include Department of State (Bureaus of Consular Affairs, Diplomatic Security, Overseas Building Operations, African Affairs, and the Office of Export Control Cooperation), Department of Housing and Urban Development (HUD), Pension Benefit Guaranty Corporation, U.S. Postal Service, Forest Service, National Institutes of Health, and U.S. Department of Veterans Affairs (VA). She is also an author on key texts in the field of government contracting, most recently *The Government Contracts Reference Book* (3d ed. 2007) and *Competitive Negotiation: The Source Selection Process* (3d ed. CCH Publishing 2011).

Ms. O'Brien began her career as a procurement law attorney in the Army Judge Advocate General's Corps. While in the Army, Ms. O'Brien served as the legal advisor to the Principal Assistant Responsible for Contracting and the Head of Contracting Activity in Southwest Asia, where she assisted in the planning, development, and implementation of government contracts for the sustainment and redeployment of forces in Southwest Asia. She also served as a staff attorney for the DOD Advisory Panel on Streamlining and Codifying the Acquisition Process (Section 800 Panel). This Panel reviewed all laws affecting DOD procurement. The

recommendations served as the basis for the Federal Acquisition Streamlining Act of 1994 and the Clinger-Cohen Act of 1996. Prior to joining JCG, Ms. O'Brien was with the firm of McCarthy, Sweeney and Harkaway, P.C. where she practiced in the area of government contract law, including contract administration matters, assisting clients on obtaining multiple award schedules, claims, disputes and bid protests. Prior to that, Ms. O'Brien managed the Government Contracts publications program of the George Washington University Law School.

**Kathryn Hamilton**: Ms. Hamilton provides strategic acquisition support to federal agencies as well as private sector clients. She supports federal agencies in developing performance-based acquisitions, including requirements analysis, benchmark and market research and developing performance work statements. Ms. Hamilton also provides acquisition assessment support to federal agencies including workforce assessments, contract file reviews and compliance reviews. Additionally, she is often called upon to research acquisition issues for Jefferson clients.

Prior to joining Jefferson, Ms. Hamilton was an Acquisition Analyst with American Project Consultants. In this role, she provided direct support to Joint Task Force National Capital Region Medical Command, working on special acquisition initiatives, including contract regionalization studies, process improvement, and regulatory, program, policy and agreement review. Additionally, she interned at USDA Food Safety and Inspection Service where she reviewed and developed proposed rules, reviewed and responded to petitions for rulemaking, and analyzed public comments to Federal Register Notices.

Ms. Hamilton received her Juris Doctor from Nova Southeastern University's Shepard Broad Law Center, where she served on the Nova Law Review for two years and as a teaching assistant during her second year. She also earned her Bachelor of Science in Legal Studies from Nova Southeastern University. Ms. Hamilton is a member of the Florida Bar.

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