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Office of Acquisition Management

Interim Policy Notice 09-01
Federal Acquisition Certification for
Contracting Officer's Technical Representative
(FAC-COTR)
Implementation

Table of Contents

INTRODUCTION

This Interim Policy Notice (IPN) implements the new federally-mandated certification requirement for Contracting Officer Technical Representatives (COTRs; also known at EPA as CORs). It establishes the interim processes and procedures governing EPA's structured COTR training program, and supersedes the COR training requirements set forth in Section 42.1 of the EPA Contracts Management Manual (CMM).

The Office of Federal Procurement Policy (OFPP), within the Office of Management and Budget, established the Federal Acquisition Certification for Contracting Officer Technical Representatives (FAC-COTR) program by memorandum issued on 26 November 2007. The FAC-COTR program provides for certification of COTRs and standardizes the competencies and training for COTRs across civilian agencies. Specifically, FAC-COTR requires (1) formal certification for all existing and newly-appointed COTRs, and (2) ongoing continuous learning to maintain certification.

Since the institution of FAC-COTR, the Office of Acquisition Management (OAM) has explored various options for the most efficient and effective implementation of the new federal certification requirement. Consistent with its commitment to engage in open communications with customers, OAM afforded Agency stakeholders an opportunity to provide their input and views on COTR training needs within the larger FAC-COTR framework.

Based on the feedback received, and on OAM's independent assessments, OAM is in the final stages of formalizing a detailed COTR training policy and program that will be incorporated in Section 42.1 of the CMM. This IPN provides the interim implementation of the program pending the final amendments to the CMM. This IPN is effective **1 October 2008**, and will remain in effect until the proposed CMM changes undergo the required Agency's Directive Clearance process and are adopted as final.

This IPN details the requirements for COTR training and certification, including information on the COTR Basic training changes, earning Continuous Learning Points (CLP), tracking CLPs via the Acquisition Career Management Information System (ACMIS), obtaining the FAC-COTR for both existing and prospective COTRs, and maintaining the FAC-COTR certification.

As part of our continuing efforts to enhance the proficiency and skills currency of the Agency's COTR community, OAM will continue to partner with Agency stakeholders to identify and develop additional results-oriented, agency-specific training opportunities for COTRs. It will also continue to work closely with COTRs to provide guidance and recommendations on other training courses and

options to strengthen COTR competencies. These additional efforts will further facilitate the proper management of the Agency's resources at all phases of the acquisition life cycle.

Section 1 – Overview of FAC-COTR Program

1.1   Background

The Services Acquisition Reform Act of 2003, P.L. 108-136, expanded the definition of acquisition workforce to include functions performed by COTRs, such as requirements development, performance management, and technical direction. OFPP Policy Letter 05-01 built upon this broader definition of acquisition workforce and required the Federal Acquisition Institute (FAI) to make recommendations for a program and project management certification program. By memorandum issued on 26 November 2007, OFPP establishes FAC-COTR as a structured training program for COTRs. The program is intended to provide uniform competencies and training across civilian agencies. This IPN implements the requirements of FAC-COTR. It prescribes general COTR training requirements to ensure the high-quality, competency, proficiency, and accountability of the Agency's COTR community.

1.2   Core Competencies

FAC-COTR consists of competency-based core training and other agency-specific courses and/or electives to achieve and maintain certification. The OFPP identified core competencies, as set forth in Figure 1 below, include both professional business and technical competencies.

Figure 1: Core Competencies for Contracting Officer Representatives

- Oral Communication - Decision-Making - Teamwork - Problem solving - Attention to Detail - Reasoning - Flexibility	- Interpersonal Skills - Self Management/Initiative - Integrity/Honesty - Planning and Evaluating - Influencing and Negotiating - Writing - Project Management
- Understanding COTR duties, responsibilities and obligations - Effective Communication of Contract Requirements - Effective Performance Management - Strategic Planning - Detailed Evaluation Skills	- Defining Business Relationships - Understanding the Marketplace - Effective Communication - Defining Government Requirements in Commercial/Non-Commercial Terms - Effective Negotiation and Analytical Skills

1.3 FAC-COTR Training Requirements

The FAC-COTR program requires formal certification for all existing and newly-appointed COTRs at civilian agencies. It also requires ongoing continuous learning to maintain skills currency and certification. To obtain initial certification, COTRs must earn a total of 40 hours of training. Twenty-two of the required 40 hours of training must cover the above core competencies. Certified COTRs must earn a minimum of 40 CLPs every two years to maintain certification. Generally, one CLP is equivalent to one hour of training.

Note: As OAM works towards implementing the subject OFPP guidance, it has created a three-year "transition cycle" from 1 October 2007 – 30 September 2010. Therefore, any FAC-COTR obtained as a result of this IPN is valid until 30 September 2010. All subsequent cycles will be two years (e.g., 1 October 2010 – 30 September 2012)

1.4 Applicability

FAC-COTR applies to all individuals appointed COTR responsibilities, including monitoring contractor performance and administering contracts. These individuals are authorized in writing by the agency Contracting Officer (CO) to perform prescribed administrative and/or technical functions with respect to contracts, simplified acquisition purchase orders, and orders placed under General Services Administration Multiple Award Schedule Contracts, Government-wide Acquisition Contracts, and Multi-Agency Contracts.

Section 2 – EPA Implementation of Certification Requirements

2.1 General Framework

To realign EPA's COTR training program to meet the FAC-COTR requirements, EPA requires a combination of mandatory government-wide and Agency-specific courses to ensure basic COTR competency. To further enhance COTR knowledge and skills currency, EPA's COTR training program embraces the full suite of available elective online training and live instruction by EPA and commercial providers. This flexibility will provide comprehensive training opportunities to promote effective performance of COTR-delegated contract management responsibilities.

2.1.1 Definition of Existing COTR
An "existing COTR" is defined as any employee who has passed one of the following four offerings prior to 1 June 2008:

1 - the 3-day classroom OAM Basic COR course (24 hours);
2 - the former FAI COR Mentor online course (24 hours);

3 - the five online courses from FAI/ DAU (22 hours) identified in Appendix A, or

4 - one of the commercial core-competency courses identified in Appendix A.

<u>EXISTING COTRs GENERALLY MEET THE OFPP REQUIREMENT FOR FAC-COTR, AND WILL BE CERTIFIED BASED ON EACH COTR's EARLIER TRAINING RECORD</u>

2.1.2 Definition of Transitional COTR

A "transitional COTR" is defined as a COTR who has taken #1, #3 or #4 identified in 2.1.1 between 1 June 2008 and 30 September 2008. Individuals who took either #3 or #4 must complete the mandatory 8 hours of EPA Basic Training (Section 2.2B) by 31 March 2009; those who took #1 already meet the requirements.

2.1.3 Definition of New COTR

A "new COTR" is defined as a COTR who takes either #3 or #4 identified in 2.1.1 and the mandatory 8 hours of EPA Basic Training (Section 2.2B) on or after 1 October 2008.

A summary of the training requirements for each of these three COTR categories is provided in Figure 2 below.

2.2   Requirements to Obtain Certification

To obtain FAC-COTR certification, COTRs must earn a minimum of 40 hours of training.

- <u>Existing COTRs generally meet the OFPP requirement for FAC-COTR and will be certified based on each COTR's earlier training record.</u>

- <u>Transitional COTRs have already completed the total of 22 hours of mandatory core competency and are eligible to be appointed to perform COTR responsibilities, although they will not be eligible for FAC-COTR certification until completion of the 8 hours of EPA-specific basic training and remaining training in elective courses.</u>

- <u>New COTRs must complete the total of 22 hours of mandatory core-competency and 8 hours of EPA-specific basic training before being eligible to be appointed to perform COTR responsibilities. New COTRs must complete the remaining training in elective courses before being eligible for FAC-COTR certification.</u>

Specifically:

(A)   Mandatory Core Courses: New COTRs must complete either #3 or #4
        identified in 2.1.1. (Transitional COTRs have already completed this
        requirement between 1 June 2008 and 30 September 2008.)

(B)   Mandatory EPA-Specific Course: Transitional and new COTRs must
        complete a NEW mandatory 8-hour EPA-specific basic course entitled
        "EPA Basic Contracting Officer Technical Representative Training." New
        COTRs must complete either #3 or #4 described in (A) above before they
        are eligible to take this mandatory 8-hour training. Transitional COTRs
        must complete this mandatory 8-hour training by 31 March 2009.

(C)   Required Training in Elective Courses: Transitional COTRs must
        complete the remaining training hours in any of the elective courses or
        other training activities identified in Appendix B by 31 March 2009. New
        COTRs must complete the remaining training hours within 6 months from
        the date of completion of (B) above.

*NOTE TO TRANSITIONAL COTRS: Transitional COTRs must complete the
        mandatory 8-hour training and remaining training hours by 31 March 2009.
        Any transitional COTR who has not completed both of these requirements
        by 31 March 2009 will have their COTR appointment eligibility rescinded
        as of 1 April 2009 unless a waiver is granted pursuant to Section 3.3 of
        this IPN. Any rescission will remain in effect until the COTR has
        completed both requirements, at which point their appointment eligibility
        will be reinstated.*

Figure 2: Application of Requirements for Obtaining Certification

New EPA COTR Training Requirements for prospective COTRs after 1 October 2008 (Section 2.1.3)	Compliance for existing COTRs as defined in Section 2.1.1	Compliance for transitional COTRs as defined in Section 2.1.2
1) Mandatory 22 hours of FAI online or commercially-provided core-competency classroom training (Appendix A)	N/A as existing COTRs generally meet the OFPP requirement for FAC-COTR, and will be certified based on subject earlier training record.	1) N/A as transitional COTRs have taken either #3 or #4 identified in Section 2.1.1 between 1 June 2008 and 30 September 2008.
2) Mandatory 8 hours of EPA Basic Training (Section 2.2B)	N/A as existing COTRs generally meet the OFPP requirement for FAC-COTR.	2) Mandatory 8 hours of EPA Basic Training (Section 2.2B) must be completed by 31 March 2009.
3) Upon completion of 1) and 2) above, new COTRs are eligible to be appointed as COTRs, and remaining hours of elective courses or other training (Appendix B) must be completed within 6 months of completing the mandatory 8-hour EPA basic training course. Upon completion of remaining elective hours, eligible for certification.	N/A as existing COTRs generally meet the OFPP requirement for FAC-COTR.	Transitional COTRs are eligible to be appointed by virtue of having taken either #3 or #4 identified in Section 2.1.1 between 1 June 2008 and 30 September 2008. Mandatory 8 hours of EPA Basic Training (Section 2.2B) and remaining hours of elective courses (Appendix B) must be completed by 31 March 2009. Upon completion of mandatory 8 hour EPA Basic Training and remaining elective hours, eligible for certification.

2.3   Requirements to Maintain Certification

To maintain certification, COTRs must earn a minimum of 40 CLPs every two years after receiving initial FAC-COTR certification. All existing COTRs who have kept their OAM COR training current, have a registered ACMIS account, and have a total of 40 CLPs (previous COTR training included) were granted FAC-COTR certification on 30 September 2008. Any training required to obtain needed competencies can count towards the continuous learning requirement for current COTRs. To satisfy this 40 CLP requirement, COTRs may take a NEW optional one-day EPA COTR Refresher course equal to 8 CLPs. The remaining

32 CLPs (or 40 CLPs if the refresher course is not taken) may be satisfied in part through any of the elective training activities listed in Appendix B (note: the list of FAI online courses provided in Appendix B is not an exhaustive list of available online courses).

Section 3 –Certification Oversight and Administration

3.1   Acquisition Career Management Information System

The Acquisition Career Management Information System (ACMIS), accessible at www.acmis.gov, is the central acquisition workforce information system for all civilian agencies. ACMIS serves as the mechanism for tracking and maintaining training records in support of the FAC-COTR and EPA's COTR training program. In accordance with OFPP Policy Letter 05-01, COTRs must enter and update their training information in ACMIS in a timely manner to reflect their current training and certification status. If COTRs experience trouble with ACMIS, please email the OAM ACMIS support team at acmissupport@epa.gov.

3.2   Certification Process

Until OAM adopts a fully-automated certification process, eligible COTRs who were not certified on 30 September 2008 and who are engaged in COTR activities must notify the EPA's Acquisition Career Manager (ACM, designated as Director, PTOD, OAM) of compliance with the certification requirements. The notification must be submitted by email to FAC-COTRcert@epa.gov. The specific notification and certification decision process is as follows:

A.   Contents of Notice: COTRs must verify in their notice that their ACMIS record demonstrates FAC-COTR eligibility. The notice must include evidence that the COTR completed the required hours of elective courses or training activity, including such evidence as a copy of the certificate of attendance, certificate of completion, training authorization, statement of supervisory approval of experiential training, or any other documentation demonstrating participation in the training. Each COTR is responsible for maintaining evidence of course completion or participation in training activities for internal management control purposes.

B.   Decision Process: Upon receipt of the notification of FAC-COTR compliance, the COTR's ACMIS training record will be reviewed to confirm compliance with the training requirements. The ACM will issue a FAC-COTR certificate if the COTR is determined to be eligible for certification. If the COTR is deemed ineligible, the ACM will provide an electronic notification of ineligibility to the COTR explaining the reasons he or she was determined ineligible.

3.3   Deferment

[Note: 3.3.1 and 3.3.2 distinguish between "appointment eligibility" and "certification eligibility." The former refers to a COTR's eligibility to be appointed by a CO to act as a COTR under a specific contract. The latter refers to a COTR'S eligibility to be FAC-COTR-certified by the ACM.]

3.3.1   Deferment of appointment eligibility for transitional and new COTRs

Section 2.2 and Figure 2 discuss the requirements for transitional and new COTRs to be eligible for COTR appointment. If exigent circumstances require the immediate appointment of a transitional or new COTR who is ineligible for COTR appointment, the COTR's immediate supervisor must request a deferment of the appointment requirement. Transitional and new COTRs may request up to two three-month deferments, for a total of six months. The request must be submitted in writing to the OAM Acquisition Policy and Training Service Center (APTSC) Manager and must be routed through the respective CO for concurrence. The deferment request shall address:

   a. The subject COTR's relevant experience;
   b. The relevant training the COTR has completed to date;
   c. The reason why there is an immediate need to appoint the COTR; and
   d. The COTR's plans to fulfill the remaining training requirements
        necessary for appointment eligibility.

The CO will review the deferment request. If the CO concurs, he or she will so indicate and forward the request to the APTSC Manager for approval. Upon approval, if the COTR does not obtain appointment eligibility and subsequent appointment by the CO within the subject three- or six-month period, he or she will be ineligible to perform as a COTR until completion of the remaining appointment eligibility requirements and subsequent CO appointment.

3.3.2   Deferment of certification eligibility for COTRs

Section 2.2 and Figure 2 discuss the requirements for transitional and new COTRs to be eligible for FAC-COTR certification. Transitional and new COTRs who do not meet these requirements may request a three-month deferment of certification compliance. The request must be submitted in writing to the APTSC Manager for concurrence and the ACM for approval, via email to FAC-COTRcert@epa.gov. The deferment request shall address the COTR's plans to fulfill the remaining training requirements necessary for certification eligibility. Transitional and new COTRs may request up to two three-month deferments, for a total of six months. Once approved, if the COTR does not obtain certification from the ACM within the subject three- or six-month period, he or she will be

ineligible to perform as a COTR until completion of the remaining certification requirements and subsequent ACM certification.

/s/
John C. Gherardini III
Acting Director
Office of Acquisition Management

Appendix A

FAI Free Online Core Competency Courses

The following five courses satisfy the mandatory core competency training requirement and are available online. Both the title and course number are provided for reference. These courses can be accessed by registering at FAI.

- CLC106 – COR with a Mission Focus (8 CLPs)
- CLM024 – Contracting Overview (8 CLPs)
- CLC004 – Market Research (3 CLPs)
- CLC007 – Contract Source Selection (1 CLP)
- CLM003 – Ethics Training for Acquisition Technology and Logistics (2 CLPs)

Commercial Core Competency Courses

Any one of the following commercial courses satisfies the mandatory core competency training requirement and also can be used for maintenance CLPs.

SOURCE	Courses (could be used for Basic training or CLPs)	WEBSITE	COST	CONTACT	PHONE	# of DAYS	CLPs
Dept. of Interior University (DOIU)	Contracting Officer Representative Course (CORs, COTRs): Basic Certification	www.doiu.nbc.gov	$600	Rebecca Rabuck	(202) 208-3446	5	40
Management Concepts (MCI)	Contracting Officer's Representative Course	www.managementconcepts.com	$950	Customer Service	(703) 790-9595	5	40
Business Management Research Associates (BMRA)	Contracting Officer Representative/Contracting Officer Technical Representative	www.bmra.us/index.htm	$747	Jennifer Ashburn	(703) 691-0868	5	30
Atlantic Management Center, Inc (AMCI)	Contracting Officer (Technical) Representative (COR/COTR)	www.amciweb.com	$1,143 + 10% EPA discount	Rolland Hassebrock	(703) 245-2458	3	24
USDA Graduate School	Contracting Basics for COTRs	www.grad.usda.gov	$745	Customer Service	(202) 314-3300	3	24
Government Horizons Inc.	Critical Roles and Responsibilities of the Contracting Officer Representative/Technical Representative	www.governmenthorizons.org	$1,095	Laura Johnson	(703) 807-2747	3	24
Northwest Procurement Institute Inc (NPI)	COR/COTR Certification Course	www.new.npi-training.com	$750	Customer Service	(425) 776-0414	5	40

Appendix B

Guidance for Contracting Officer Representative Continuous Learning Points

These guidelines reflect the Office of Federal Procurement Policy's best-in-practice recommendations for continuous learning. Agencies retain flexibility and supervisors remain responsible for working with CORs to identify those activities and opportunities of greatest benefit to the professional development of an individual COR. The training, professional activities, education and experience that are used to meet the CLP requirements must be job related.

Training

1. Completing awareness training. Periodically agencies conduct briefing sessions to acquaint the workforce with new or changed policy. Generally, no testing or assessment of knowledge gained is required.

2. Completing learning modules and training courses. These may be formal or informal offerings from a recognized training organization, including in-house training courses/sessions, which include some form of testing/assessment for knowledge gained.

3. Performing Self-Directed Study. An individual can keep current or enhance his or her capabilities through a self-directed study program agreed to by the supervisor.

4. Teaching. Employees are encouraged to share their knowledge and insights with others through teaching of courses or learning modules.

5. Mentoring. Helping others to learn and become more productive workers or managers benefits the agency and the individuals involved.

Professional Activities

1. Participating in Organization Management. Membership alone in a professional organization will not be considered as fulfilling continuous learning requirements, but participation in the organization leadership will. This includes holding elected/appointed positions, committee leadership roles, or running an activity for an organization that one is permitted to join under current ethics law and regulation. The employee and supervisor must first ensure that participating in the management of an organization is allowed by the agency.

2. Attending/Speaking/Presenting at Professional Seminars/Symposia/Conferences. Employees can receive points for attending professional seminars or conferences that are job related. However, the supervisor needs to determine that the individual learned something meaningful from the experience. Because significant effort is involved in preparing and delivering presentations, credit should be given for each hour invested in the preparation and presentation.

3. Publishing. Writing articles related to acquisition for publication generally meets the criteria for continuous learning. Points will be awarded only in the year published. Compliance with agency publication policy is required.

4. Participating in Workshops. Points should be awarded for workshops with planned learning outcomes.

Education

1. Formal training. Supervisors should use Continuing Education Units (CEUs) as a guide for assigning points for formal training programs that award CEUs. The CEUs can be converted to points at 10 CLP points per CEU.

2. Formal academic programs. For formal academic programs offered by educational institutions, each semester hour is equal to one CEU. A three-hour credit course would be worth three CEUs and 30 CLP points, assuming that it is applicable to the acquisition function.

SAMPLE ACTIVITIES	RECOMMENDED NUMBER OF HOURS
Active Association Membership (in relevant subject area such as program/project management, acquisition management, or appropriate technical area)	5 hours for an active membership year OR 1 hour for each 60 minutes of activity attended during the year
Publication of related contract management papers.	20 hours for articles
Formal rotational assignments relating to acquisition	40 hours per assignment
Conference presentations, training or seminar delivery relating to acquisition	2 hours for 60 minutes of first-time presentation (1 for presentation, 1 for preparation, .5 credit for repeat delivery of same material)
Team leadership activities, participation on project teams for new products/activities related to acquisition	1 hour for every 60 minutes of participation
Formal education (in relevant subject area such as program/project management, acquisition management, or appropriate technical area)	1 hour for each hour of instruction up to 36 hours for a 3 credit course or American Council on Education (ACE) recommendation
Professional examination, license, or certification	40 hours in the year obtained
1 Continuing Education Unit (CEU)	10 hours

To reduce your burden to find CLPs in the time allotted, we recommend the following free, web-based on-line courses from FAI. Note that if you used the online courses for COR Basic training, the Basic courses are among those listed below and you may not take the same courses twice.

Course Number	Course Title	CLPs
CLM 003	Ethics (must be taken first)	2
CLM 024	Contracting Overview	8
CLC106	COR with a Mission Focus	8
CLC 004	Market Research	3
CLC 007	Contract Source Selection	1
CLC 011	Contracting for the Rest of Us	2
CLC 013	Performance-Based Services	6
CLC 007	Contract Source Selection	2
CLC 018	Contractual Incentives	3
CLC 132	Organizational COI	1
CLC 008	Indirect Costs	1
CLC 009	Serv. Disabled Vet Owned Sm. Bus.	1

Instructions for registering for FAI classes can be found through the FAI website.