GUIDANCE AND PROCEDURES FOR FEDERAL ACQUISITION CERTIFICATION REQUIREMENTS FOR CONTRACTING OFFICER TECHNICAL REPRESENTATIVES

1. Purpose

This guidance establishes the procedures for certification of Nuclear Regulatory Commission (NRC) Contracting Officer Technical Representatives (COTR), in accordance with the Federal Acquisition Certification for Contracting Officer Technical Representatives (FAC-COTR) requirements mandated by the Office of Federal Procurement Policy. The term COTR includes Project Managers (PM), Project Officers, or Technical Monitors, as they are referred to at the NRC. The NRC recognizes that qualified, well-trained and experienced PMs are critical to ensure that the NRC accomplishes its mission and goals effectively and responsibly.

2. Scope

This guidance applies to all PMs in Headquarter offices, the NRC Regional offices, and the Technical Training Center. All personnel having the responsibility for monitoring a contractor's performance on a contract or order, must adhere to this guidance. This guidance supplements the NRC's memorandum from the Executive Director for Operations dated May 12, 2000, in which all PMs were directed to take NRC acquisition training courses.

3. Requirements for Initial Certification

The NRC's FAC-COTR program will consist of two processes for certification. The first process is applicable to currently certified PMs. Although certified PMs are considered to have completed all of the required training, their FAC-COTR certification will be contingent upon completion of the additional training courses as discussed below. Certified PMs assigned to active contracts as of February 1, 2010, must complete the additional training courses required for FAC-COTR and must be certified no later than December 31, 2010. Certified PMs not assigned to active contracts on February 1, 2010, must complete the additional training courses no later than December 31, 2011, to retain their certification.

The training for certified PMs involves completion of the following mandatory (previously non-mandatory) NRC-provided acquisition workshops: Workshop 3 - Developing Proposal Evaluation Criteria (3 hours); Workshop 4 - Source Evaluation Panel Procedures (6 hours); and Workshop 5 - Negotiation of Project Terms and Conditions (6 hours). In addition, a new mandatory course entitled, CLC004 - Market Research (3 hours) or equivalent has been added to the curriculum. This course is offered by the FAI and is accessible on-line at: www.fai.gov/training/courseldt.asp, at no cost to the Government. PMs currently assigned to monitor Department of Energy (DOE) Laboratory Agreements, will also be required to complete a new NRC-provided workshop entitled, Workshop 12 - Interagency Agreements with DOE Laboratory Agreements and other Federal Agencies.

The second process is applicable to new PMs appointed after the issuance of this guidance. At a minimum, new PMs must complete eight mandatory NRC-provided acquisition workshops as follows: Workshop 1 - Acquisition Overview (6 hours); Workshop 2 - Independent Government Cost Estimate (3 hours); Workshop 3 - Developing Proposal Evaluation Factors (3 hours); Workshop 4 - Source Evaluation Panel Procedures (6 hours); Workshop 5 - Negotiation of Project Terms and Conditions (6 hours); Workshop 6 - Contract Administration (6 hours), Workshop 9 - Organizational Conflicts of Interest (3 hours); and Workshop 10 - Preparing Performance-Based Statements of Work (6 hours). In addition, new PMs will be required to complete one FAI course entitled, CLC004 - Market Research (3 hours) or equivalent. This course can be accessed on-line at the following web-site: www.fai.gov/training/courseldt.asp. Workshop 12 - Interagency Agreements will be required for PMs assigned to DOE Laboratory Agreements. For PMs managing Information Technology projects, Project Management Methodology (3 days), is also required.

4. Certification Application Process

To qualify for FAC-COTR certification, applicants must complete training required to cover the key PMs competencies listed in Attachment 1, Key Contracting Officer Technical Representative Competencies. Any NRC employee meeting the requirements of this guidance is eligible for FAC-COTR certification and may apply for certification by completing Attachment 2, NRC Application for Federal Acquisition Certification - Contracting Officer's Technical Representative.

The application must be submitted through the applicant's immediate supervisor to the Acquisition Career Manager (ACM) in the Division of Contracts for review and approval. The applicant's immediate supervisor is required to review and sign the application completed by their employee, prior to submitting the documents to the ACM. The application will be reviewed for compliance with this guidance and must include supporting documentation, such as copies of training certificates or other records that provide evidence that the applicant satisfies the training requirements for the program. After all training requirements have been met; a FAC-COTR certificate will be issued to the applicant.

5. Recertification Requirements

FAC-COTR certificates will be valid for 2 years from the date issued. Prior to the end of 2 years, recertification must be obtained and can be requested by completing Attachment 3, FAC-COTR Recertification Request Form, provided that relevant skills have been maintained and are current. Certified PMs are required to earn a minimum of 40 continuous learning points (CLP) of skills currency training every 2 years, effective the date of this guidance or the date of appointment, whichever is later. Continuous learning activities that count towards certification include training, seminars, conferences, special projects, and other developmental activities related to acquisition. The training can be obtained through FAI, DAU, commercially-available sources, colleges or universities, or agency-provided courses.

Completion of the "Acquisition Overview Refresher for Certified Project Managers" workshop will remain a requirement to maintain certification. This workshop can be accessed online at: http://papaya.nrc.gov/training/allonline.cfm and completion of this training equates to three CLPs.

PMs should consult with the ACM and/or their supervisors to determine which classes or activities would best meet their developmental needs and keep their acquisition skills current. (NOTE: Refer to Attachment 4, Guidance on Meeting the Requirements for Continuous Learning Points, for general guidance on meeting the certification requirements).

Please be advised that Office of Federal Procurement Policy (OFPP) requires that if a certification lapses in excess of 3 months, PMs seeking recertification will be required to earn more than the required 40 CLPs for recertification every 2 years. The requirements for additional CLPs will correlate to the amount of time that has lapsed since the certification expired. For example, for every month a certification lapses in excess of 3 months, an additional two CLPs will be required for recertification.

A FAC-COTR will expire if the 40 CLPs are not earned every 2 years and the ACM will recommend that the PM delegation letter be revoked or modified, if this condition is not met. The PM will be notified in writing of any changes to his or her delegations of authority.

6. Waivers

The Chief Acquisition Officer (CAO) or designee may waive, for a period not to exceed 12 months, all or part of the FAC-COTR requirements in writing, on a case-by-case basis, provided granting the waiver is in the best interest of the agency. At the NRC, the CAO is the Director, Office of Administration. Waivers will be granted under unusual and compelling circumstances, when absolutely necessary, and will be exercised on an extremely limited basis. Waivers are considered to be the exception, rather than the norm.

The PM's Division Director will be required to submit a waiver request to the CAO or designee through the ACM, for a new PM unable to meet the certification requirements prior to assignment on a contract or for a certified PM unable to meet the certification timelines stated in this guidance. The waiver request must contain a written justification for the waiver. The written justification shall include the reasons for and conditions of the waiver. The request shall also include a plan which identifies how and when all of the FAC-COTR requirements will be met.

7. Certification Transfer

NRC personnel certified as FAC-COTR by another federal agency will be considered to have met the requirements of this guidance, provided that certification can be verified in writing and at least 40 hours of continuous learning (work experience, education, or training that demonstrates competencies) can be documented as being completed with the 24 preceding months. Requests to transfer certifications from non-federal agencies to the NRC program will be reviewed on a case-by-case basis.

8. Acquisition Career Management Information System

The Acquisition Career Management Information System (ACMIS) is the central acquisition workforce information system for all civilian agencies. The system collects information on the educational background, acquisition experience and related training classes for acquisition personnel, including contracting officers, program managers, project managers, project officers, and technical monitors.

The OFPP, FAI, and other federal agencies use ACMIS information to make strategic acquisition workforce decisions. In accordance with OFPP policy, a PM must enter their training data into ACMIS and must also update their ACMIS records within 30 days of completion of training to reflect their certification status and CLPs. For more information and a training guide, visit the ACMIS website at: http://www.fai.gov/acm/acmis.asp.

Attachments:
1. Key Contracting Officer Technical Representative Competencies
2. Application for Federal Acquisition Certification - Contracting Officer's Technical Representative
3. FAC-COTR Recertification Request Form
4. Guidance on Meeting the Requirements for Continuous Learning Points