

Federal Mail Education Forum

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**ACQUISITION WORKFORCE
ROLES AND RESPONSIBILITIES
COR RESPONSIBILITIES**

Contracting Officer's Representative (COR):

Per FAR 2.101 Definitions, "...means an individual, including a contracting officer's technical representative (COTR), designated and authorized in writing by the contracting officer to perform specific technical or administrative functions."

NOTE: The term "COTR" is reserved for Department of Defense contracting.

Contracting Officer's Representative (COR):

In Accordance With **FAR 1.602-2** Responsibilities, a Contracting Officer is required to designate and authorize a COR on all contracts and orders, other than those that are firm-fixed price and for firm-fixed price contracts and orders as appropriate, unless the CO retains and executes the COR duties.

Contracting Officer's Representative (COR):

In Accordance With the HHS Handbook for Federal Acquisition Certification (FAC) Contracting Officer's Representative, dated July 2014, the CO may only appoint a COR on a contract to act as his/her representative in monitoring specified aspects of contractor performance who maintains the appropriate FAC-COR certifications.

In some situations, it may be prudent for the CO to also identify an Alternate COR. An Alternate COR may only act in the absence of the Primary COR. Therefore, the COR and Alternate COR, if applicable, shall maintain FAC-COR certification at all times while appointed to a contract.

Contracting Officer's Representative (COR) Duties and Responsibilities:

A COR will be designated and authorized in writing by a CO appointment memorandum, as appropriate, to act as the CO's representative in monitoring specified aspects of contractor performance. At a high level, these aspects may include, but are not limited to:

- ▶ Working closely with the Project and/or Program Managers to oversee the performance of the contract, Ensure that the Contractor complies with all of the requirements of the statement of work, specifications, or performance work statement.
- ▶ When requested by the Contractor, provide technical assistance within the scope of the contract (e.g., interpreting specifications, statement of work, performance work statement, etc.). When a difference of opinion between you and the Contractor occurs, notify the Contracting Officer and/or the Contract Specialist immediately for resolution.;
- ▶ Monitoring and evaluating the contractor's performance to determine if it meets the standards set forth in the contract, If applicable and in accordance with FAR 42.302, the COR shall monitor contractor compliance with specifications or other contractual requirements requiring the delivery or use of environmentally preferable products, energy-efficient products, products containing recovered materials, and bio-based products.;
- ▶ Monitoring and evaluating whether the contractor meets the technical requirements under the contract by the delivery date(s) and/or within the period of performance; and,
- ▶ Evaluating whether the contractor performs within the price or estimated cost stated in the contract, Review and approve invoices using the rates and other fees established in the contract. Review the Contractor's invoices/vouchers for reasonableness and applicability to the contract and recommend approval or rejection for payment.

Contracting Officer's Representative (COR):

- ▶ It is important to note that the responsibilities of the COR vary with the type of contract and complexity of the acquisition. Each contract will be treated on an individual basis because it will place responsibilities on the COR, which are unique to that contract.
- ▶ While not all inclusive, a certified COR may be required, designated and/or authorized to provide any of the following:

CONTRACT PLANNING or ACQUISITION PHASE (Pre-Solicitation)

- ▶ Advise on, or determine, a need for a product or service;
- ▶ Review technical requirements of the product or service;
- ▶ Determine and list the deliverables required from the contractor, with due dates
- ▶ Review and Analyze risk (low, medium, high), as appropriate;
- ▶ Conduct market research to establish requirements and identify the marketplace for goods or services;
- ▶ Provide technical information to assist in determining type of contract and level of competition;

CONTRACT PLANNING or ACQUISITION PHASE (Pre-Solicitation) CONT;D

- ▶ Prepare the Statement of Work (SOW) or Performance Based SOW or Performance Work Statement (PWS), or Statement of Objectives (SOO) in order to establish the solicitation's technical terms and conditions;
- ▶ Determine whether Earned Value Management (EVM) will be used;
- ▶ Create and/or review IGCE to ensure estimated costs are within budget and appropriate for the effort;
- ▶ Plan the technical aspects of the proposal evaluation process and develop evaluation criteria such as a QASP;
- ▶ Conduct a thorough analysis of the potential for significant Organizational/Personal Conflicts of Interest (OCI/PCI);
- ▶ Prepare and submit request for contract in Comprehensive Acquisition Management System (CAMS) or PRISM; and,
- ▶ Provide expertise and/or assistance to help the CO establish the contract's technical terms and conditions.

OFFEROR EVALUATION PHASE

- Assist the CO in conducting source selection activities, including, but not limited to:
 - Serve on panels to evaluate technical and/or business proposals; and,
 - Conduct past performance and/or due diligence evaluations.

CONTRACT ADMINISTRATION PHASE (Appointed COR)

- ▶ Primary liaison between the Contractor and the Contracting Officer;
- ▶ Serve as CO/agency's technical representative for contract administration;
- ▶ Represent agency in technical meetings, record important facts;
- ▶ Confer with program office and user groups on contract performance;
- ▶ Maintain a complete COR working file;
- ▶ Keep the Contracting Officer informed of substantive communications with the Contractor;
- ▶ Assist the CO and contractor in understanding technical requirements;

CONTRACT ADMINISTRATION PHASE (Appointed COR) (CONT'D)

- Monitor the technical work of the contractor, and performing quality assurance and inspection of deliverables:
- Monitor the contractor's compliance with schedule (i.e., deliverables);
- Review and approve, or reject, technical deliverables (includes 504/508 compliance);
- Provide technical direction to contractor, within the scope of the contract;
- Ensure all work is in accordance with the contract requirements;
- Review and monitor progress reports and work plans;
- Ensure the contractor is complying with its quality control systems;
- Advise the CO of work that is accepted or rejected;
- Ensure the contractor properly corrects all defects and omissions;

CONTRACT ADMINISTRATION PHASE (Appointed COR) (CON'T)

- ▶ Notify promptly the Contracting Officer of any actual or potential contractor performance problems;
- ▶ Notify promptly the Contracting Officer of any actual or potential conflicts of interest;
- ▶ Monitor contractor spending;
- ▶ Assess cost and/or performance incentives, such as award or incentive fees, as applicable;
- ▶ Assess and/or oversee EVM;
- ▶ Changes and modifications:
 - Advise the CO of the need to issue change orders and modifications;
 - Develop estimates for equitable adjustments;
 - Assist in evaluating contractor claims; and,
 - Perform a technical review of contractor proposed changes.

CONTRACT ADMINISTRATION PHASE (Appointed COR) (CON'T)

- ▶ Ensure contractor displays required materials for EEO, contract laws, and job safety;
- ▶ Report violations of labor standards to the CO based on FAR 22 Application of Labor Laws to Government Acquisitions;
- ▶ Monitor time worked and contractor record-keeping procedures;
- ▶ Ensure contractor enforces all health and safety requirements;
- ▶ Ensure contractor assigns employees with the necessary capabilities, qualifications, and experience;
- ▶ Review and efficiently process contractor invoices/vouchers IAW Agency Policy, Contract Invoice/Voucher Payments;
- ▶ Evaluate contractor performance and input accordingly in Contractor Performance Assessment Reporting System (CPARS);

CONTRACT ADMINISTRATION PHASE (Appointed COR) (CON'T)

- ▶ Evaluate contractor performance and input accordingly in Contractor Performance Assessment Reporting System (CPARS);
- ▶ Serve as a Comprehensive Acquisition Management System (CAMS) requisitioner and/or approver;
- ▶ May serve as a Fund Manager, e.g., Interagency Agreement work on a contract, etc.;
- ▶ Determine if progress or advance payment requests should be processed, as applicable;
- ▶ Contract closeout or termination: Provide technical information for termination decisions;
- ▶ Provide technical information for contract closeout; and,
- ▶ Provide a copy of the COR's file to CO when duties end.

Contracting Officer's Representative (COR):

- ▶ The COR is not empowered to, nor does he/she have the authority to, perform any of the following duties since, in accordance with FAR, they are reserved only for a CO:
 - Make changes to the contract terms and conditions,
 - Direct the contractor to perform work or make deliveries not specifically required under the contract;
 - Waive or relax the Government's rights, with regard to the Contractor's compliance with the specifications, price, delivery or any other terms or conditions of the task order; or,
 - Make any commitments or approve any actions that would create any financial obligation on the part of the Government.

THANK YOU

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CENTERS FOR MEDICARE & MEDICAID SERVICES

ANGEL ELLIS

AGENCY MAIL MANAGER
DEPARTMENT OF TRANSPORTATION