



Ironhorse Brigade Soldiers work through basic issue item hand receipts during equipment draw operations at Camp Arifjan, Kuwait, Jan. 17, 2012. (Photo by David Ruderman)

The Role of Contracting Officer's Representatives

■ By Rodney M. Palmer

COOR

Contracting officer's representatives are essential in managing contracts in garrison and in theater and must be well trained and knowledgeable.

During military operations in support of recent contingencies, the Army increased its use of contractors because of force capacity restrictions, troop rotation policies, and certain military occupational specialty shortfalls.

The Army's increased reliance on contractors to support operations in Iraq and Afghanistan caused a parallel increase in the responsibilities of the requiring activities and operational commands to administer the operational contract support (OCS) functions of integrating, planning, and managing commercial support. The increased use of OCS resulted in increased reliance on unit-level contracting officer's representatives (CORs) to assist the requiring activities and contracting officer in providing contract oversight.

About the COR

After deciding to use contract support to meet or mitigate an identified and validated requirement, the requiring or supported unit leader must nominate a qualified person to serve as a COR. This is part of the requirements package development and submission process. The

requiring activity must ensure that the COR is trained and prepared to provide government oversight of contract execution.

The COR is a servicemember or Department of Defense (DOD) civilian appointed in writing by a contracting officer. The COR normally serves in this position as an additional duty, depending upon the circumstances. However, it is a key duty that cannot be ignored without creating risk to the requiring activity, operational command or U.S. government.

A COR's responsibilities include monitoring contractor's performance and performing other duties specified in the appointment letter. During the early phases of Operations Iraqi Freedom and Enduring Freedom, many requiring activities and supported units did not have enough CORs nominated, appointed, and adequately trained to meet contract support requirements. Ultimately, the assignment shortfall affected the ability of units to conduct contractor quality assurance surveillance and contractor performance evaluation and reporting.

CORs play a key role in repre-

Observations, Insights, and Lessons

■ By Chief Warrant Officer 4 Dane A. Patterson

While I was assigned to the Army Field Support Battalion–Kuwait, I served as a lead contracting officer's representative (COR) and provided contract oversight for a multimillion-dollar maintenance contract in support of Army Pre-positioned Stocks 5. My knowledge of contract management and oversight was fairly limited before I assumed my position.

As a senior automotive maintenance warrant officer, I had experience managing traditional Army maintenance operations in Army units, but other aspects of the job were uncharted territory for me. For one thing, the entire maintenance workforce consisted of contractors working for three separate contracting vendors.

Before assuming the duties as a

COR, I completed several online COR-related courses through the Defense Acquisition University.

I also attended a three-day COR course in theater. However, the bulk of my learning occurred once I received my COR appointment orders and began working. At that point, I realized that I had a lot to learn about being a COR.

Contract authority requires strict

senting the requiring activity and the contracting officer, providing contract oversight, and influencing the contractor to meet the terms and conditions of the contract.

Observations, Insights, and Lessons

The Combined Arms Support Command (CASCOM) Acquisition, Logistics, Technology-Integration Office collects observations, insights, and lessons (OILs) from many sources. Collection sources include CASCOM's command post exercise-functional, Division West culminating training events, CASCOM Reverse Collection and Analysis Team (R-CAAT) forums, OCS surveys, key leader interviews, after action reviews, and news articles.

OCS OILs are analyzed, shared, and integrated across the DOD OCS community of interest. The following are some of the key OILs regarding CORs with specific emphasis on doctrine and policy, organization, training, materiel, and leadership and education.

Doctrine and Policy

The DOD and Department of the Army (DA) published several orders, directives, and guidelines re-

garding COR selection and training, beginning in 2009. The guidance helped to shape the predeployment COR selection and training process.

The guidance also helped influence requiring activities to meet COR assignment challenges and correct shortfalls from the early phases of Operations Iraqi and Enduring Freedom.

In addition to DOD and DA COR guidance, the Forces Command published COR training and certification guidelines in its predeployment training message. The message provided great insight and guidelines regarding COR training; however, a key observation noted that the message was not effectively distributed to operational commands. During R-CAAT forums, many commanders indicated they were unaware of the Forces Command's predeployment training messages.

Organization

CORs are normally additional duty assignments. However, in many cases, because of the complexity and magnitude of a contract, CORs may be required to execute COR duties full time.

During several R-CAAT inter-

views conducted between 2011 and 2013 with unit commanders and their staffs, leaders indicated that, given their assigned operational missions and loads, they were not fully prepared to resource full-time COR requirements with organic personnel. Unit leaders must acknowledge and embrace contract oversight responsibilities early on during the predeployment process and carefully plan to use organic resources to provide appropriate contract oversight.

Institutional Training

The Army Logistics University and the Defense Acquisition University are primarily responsible for providing COR training and certification through various resident, online, and mobile team training venues. The COR may enroll and attend courses offered by the Army Logistics University and the Defense Acquisition University.

The courses are tailored to the complexity and magnitude of the performance work statement or contract. Based on mission analysis and contract oversight requirements, requiring activity leaders determine the level of training CORs will attend.

From a COR

adherence to the provisions of the performance work statement (PWS). However, the guidance outlined in the PWS did not always meet the real-time requirements. As a result, the commander on the ground had to make decisions and give guidance beyond what was spelled out in the PWS.

Letter of Technical Direction

Using a letter of technical direction (LOTD), a COR can address issues on the ground and make minor

changes that are within the scope of the PWS or contract without violating the contractual agreements. The LOTD process gave us (the other CORs in my unit and me) the capability to make expedient administrative changes without accruing additional contract-related costs.

The LOTDs were vetted with the contracting officer or administrative contracting officer (ACO) and contractor. The contracting officer or ACO had to approve each LOTD prior to implementation. These ad-

ministrative changes allowed us to modify the PWS quickly to fit the situation on the ground.

Corrective Action Request

CORs can use the corrective action request (CAR) process to influence contractor performance. A CAR is a formal request for a plan of action to correct deficient contractor performance based on the performance standards in the PWS.

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There are three types of COR certification standards:

- Type A: fixed price, low performance risk requirements.
- Type B: other than fixed price, low performance risk requirements.

Army leaders must embrace OCS and ensure that the COR puts forth the appropriate energy and effort to the mission.

- Type C: unique requirements that necessitate a professional license, higher education, or specialized training.

Each COR level requires a different menu of courses (online and resident) to meet certification standards. The COR certification standards identify technical competencies, experience, and minimum training needed for successful performance as a COR.

During R-CAAT leader interview sessions, most unit leaders indicated they were not fully aware of the DOD and DA stan-

dards for COR certification and the different types of COR (A, B, and C) courses. This subsequently resulted in many CORs attending courses that did not fully certify and prepare them to monitor and provide contract oversight of com-

plex contracts.

In addition to observations and insights regarding the levels of COR training, there are a few more institutional COR training-related OILs. All leaders need COR familiarization or awareness training. It should be integrated into professional military education for officers, warrant officers, and non-commissioned officers.

COR training must focus on the Quality Assurance and Surveillance Program, performance work statement development, COR audit, corrective action reporting, and corrective action plan development.

Operational Training

The Army Contracting Command, through the Expeditionary Contracting Command and its contracting support brigades, established additional COR courses in theater to provide training to meet theater-specific contract support oversight requirements. One of the key lessons is that to be effective and theater specific, COR training must be geared to operations and tailored to meet the anticipated duty description of the COR within a particular theater—not conducted using a cookie-cutter approach.

Customized Army Contracting Command contingency contracting training, conducted by a contracting support brigade mobile training team, was instrumental in certifying CORs and preparing a unit to assume significant host-nation trucking contract management missions.

Materiel

The DOD and DA developed and implemented several tools to aid requiring activities and CORs in performing duties and responsibilities. In March 2011, the DOD directed the

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During my tenure as a COR, I recommended level I and level II CARs. A level I CAR was issued for infractions or violations that could be corrected on the spot, and level II CARs were recommended for infractions that required a more detailed and extensive corrective action plan from the contractor. Although I did not recommend one during my tenure, a level III CAR can be issued for the most egregious violations of the PWS.

The CAR is an administrative action initiated by the COR and vetted by the contracting officer or ACO, the Defense Contract Management Agency representative for the con-

tract, and the contractor. If the infraction cited in the CAR is validated, the CAR is officially issued to the contractor. The contractor then develops a corrective action plan to correct the deficiency and mitigate future infractions.

Remediation and Audits

The other CORs and I addressed minor issues with contractor performance through the contractors' management team for immediate remediation. Knowing and using the contractors' management team afforded us a less punitive tool to deal with minor contractor performance issues. Over time, the process worked well and fostered a partnership with the mutual understanding that pre-

serving government resources and accomplishing the assigned mission were the top priorities.

We used regular COR audits as a key formal process to systematically verify contractor performance. In addition, we conducted continuous informal contract surveillance, which provided additional opportunities to verify that the performance metrics outlined in the PWS were being met.

Army War Reserve Deployment System

I had to learn and understand the functionalities of the information systems that the contractors used to execute their contractual requirements to effectively perform my COR duties. The Army War Reserve Deployment System (AWRDS) was

use of the Contracting Officer Representative Tracking (CORT) Tool.

The CORT Tool is designed for use by military departments and defense agencies for all contracts with CORs assigned. The tool is a web management capability for appointing CORs. It allows a prospective COR, COR supervisor, or contracting officer to electronically nominate CORs for one or more contracts. It provides built-in workflows for the nomination process, including email alerts and status reminders for monthly status report deadlines and delinquencies.

The CORT Tool provides contracting personnel and requiring activities with the means to track and manage COR assignments across multiple contracts throughout the DOD. Although the CORT Tool offers a great benefit for managing the COR program, operational units rarely use it because they are unaware of the DOD directive mandating its use.

Leadership and Education

In September 2010, the International Security Assistance Force commander issued contracting guidance articulating the impor-

tance of contracting in the overall mission. It stated that contracting is the “commander’s business.” Army leaders must embrace OCS and ensure that the COR puts forth the appropriate energy and effort to the mission.

From a leadership perspective, collected OILs indicate that commanders need additional tools and guidance to assist them in selecting the right person to act as a COR. R-CAAT feedback indicates that although CORs receive training, many are not experienced enough to deal with highly experienced contractors and to properly monitor contractor performance.

A remedy for this issue is to develop a list of considerations and recommendations for screening and selecting CORs and reemphasize the commander’s direct role in nominating CORs in precommand courses and during the predeployment training phase.

Commanders also must be aware of the major difference between command authority and contract authority and understand the available tools and resources to influence conformance and prevent nonperformance.

OCS continues to evolve. A key to effective contract support is consistent contract oversight. While the Army continues to leverage OCS capabilities to augment organic capabilities, requiring activities must embrace the role of CORs in providing effective contract management oversight.

As a representative for both the operational commander and the contracting officer, a COR acts as the eyes and ears to ensure contractors perform within established standards of the contract and that U.S. tax dollars are well spent. Unit commanders must ensure CORs are carefully selected, properly trained, and have the appropriate time to perform COR functions.

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the information system used to manage the maintenance operation for Army Pre-positioned Stocks 5.

I had no previous experience with the system, so I had to learn to use it quickly in order to provide the meticulous surveillance required to adequately oversee such a large contract. I used AWRDS to add another layer to our contract surveillance plan once I learned the capabilities of the system.

Command Oversight

The command team was actively involved in contract oversight. The CORs assigned to the organization conducted monthly performance feedback briefings at the battalion and brigade levels to keep the com-

mand team informed of contractor performance. This gave the command team the opportunity to assess contractor performance at the executive level.

The command team’s presence at the recurring meetings and interest in contractor performance were clear indicators of its dedication to the process. The command emphasis also stressed to the CORs the importance of their duties.

Because of the scope of responsibility associated with COR duties (especially on contracts of this magnitude) COR selection should be a deliberate process. Training should be tailored to ensure selected CORs possess the comprehensive knowl-

edge to effectively perform their duties for their respective contracts.

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