

**GUIDANCE AND PROCEDURES FOR FEDERAL ACQUISITION CERTIFICATION  
REQUIREMENTS FOR CONTRACTING OFFICER REPRESENTATIVES  
Effective January 1, 2012**

**1. Purpose**

This guidance establishes the procedures for certification of the U.S. Nuclear Regulatory Commission's (NRC's) Contracting Officer's Representatives (CORs) in accordance with the Federal Acquisition Certification for Contracting Officer's Representatives (FAC-COR) requirements mandated by the Office of Federal Procurement Policy (OFPP). The NRC is changing the term formerly used, Contracting Officer's Technical Representative (COTR), to COR to align with the Federal Acquisition Regulation, which now incorporates a definition for "Contracting Officer's Representative" and includes the designation of a COR as one of the responsibilities of the contracting officer (CO). The NRC uses the term "COR" to describe project officers, project managers, technical monitors, task order managers, technical assistance project managers, and other individuals responsible for the development of requirements documentation and for assisting COs in managing their contracts. The NRC recognizes that qualified, well-trained, and experienced CORs are critical to ensure that the NRC accomplishes its mission and goals effectively and responsibly. This certification program will promote the continued development of the essential business and technical competencies required for CORs.

**2. Scope**

This guidance applies to all CORs in NRC headquarters offices, the NRC regional offices, and the Technical Training Center. All personnel having the responsibility for monitoring a contractor's performance on a contract, order, or interagency agreement must adhere to this guidance. This guidance supplements the NRC's memorandum from the Executive Director for Operations dated December 22, 2009, that directed all CORs to take additional NRC acquisition training courses required for Federal Acquisition Certification for Contracting Officer's Technical Representatives (FAC-COTR) certification.

**3. Description of Program**

The FAC-COR program contains three levels of certification that allow for appropriate training and experience for CORs managing a range of contract vehicles, from low-risk contracts (such as supplies) to high-risk, complex acquisitions (such as information technology systems and services), as follows:

- (1) Level I calls for 8 hours of initial training, and no experience is required. A COR at this level is generally appropriate for low-risk contract vehicles, such as supply contracts and orders. Eight hours of continuous learning is required every 2 years for recertification.
- (2) Level II calls for 40 hours of initial training, and 1 year of previous COR experience is required. A COR at this level is generally appropriate for contract vehicles of moderate to high complexity, including contracts for both supplies and services. Forty hours of continuous learning is required every 2 years for recertification.
- (3) Level III calls for 60 hours of initial training, and it requires 2 years of previous COR experience on contracts of moderate to high complexity that require significant

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acquisition investment. CORs at this level are the most experienced within an agency and should be assigned to the most complex and mission-critical contracts (such as information technology systems) within the agency. At a minimum, a COR at this level is appropriate for major investments, as defined by OMB Circular A-11, "Preparation, Submission, and Execution of the Budget," issued August 2011. Forty hours of continuous learning is required every 2 years for recertification.

#### **4. Certification Requirements**

The FAC-COR program will consist of three components: (1) competency-based core training and assignment-specific training to achieve certification, (2) previous experience requirements for Level II and III certifications, and (3) continuous learning requirements to maintain skills currency.

All new CORs must complete the mandatory training requirements and be certified within 6 months of assignment to a contract. Levels I and II are not incremental. Therefore, if a new COR meets the requirements for Level II certification, he or she can be certified at Level II without prior Level I certification. CORs assigned to various contracts shall be certified at the highest level required by any one contract within their portfolio.

CORs previously certified under the FAC-COTR program are considered to already possess the requisite competencies of the FAC-COR program and will be grandfathered in as Level II CORs. Level II CORs will not be required to complete any additional training to qualify. However, they must still satisfy continuous learning requirements every 2 years to maintain their skills currency.

Given the complexity and risk associated with these procurements, NRC CORs assigned to major investments as defined by OMB Circular A-11 must be designated as Level III. However, since these CORs are certified under the Federal Acquisition Certification for Program and Project Managers (FAC-P/PM), NRC Level III CORs will continue to be certified under the FAC-P/PM program.

In addition to performing as a COR, staff members may gain the required experience by performing acquisition-related activities, such as conducting market research; writing specifications, statements of work, or statements of objectives; developing quality assurance surveillance plans; assisting the CO or COR as a technical monitor; and participating as a subject matter expert on a technical evaluation team. Recognizing that COR and other acquisition-related activities are not generally full-time duties for individuals other than contracting professionals, experience may be gained by performing these activities on a part-time basis. As a prerequisite for Level II certification, the COR nominee shall validate to the agency Acquisition Career Manager (ACM) that the COR has gained the required experience and obtained the technical competencies required. The ACM will determine the method of validating whether the COR has sufficient experience.

#### **5. Appointment**

Although obtaining the FAC-COR certification makes an individual eligible for appointment as a COR, it does not mandate an individual's appointment as a COR. The CO shall make this determination in accordance with the agency's need and shall make appointments in writing.

The program office's designated official shall nominate a technically qualified, responsible, and certified COR to the CO. The CO is responsible for determining the most appropriate person to be the COR and the level of certification required for a particular acquisition. To assist in this determination, OFPP has provided a COR Appointment Criteria Matrix (Attachment 1). The matrix identifies risk factors, such as complexity and contract type, for COs to consider when appointing a COR to a contract. Assessing the level of risk for each factor can help COs analyze the overall level of risk for the contract.

## **6. Recertification Requirements**

FAC-COR certificates will be valid for 2 years from the date issued. Before the end of 2 years, CORs must obtain recertification and can request it by completing the FAC-COR Recertification Request Form (Attachment 2) if he or she has maintained relevant skills. In order to maintain skills currency, certified CORs must earn the required continuous learning points for training every 2 years, effective the date of appointment, depending on the level of certification:

- (1) Level I—8 hours of continuous learning every 2 years
- (2) Level II—40 hours of continuous learning every 2 years
- (3) Level III—40 hours of continuous learning every 2 years

Continuous learning activities that count towards certification include training, seminars, conferences, special projects, and other developmental activities related to acquisition and the COR's job. The training can be obtained through courses provided by the NRC, Federal Acquisition Institute, Defense Acquisition University, commercially available sources, or colleges or universities. It is recommended that 50% of the required continuous learning points be acquisition-related and the remaining 50% be job-related (technical). However, this is only a recommendation and not a requirement.

CORs should consult with the ACM or their supervisors or both to determine the classes or activities that would best meet their developmental needs and keep their acquisition skills current. CORs should take courses relevant to the work they are performing as a COR. The Division of Contracts has posted "Guidance on Meeting the Requirements for Continuous Learning Points" in the "CORner" on its SharePoint site for general guidance on meeting the skills currency requirement.

The COR is responsible for ensuring that his or her continuous learning requirements are met on time. If the continuous learning requirements are not earned every 2 years, the FAC-COR certificate will expire, and the ACM will recommend that the COR's delegation letter be revoked and the contract be assigned to a certified COR. A COR who has failed to meet the continuous learning requirements and has had his or her COR appointment revoked must complete the necessary training in order to be reinstated. The COR, the COR's supervisor, and the contractor will be notified in writing of any changes to the COR appointment in a timely manner.

## **7. Reciprocity with Other Certifications**

Individuals certified as Federal Acquisition Certification in Contracting (FAC-C) Levels I or II and individuals certified as FAC-P/PM Midlevel/Journeyman are considered to have met the FAC-COR requirements for Level II. Individuals certified as FAC-C Level III or FAC-P/PM Senior/Expert Level are considered to have met the FAC-COR requirements for Level III.

However, having FAC-COR certification does not mean that the individual meets the requirements for FAC-C or FAC-P/PM certification.

## **8. Waivers**

The Chief Acquisition Officer (CAO) or designee may waive all or part of the FAC-COR requirements in writing, on a case-by-case basis, if granting the waiver is in the best interest of the agency. Additionally, the CAO may extend, in writing, the date upon which a COR must be certified by an additional 6 months (totaling 1 year), on a case-by-case basis, if it is in the best interest of the agency. 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 COR's Division Director must submit a waiver request to the CAO or designee, through the ACM, for a new COR unable to meet the certification requirements within 6 months of assignment on a contract and for a certified COR unable to complete the continuous learning requirements stated in this guidance. The waiver request must contain a written justification for the waiver, including the reasons for and conditions of the waiver. The request shall also include a date that identifies when all of the FAC-COR requirements will be met. (Attachment 3 provides a sample waiver request.)

## **9. Certification Transfer**

NRC personnel certified as FAC-CORs by another Federal agency will be considered to have met the requirements of this guidance, provided that certification can be verified in writing and they have completed the required hours of continuous learning (work experience, education, or training that demonstrates competencies) within the preceding 24 months.

## **10. Federal Acquisition Institute Training Application System**

Agencies are responsible for maintaining certification documentation and tracking their COR workforce's training, including its continuous learning requirements. CORs are responsible for ensuring that their training data are properly entered into the Federal Acquisition Institute Training Application System (FAITAS), or an agency system that feeds into FAITAS. FAITAS is currently being upgraded to contain a career path management functionality, which will include a robust reporting tool to process, track, and report on certifications and continuous learning requirements. OFPP requires that current CORs be entered into FAITAS no later than February 15, 2012.

Attachments:

1. Contracting Officer's Representative Appointment Criteria Matrix
2. FAC-COR Recertification Request Form
3. Sample Waiver Request