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# COMMERCE ACQUISITION MANUAL 1301.6

### DEPARTMENT OF COMMERCE CONTRACTING CERTIFICATION AND WARRANT PROGRAM

### **COMMERCE ACQUISITION MANUAL**

### 1301.6

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# **Contracting Certification and Warrant Program**

## Section 1 - Overview

#### 1.1 Background

The quality and effectiveness of the federal acquisition process depend on the development of a capable and competent workforce. Congress recognized the need for a professional workforce through the passage of the Defense Acquisition Workforce Improvement Act (DAWIA) (10 U.S.C. §§ 1741-46) and the Office of Federal Procurement Policy (OFPP) Act (41 U.S.C. § 433) which established education, training, and experience requirements for entry and advancement in the acquisition career fields for the Department of Defense (DOD) and civilian agencies respectively.

On April 15, 2005, OFPP issued Policy Letter 05-01<sup>1</sup>, Developing and Managing the Acquisition Workforce, which established career management, education, and training requirements for contracting personnel in civilian executive agencies. Policy Letter 05-01 established the government-wide framework for creating a federal acquisition workforce with the skills necessary to deliver best value supplies and services, find the best business solutions, and provide strategic business advice to accomplish agency missions.

Building on the previous efforts to improve the development of the acquisition workforce, OFPP issued, in a memorandum dated January 20, 2006<sup>2</sup>, government-wide requirements that govern the Federal Acquisition Certification in Contracting (FAC-C). These requirements were later revised in December 2008<sup>3</sup> to better align with the Department of Defense Acquisition Workforce Improvement Act (DAWIA) contracting certification curriculum in an effort to strengthen the civilian contracting function. To further improve the FAC-C program and align more closely with the DAWIA certification, OFPP revised the FAC-C program requirements in its memorandum dated May 7, 2014<sup>4</sup>.

#### 1.2 Purpose

The purpose of the Department of Commerce (DOC) Contracting Certification and Warrant Program is to provide the framework and establish procedures for implementing the requirements of OFPP Policy Letter 05-01.

#### 1.3 Applicability

The Contracting Certification and Warrant Programs are applicable to the following acquisition workforce employees within the Department of Commerce:

- All employees in the contracting series (GS-1102); and
- All warranted Contracting Officers, regardless of series, with authority to obligate funds above the micro-purchase threshold.

#### 1.4 **Program Objectives**

The primary objectives of the DOC Contracting Certification and Warrant Programs are to improve the capabilities and management of the Department's contracting workforce by attracting, selecting, developing and retaining a highly qualified, diverse workforce capable of performing current and future acquisition functions; preparing future key leaders; providing career guidance and opportunities for broadening experiences and progression in the career field; and ensuring effective use of training and education resources. Successful implementation of the program will result in a professional, agile, and motivated workforce that consistently makes smart business decisions and delivers timely and affordable capabilities to meet the mission of the Department.

<sup>&</sup>lt;sup>1</sup> Available at: <u>https://obamawhitehouse.archives.gov/omb/procurement\_policy\_letter\_05-01</u>

<sup>&</sup>lt;sup>2</sup> Available at: https://www.fai.gov/sites/default/files/2006-1-20-OMB-Memo-FAC-C-Certification.pdf

<sup>&</sup>lt;sup>3</sup> Available at: https://www.whitehouse.gov/sites/whitehouse.gov/files/omb/assets/procurement/fac\_contracting\_program.pdf

<sup>&</sup>lt;sup>4</sup> Available at: https://www.fai.gov/sites/default/files/2014-05-07-FAC-C-Refresh.pdf

#### 1.5 Core Competencies

Historically, contracting professionals have approached contracting from a process-based perspective. Acquisition reforms, technology-driven changes in work processes, and the focus on leveraging outcomes and results have driven new ways of doing business in the Federal government. Today, contracting professionals serve as business advisors, responsible for the entire business cycle, from using relevant marketplace knowledge to develop strategies, to managing contractor performance and maintaining useful business relationships into the future. Successful acquisitions now require a results-oriented view of the process with contracting professionals serving as advisors to their stakeholders. The transformation from a process-based view of contracting to a results-oriented view requires new standards of performance within the acquisition community, which requires new skills and knowledge.

The Federal Acquisition Institute (FAI) has identified and validated a set of professional business and technical competencies essential for effectively performing contracting duties. Competencies combine knowledge, skills and abilities with behavior and other characteristics needed to successfully accomplish assignments in an acquisition environment. The competencies reinforce the need for business acumen, customer service, flexibility, leadership, and integrity and are the focus of training and development. The essential contracting competencies are summarized in *Figure 1-1 Contracting Competencies* to include both professional business and technical competencies. Descriptions of the competencies and their aligned skills are available on FAI's website at: <a href="https://www.fai.gov/sites/default/files/2014-5-7-Contracting-Competency-Model.pdf">https://www.fai.gov/sites/default/files/2014-5-7-Contracting-Competency-Model.pdf</a>.

Figure 1-1 Contracting Competencies

Professional Business Competencies (10)			
<ul> <li>Problem Solving</li> </ul>	<ul> <li>Decisiveness</li> </ul>		
Customer Service	<ul> <li>Technical Credibility</li> </ul>		
Oral Communication	Flexibility		
Written Communication	Resilience		
<ul> <li>Interpersonal Skills</li> </ul>	Accountability		

	d/or Price Analysis
<ul> <li>Source Selection</li> <li>Contract Award</li> <li>Process Protests</li> <li>Justification for Other than Full and Open</li> <li>Terms and Conditions</li> <li>Contract Terminat</li> <li>Procurement Anal</li> <li>E-Business and A</li> <li>Program Coordination</li> <li>Construction/Arch</li> </ul>	d Modifications Requests ts siness Concerns & Administer Costs ion ysis

#### 1.6 Career Paths for the Contracting Series (GS-1102)

The Department of Commerce has identified three career paths (Level I, II, and III) for the contracting career field, which are designed to facilitate the development of the necessary competencies needed by the contracting workforce to progress to senior acquisition levels. Within each career path there are experience, education, formal training and development programs, and informal growth and development opportunities. Requirements identified in each level are cumulative. All requirements for each lower level must be met in order to move to the next level.

The career paths will assist employees in planning career development activities and setting goals for accomplishing the necessary training. Pathways for career progression include both vertical and lateral movement. Lateral movement within and between career paths is highly encouraged, primarily at the intermediate level. Lateral movements broaden the contracting professional's experience base and can be accomplished through details, developmental opportunities, and rotational assignments. Multi-specialty experience for upper-level positions is important for individuals who strive to secure work assignments and training in more than one of the functional areas of acquisition.

A guide to determining career path development is provided in subsections 1.6.1 through 1.6.3. *Figure 1-2 Model Contracting Career Paths*, outlines the career paths for the contracting series and incorporates the Office of Personnel Management (OPM) Qualification Standard for Contract Specialists<sup>5</sup> and the Federal Acquisition Certification in Contracting (FAC-C) requirements. Grades are typical and should not imply a direct correlation with timing for promotion or completing the experience, education, and training standards.

#### 1.6.1 Level I (Junior)

Entry level standards target grades 5 and 7, or the equivalent, and are designed to establish fundamental competencies and expertise in an individual's job series or career field. Development at the entry level lays the foundation for career progression and is designed to prepare qualified and motivated personnel for positions of increasing responsibility. At the entry level, individuals are exposed to fundamental acquisition procedures and the roles of various support functions such as pricing, property administration and quality assurance.

#### 1.6.2 Level II (Intermediate)

Intermediate level standards target grades 9 through 12, or the equivalent, and emphasize specialization. Development continues and includes on-the-job rotational assignments. As the employee progresses to the higher grades within this level, they are introduced to basic management principles through training and development assignments. Although specialization is emphasized at the beginning of this level, the individual should later broaden their background toward a more general expertise in the overall processes of their career field. Development of the generalist normally involves establishing a good foundation of experience in the employee's primary specialty followed by lateral movement to a related speciality. Standards for development at Level I must be met before progressing to Level II.

#### 1.6.3 Level III (Advanced)

The advanced level standards target grades 13 and above, or equivalent, and emphasize in-depth knowledge in a functional area and breadth of knowledge across the entire acquisition process. Management training is commensurate with the individual's job performance and his/her potential for advancement into managerial positions. Advanced acquisition education and training are imperative for a more global perspective. Standards for development at Level II must be met before progressing to Level III.

<sup>&</sup>lt;sup>5</sup> Available at: <u>http://www.opm.gov/policy-data-oversight/classification-qualifications/general-schedule-qualification-standards/1100/contracting-series-1102/</u>

Figure 1-2 Model Contracting Career Paths				
Typical Grade	Education	Experience	Training	
<b>Level I – Junior</b> GS-5/7 (or equivalent)	Baccalaureate degree from an accredited institution. OR At least 24 semester hours from among the following disciplines: accounting, business, finance, law, contracts, purchasing, economics, industrial management, marketing, quantitative methods, or organization and management.	At least one year contracting experience	<b>Core Courses:</b> All Level I training requirements as prescribed on the FAI website at www. <u>FAI.gov</u> . <b>Continuous Learning:</b> 80 CLPs every 2 years	
<b>Level II – Intermediate</b> GS-9/11/12 (or equivalent)	Baccalaureate degree from an accredited institution. OR At least 24 semester hours from among the following disciplines: accounting, business, finance, law, contracts, purchasing, economics, industrial management, marketing, quantitative methods, or organization and management.	At least two years of contracting experience	<b>Core Courses:</b> All Levels I and II training requirements as prescribed on the FAI website at www. <u>FAI.gov</u> . <b>Continuous Learning:</b> 80 CLPs every 2 years	
<b>Level III – Advanced</b> GS-13 and above (or equivalent)	Baccalaureate degree from an accredited institution that includes or is supplemented with at least 24 semester hours from among the following disciplines: accounting, business, finance, law, contracts, purchasing, economics, industrial management, marketing, quantitative methods, or organization and management.	At least four years contracting experience	<b>Core Courses:</b> All Levels I, II, and III training requirements as prescribed on the FAI website at www. <u>FAI.gov</u> . <b>Continuous Learning:</b> 80 CLPs every 2 years	

#### 1.7 Management Information System

Section 37(d) of the OFPP Act, as amended (41 U.S.C. 433(d)) requires each executive agency to collect, maintain and utilize information to ensure effective management of the acquisition workforce. Senior Bureau Procurement Officials are responsible for establishing policies for maintaining complete training, education, certification, and continuous learning records for members of their acquisition workforce. The Federal Acquisition Institute maintains the government-wide system used to track acquisition personnel training and certification information. Section 3.8 provides requirements for documenting and recording training, education, and certification information in the management information system.

#### 1.8 Roles and Responsibilities

#### 1.8.1 Chief Acquisition Officer (CAO)

The Chief Financial Officer and Assistant Secretary for Administration has been designated the Chief Acquisition Officer for the Department of Commerce. The CAO is responsible for:

- Developing and maintaining an acquisition career management program to ensure the development of a competent, professional workforce to support the accomplishment of the Department's mission; and
- b. Implementing a budget strategy that reflects the workforce development needs and organizational structure of the Department.

#### 1.8.2 Senior Procurement Executive (SPE)

The Director for Acquisition Management has been designated Senior Procurement Executive for the Department of Commerce. The SPE is responsible for:

- a. Implementing the Contracting Certification and Warrant Program department-wide;
- b. Approving waivers to the OPM 1102 Qualification Standard; and
- c. Granting acquisition certifications.

#### 1.8.3 Career Manager (ACM)

The Director, Acquisition Policy and Oversight Division has been designated Acquisition Career Manager for the Department of Commerce. The ACM is responsible for:

- a. Ensuring that the Department's acquisition workforce meets the requirements of the Contracting Certification and Warrant Program by identifying staffing needs, training requirements and other workforce development strategies;
- b. Recommending to the SPE waivers to the OPM 1102 Qualification Standard;
- c. Ensuring the Department's acquisition workforce is registered in FAI's system for training and certification; and
- d. Reviewing FAC-C applications.

#### 1.8.4 Senior Bureau Procurement Official (BPO)

The Senior Bureau Procurement Official is responsible for:

- a. Workforce planning to ensure the operating unit's acquisition workforce receives training and development opportunities consistent with the Contracting Certification and Warrant Program, operating unit-specific needs, and Individual Development Plans (IDP);
- b. Coordinating annual training needs; coordinating and submitting requests for education and training waivers to the SPE for approval;
- c. Establishing policies for maintaining complete, accurate and current training, education, certification and continuous learning records for members of their acquisition workforce in FAI's system for training and certification;
- d. Designating a Bureau Career Manager to manage the Contracting Certification and Warrant Program within their operating units; and
- e. Submitting an annual warrant report to the Office of Acquisition Management.

#### 1.8.5 Head of Contracting Office (HCO)

The Heads of Contracting Offices are responsible for:

- a. Tracking and reporting completed education and training requirements in FAI's system for training and certification;
- b. Ensuring that an IDP is prepared for each acquisition workforce employee; and
- c. Submitting requests for education and training waivers to the BPO.

The Bureau Career Manager is responsible for:

- a. Serving as the designated bureau-level point of contact for the Contracting Certification and Warrant Program;
- b. Reviewing and analyzing certification applications for their Bureau procurement office;
- c. Assisting candidates with identifying certification requirements;
- d. Providing concurrence on all FAC-C applications and continuous learning achievement requests in FAI's system for training and certification; and
- e. Ensuring communication regarding the Contracting Certification and Warrant Program is disseminated to their Bureau's acquisition community.

#### 1.8.7 Supervisor of Acquisition Workforce Employee

Supervisors of Acquisition Workforce Employees are responsible for:

- a. Filling vacancies with employees that meet specific organizational needs as well as minimum qualification standards as set forth in the OPM 1102 Qualification Standard;
- b. Determining if an employee has met the mandatory requirements to enable them to move to the next career path;
- c. Determining if an employee has the requisite qualifications to participate in a training course or developmental assignment;
- d. Providing assistance to the employee in identifying training and development opportunities;
- e. Providing guidance to the employee during the development of the IDP;
- f. Reviewing and approving employee IDPs;
- g. Providing career guidance to the employee as appropriate; and
- h. Reviewing and approving employee training, education and certification requirements in FAI's system for training and certification.

#### 1.8.8 Acquisition Workforce Employee

Acquisition Workforce Employees are responsible for:

- a. Their personal career progression and development which includes: meeting qualification standards as set forth in the OPM 1102 Qualification Standard;
- b. Developing an IDP to identify training and development opportunities for a multi-year time frame;
- c. Identifying development opportunities that may contribute to the advancement of career goals;
- d. Meeting requisite qualifications to participate in training courses or developmental assignments;
- e. Submitting proof of completed education and training requirements;
- f. Entering and maintaining training and education requirements in FAI's system for training and certification; and

g. Applying for certification and/or recertification once training requirements have been met.

#### **END OF SECTION 1**

# Section 2 - Qualification Standards for Contracting Career Field

#### 2.1 Background

The Clinger-Cohen Act, P.L. 104-106, required the Administrator of OFPP to establish General Schedule (GS) 1102 employment qualification standards for acquisition workforce positions in civilian agencies. As a result, the Contract Specialist Qualification Standard was established by the Office of Personnel Management which sets forth the education and experience requirements for civilian employees in the GS-1102 series (<u>http://www.opm.gov/qualifications/sec-iv/b/gs1100/1102.htm</u>). Appendix B provides answers to frequently asked questions concerning the GS-1102 Qualification Standard.

#### 2.2 Basic Requirements for GS-1102 Grades 5 through 12

The Basic education requirements for employees in the GS-1102 series at grades 5 through 12 are:

**A.** A 4-year course of study leading to a bachelor's degree with a major in any field;

OR

**B.** At least 24 semester hours in any combination of the following fields: accounting, business, finance, law, contracts, purchasing, economics, industrial management, marketing, quantitative methods, or organization and management.

*Figure 2-1 OPM GS-1102 Qualification Standard*, outlines the education and experience required to qualify for positions at the GS-7 through GS-12 level covered by this standard.

Grade	Education	Or Specialized Experience
GS-7	1 full academic year of graduate education or law school or superior academic achievement	1 year equivalent to at least GS-5
GS-9	2 full academic years of progressively higher level graduate education or masters or equivalent graduate degree or LL.B. or J.D.	1 year equivalent to at least GS-7
GS-11	3 full academic years of progressively higher level graduate education or Ph.D. or equivalent doctoral degree	1 year equivalent to at least GS-9
GS-12	No educational equivalent	1 year equivalent to at least next lower grade level
Equivalent combinations of education and experience are qualifying for all grade levels for which both education and experience are acceptable.		

Figure 2-1 OPM GS-1102 Qualification Standard

In addition to meeting the basic education requirements outlined above, applicants who are qualifying for positions at grades GS-7 through GS-12 based on experience must possess at least one year of specialized experience at or equivalent to work at the next lower level that provided the knowledge, skills, and abilities to successfully perform the work of the position. Graduate education in one or a combination of the following fields is required to qualify for GS-1102 positions on the basis of graduate education: accounting, business, finance, law, contracts, purchasing, economics, industrial management, marketing, quantitative methods, or organization and management.

#### 2.3 Basic Requirements for GS-1102 Grades 13 and Above

The Basic education requirements for employees in the GS-1102 series at grades 13 and above are:

A. Completion of all mandatory training prescribed by the head of the agency for progression to GS-13 or higher-level contracting positions, including at least 4-year experience in contracting or related positions. At least one year of that experience must have been specialized experience at or equivalent to work at the next lower level of the position, and must have provided the knowledge, skills, and abilities to successfully perform the work of the position.

#### AND

B. A 4-year course of study leading to a bachelor's degree with a major in any field that included or was supplemented by at least 24 semester hours in any combination of the following disciplines: accounting, business, finance, law, contracts, purchasing, economics, industrial management, marketing, quantitative methods, or organization and management.

#### 2.4 Exceptions

#### 2.4.1 Exceptions for GS-1102 Grades 5-12

Employees in GS-1102 positions are considered to have met the standard for positions they occupied on January 1, 2000. Employees who occupied GS-1102 positions at grades 5 through 12 are considered to meet the basic requirements for other GS-1102 positions up to and including those classified at GS-12. This includes positions at other agencies and promotions up through grade 12. However, employees must meet specialized experience requirements when seeking another position. This exception does not apply if there was a break in service after January 1, 2000.

#### 2.4.2 Exceptions for GS-1102 Grades 13 and Above

Employees in the GS-1102 positions at grades 13 and above are considered to have met the standard for positions they occupied on January 1, 2000. This also applies to positions at the same grade in the same agency or other agencies if the specialized experience requirements are met. However, the employee must meet the basic requirements and specialized experience requirement in order to qualify for a promotion to a higher grade, unless granted a waiver as set forth in Section 2.4.3 below. This exception does not apply if there was a break in service after January 1, 2000.

#### 2.4.3 Waiver Authority

The OPM 1102 Qualification Standard <u>cannot</u> be waived for new entrants into the GS-1102 career field or individuals applying for contracting series positions at grades 12 and below. The OPM 1102 Qualification standards for individuals applying to contracting series positions at grades 13 and above can be waived at the discretion of the Senior Procurement Executive. The SPE is required to certify that the applicant for such positions possesses significant potential for advancement to levels of greater responsibility and authority based on demonstrated analytical and decision-making capabilities, job performance, and qualifying experience. Waiver authority cannot be delegated and will only be granted for **exceptional and compelling** circumstances of a specific hiring action such as when there are no qualified candidates readily available. There are no "blanket" waivers for an individual or an organization.

#### 2.4.4 Waiver Process

If it is determined that a waiver will be necessary to fill a vacancy for a GS-1102 position at grade 13 and above, the vacancy announcement must state that the agency will consider applicants who require a waiver. The vacancy announcement must state that candidates who do not meet the qualification requirements may be considered for a waiver in accordance with the GS-1102 qualification standard. HCOs are responsible for coordinating with their servicing Human Resource Management office to ensure proper notification is placed within the vacancy announcement.

When making a selection, if an applicant does not meet the qualification standards, the HCO must provide the

request for waiver to the BPO for review. The BPO is responsible for ensuring that the request clearly documents the need for the waiver and indicates that there are no qualified candidates readily available to fill the position, if applicable. Upon concurrence by the BPO the waiver request shall be forwarded to the SPE for approval. **The waiver request must be approved prior to making an offer.** In most instances the waiver provision will be utilized when hiring for hard-to-fill positions or duty locations where it may be difficult to attract qualified candidates.

#### 2.4.5 Waiver Packages

Waiver packages forwarded to the SPE for approval should include the following information:

- a. Copy of the position description and vacancy announcement;
- b. Description of the recruiting efforts undertaken by the organization and the results of those efforts including the sources used for recruiting;
- c. Application or resume of tentatively selected individual;
- d. Narrative from the HCO describing the potential of the applicant for advancement to levels of greater responsibility and authority based on demonstrated analytical and decision-making capabilities, job performance, and qualifying experience;
- e. Draft plan, agreed to by the tentatively selected individual and the supervisor, which delineates a time line for achieving the educational and/or training requirements. The plan should be finalized and signed by both parties after the waiver is granted and selection has taken place. A copy of the final plan shall be provided to the ACM within 5 days of entry on duty;
- f. Documentation that demonstrates the tentatively selected individual is actively pursuing completion of the requirements;
- g. Justification that relates the applicant's background and experience to the performance requirements of the job to be filled. The justification must address why the individual was selected in lieu of candidates who fully met the education and training requirements (if any), and any impact a disapproval of the waiver would have on the organization;
- h. Identification of actions that will be taken if the conditions of the waiver are not met; and
- i. Memorandum of concurrence and a recommendation for approval of the waiver from the BPO.

Requests for waivers that do not include the documentation listed above will be returned to the recommending BPO without further action. A sample waiver memorandum is provided in Appendix C.

The waiver request package should be submitted electronically to: <u>OAM\_Mailbox@doc.gov</u>. If electronic submission is not available, waiver packages may be sent to:

U. S. Department of Commerce Office of Acquisition Management Acquisition Career Manager 1401 Constitution Avenue, NW HCHB Room 1854 Washington, DC 20230

#### **END OF SECTION 2**

# Section 3 - Training and Certification Program

#### 3.1 Background

The development of a highly qualified, well-trained workforce is critical to ensuring the Department accomplishes its mission. Investment in training and development of the acquisition workforce will improve the ability to meet mission needs. The Office of Federal Procurement Policy developed the Federal Acquisition Certification in Contracting (FAC-C) program, a common training and certification program for the Federal contracting workforce that reflects a government-wide standard for education, training and experience leading to achievement of core competencies.

#### 3.2 Purpose

The purpose of the Training and Certification Program is to implement OFPP Policy Letter 05-01, *Developing and Managing the Acquisition Workforce*, dated April 15, 2005<sup>6</sup>. The program will be used to demonstrate that an individual has achieved a practical, well-rounded understanding of acquisition and business process skills that will enhance his/her ability to perform as a business leader within the Department.

#### 3.3 Federal Acquisition Certification in Contracting Program

The Federal Acquisition Certification in Contracting program was developed by FAI to promote the development of core acquisition competencies government-wide and to facilitate employee mobility. The FAC-C certification serves as one means to demonstrate that an individual meets the core education, training and experience requirements for the contracting career field.

#### 3.3.1 Applicability

All employees in the GS-1102 series must be FAC-C certified at the appropriate level for their career path. New entrants in the 1102 career field shall have 24 months to meet FAC-C certification requirements. Individuals in the 1102 series who are promoted into a new career path shall have 24 months to meet the FAC-C training requirements for the new career path. (NOTE: Employees must meet the OPM 1102 Qualification Standards for education and experience in order to be hired or promoted unless it has been waived by the SPE, therefore, the 24 month requirement only applies to FAC-C training requirements.)

All Contracting Officers, regardless of job series, must be FAC-C certified at the appropriate level pursuant to this policy. Any contracting professional issued an unlimited Contracting Officer's warrant must be Level III certified.

#### 3.3.2 Certification Requirements

The FAC-C program is based on DAWIA requirements for certification at the junior, intermediate, and senior levels to reflect the need for an individual to meet increasingly more rigorous standards for education, training, and experience throughout their career. Achievement of FAC-C is based on requirements for education, experience, and training as outlined below and summarized in *Figure 3-1 FAC-C Certification Requirements*. The requirements for certification are cumulative. All requirements for each lower certification level must be met to be certified at the next level. Maintenance of a FAC-C is a function of continuous learning.

<sup>&</sup>lt;sup>6</sup> Available at: https://obamawhitehouse.archives.gov/omb/procurement\_policy\_letter\_05-01

Figure 3-1 FAC-C Certification Requirements

FAC-C Level I (Junior)	FAC-C Level II (Intermediate)	FAC-C Level III (Advanced)
Education: Baccalaureate degree <u>OR</u> 24 semester hours in a business discipline.	<b>Education:</b> Baccalaureate degree <u>OR</u> 24 semester hours in a business discipline.	Education: Baccalaureate degree <u>AND</u> 24 semester hours in a business discipline.
<b>Experience:</b> 1 year of contracting experience.	<b>Experience:</b> 2 years of contracting experience.	<b>Experience:</b> 4 years of contracting experience.
Core Training:	Core Training:	Core Training:
All Level I training requirements as prescribed on the FAI website at <u>FAI.gov</u> .	All Levels I and II training requirements as prescribed on the FAI website at <u>FAI.gov</u> .	All Levels I, II, and III training requirements as prescribed on the FAI website at <u>FAI.gov</u> .
Continuous Learning:	Continuous Learning:	Continuous Learning:
80 CLPs every 2 years	80 CLPs every 2 years	80 CLPs every 2 years

#### 3.3.2.1 Education

An individual must meet the education requirements established in the OPM 1102 Qualification Standard. There are no exceptions to these requirements and candidates must provide evidence to the Acquisition Career Manager. In accordance with the OPM 1102 Qualification Standard, individuals in positions at grades 5 through 12 are required to have, from an accredited institution, 24-semester hours of business-related education <u>or</u> a baccalaureate degree. Individuals in positions at grades 13 and above must have, from an accredited institution, 24-semester hours of business-related education <u>and</u> a baccalaureate degree. Employees in GS-1102 positions will be considered to have met the education requirement, for positions they occupied on January 1, 2000. Education waivers granted in accordance with the OPM 1102 Qualification Standard do not satisfy the education requirement for FAC-C.

#### 3.3.2.2 Experience

Experience requirements are generally based on the OPM 1102 Qualification Standard. Experience may be time spent on the job in a contracting related job assignment, either in the private or public sector, which reflects the accumulation of knowledge, skills, and abilities during years of progressively more responsible work assignments. There is no exception to the experience requirements and candidates must provide evidence to the certifying official.

Contracting professionals must not only have the right number of years of experience, but also the breadth and depth of experience required to strengthen their skills and capabilities.

The 1102 Skills Development Tool<sup>7</sup> is available to document demonstrated work experiences in the contracting career field. The tool is competency-based and outlines sample tasks that align to the competencies. Appendix G provides a list of developmental activities that should be considered when developing the contracting workforce. The list is not exhaustive.

#### 3.3.2.3 Core Training

The FAC-C core training requirements closely follow the training curriculum established by the Department of Defense for their contracting career field. In order to become FAC-C certified, an individual must document satisfactory completion (training certificates and/or school transcript) of core training classes. Course information including course titles, descriptions, objectives, target audiences, prerequisites, course lengths, and predecessor and equivalent course information is available in the Defense Acquisition University (DAU) catalog at: <u>https://icatalog.dau.edu/</u> and Federal Acquisition Institute website at: <a href="https://www.fai.gov/training/find-and-register-for-courses">https://www.fai.gov/training/find-and-register-for-courses</a>.

Courses are progressive and build upon previously learned skills in an integrated curriculum. Therefore, course prerequisites are strictly enforced and courses must be attended in the order listed. Supervisors are responsible for determining that prospective students have demonstrated the ability to effectively apply competencies and learning objectives of previously attended courses and possess sufficient knowledge and/or background to attend requested courses.

Individuals must meet the training requirements by taking DAU training, DAU-equivalent courses, or through the fulfillment process described in Section 3.7. DAU publishes a list of courses that are equivalent to DAU mandatory courses at: <u>http://www.fai.gov/drupal/certification/contracting-fac-c</u> and FAI maintains a list of acquisition training providers at: <u>https://www.fai.gov/training/acquisition-training-providers</u>. These tools will assist individuals in determining the DAU courses or DAU-equivalent courses that meet training requirements.

#### 3.3.2.4 Electives

The 32 required hours of electives to meet FAC-C level III requirements, may be one course or a series of courses. Each course must be a minimum of 8 hours in length and may be classroom, online or a combination of the two. Topics must be related to acquisition and may include general business courses or in a technical area related to the employee's job, necessary for career development, or used for cross training.

#### 3.3.2.5 Continuous Learning Requirement

To maintain a FAC-C certification contracting professionals are required to earn 80 continuous learning points (CLPs) of skills currency training every two years. Individuals are encouraged to use continuous learning opportunities to complete any new certification requirements. Supervisors are encouraged to use the continuous learning requirement to assist individuals in obtaining core competencies, maintaining critical acquisition skills, and acquiring operating unit-specific training. *Failure to comply with CLP requirements nullifies the certification and its transferability to other agencies.* 

Continuous learning points must be submitted in FAI's system for training and certification Guidance on earning continuous learning points and assigning points to various developmental activities is provided in Appendix G. Continuous learning activities may include, but are not limited to the following:

<sup>&</sup>lt;sup>7</sup> Available at: <u>https://www.fai.gov/sites/default/files/1102</u> Experience Development Tool December 2019.xlsx

- Training activities, such as teaching, self-directed study, and mentoring;
- Courses completed to achieve training requirements at the next higher level;
- Professional activities, such as attending/speaking/presenting at professional seminars/symposia/conferences, publishing, and attending workshops; or
- Educational activities, such as formal training, and formal academic programs.

#### 3.4 FAC-C Core-Plus Specialization in Digital Services (FAC-C-DS)

The FAC-C core plus specialization in digital services establish additional training, experience, and continuous learning requirements for FAC-C certified individuals who manage specific investments requiring specialized knowledge, skills, and abilities. The FAC-C-DS is required for contracting professionals assigned to an acquisition for digital services over the FAR Subpart 13.5 threshold, inclusive of acquisitions as described in 13.500(c)).

#### 3.4.1 FAC-C-DS Policy

The FAC-C core-plus specialization in digital services became effective June 1, 2018<sup>8</sup>. In fiscal years 2019 – FY2021, contracting professionals assigned to acquisitions for digital services over the above threshold shall obtain the specialization within two years of assignment. Beginning in fiscal year 2022, contracting professionals assigned to acquisitions for digital services over the above threshold shall have the specialization prior to being assigned.

#### 3.4.2 FAC-C-DS Competencies

The Competency Model that identifies the minimum competencies required for the core-plus specialization in digital services is available on FAI's website at <u>www.fai.gov</u>.

#### 3.4.3 FAC-C-DS Curriculum

The Digital IT Acquisition Professional (DITAP) program allows government and commercial acquisition training organizations to offer the DITAP curriculum. The curriculum is based upon an open-source learning management system, which allows participants to interact, and features self-directed, guided and applied learning, classroom instruction, case studies, guest speakers, and hands-on skills building through a live digital assignment. A list of validated vendors who are authorized to provide the DITAP program is available at: https://techfarhub.cio.gov/initiatives/ditap/.

#### 3.4.4 FAC-C-DS Continuous Learning

For contracting professionals holding a FAC-C-DS, 20 of the 80 CLPs required every two years to maintain FAC-C certification must come from expanding knowledge of acquiring Digital Services. Emphasis of the continuous learning shall be to maintain currency in this quickly evolving discipline. A list of suggested classes and other ways to obtain continuous learning is available on the TechFAR Hub at <a href="https://techfarhub.cio.gov/initiatives/ditap/">https://techfarhub.cio.gov/initiatives/ditap/</a> and at <a href="https://www.fai.gov">www.fai.gov</a>.

#### 3.5 DAWIA Certifications

An individual who has obtained a Defense Acquisition Workforce Improvement Act certification in contracting at any time during their career is eligible for a FAC-C at the same certification level [provided the education criteria for the FAC-C are satisfied] if continuous learning requirements have been maintained and can be documented. The employee is responsible for providing the necessary documentation of the FAC-C or DAWIA certification and the appropriate continuous learning history to ensure validity and currency of the certification.

<sup>&</sup>lt;sup>8</sup> Establishment of Federal Acquisition Certification in Contracting Core-Plus Specialization in Digital Services (FAC-C-DS), Available at: <a href="https://www.whitehouse.gov/wp-content/uploads/2018/05/fac\_c\_digital\_services\_05\_12\_18.pdf">https://www.whitehouse.gov/wp-content/uploads/2018/05/fac\_c\_digital\_services\_05\_12\_18.pdf</a>

#### 3.6 Training Providers

#### 3.6.1 Federal Acquisition Institute Sponsored Training

The Federal Acquisition Institute manages the Acquisition Workforce Training Fund to ensure that equitable training opportunities are available for all civilian agencies. FAI uses the training fund to offer DAU-equivalent core training courses to civilian agency employees at no charge. Employees can view the current FAI course schedule and register for courses at

<u>https://www.fai.gov/training/find-and-register-for-courses</u>. As the Department of Commerce has a limited quota for FAI sponsored classroom courses, the Acquisition Career Manager will review each registration to ensure that quotas are effectively managed.

#### 3.6.2 Defense Acquisition University Training

DAU training courses are available to civilian agency employees at no charge. Employees can view the current course schedule and register for DAU training courses in the DAU catalog at: <u>https://icatalog.dau.edu/</u>.

#### 3.6.3 DAU-Equivalent Training

Several training providers offer courses that have been certified equivalent to DAU curriculum courses. DAU-equivalent courses can be used to meet the core training requirements. A list of DAU-equivalent courses and training providers is located at: <u>https://icatalog.dau.edu/</u>.

#### 3.7 Fulfillment

The fulfillment process for contracting certification is a program based on accepting prior related work experience, or courses taken from other federal agencies, other training providers, or through institutions of higher learning to satisfy the mandatory training requirements under the FAC-C program. The FAC-C fulfillment process will follow the fulfillment process for Department of Defense. In seeking FAC-C certification via the fulfillment process, individuals must document assessment of demonstrated competencies against the learning outcomes/objectives of the DAU courses using the DAU course materials at <a href="https://myclass.dau.edu/webapps/portal/execute/tabs/tabAction?tab\_tab\_group\_id=\_24\_1">https://myclass.dau.edu/webapps/portal/execute/tabs/tabAction?tab\_tab\_group\_id=\_24\_1</a>. Individuals must satisfactorily meet all requirements for certification at a particular level, and the competencies shall have successfully been completed and documented to qualify for fulfillment credit. Request for FAC-C via the fulfillment process must be submitted in FAI's system for training and certification.

#### 3.7.1 Fulfillment Methods

Methods of fulfilling competencies can include alternative training, experience, education, or certification by another recognized organization.

#### 3.7.2 Alternative Training

If competencies were obtained through courses that were not DAU or DAU-equivalent courses, the individual must document for each competency the dates of training, course descriptions, provider names, grades (if applicable), and competencies achieved, to the maximum extent practicable.

#### 3.7.3 Experience

If competencies were obtained through related job experience, the individual must provide the agency name, dates, location, position title, and the duties performed that provided the relevant competencies.

#### 3.7.4 Education

If competencies were obtained through academic courses provided at an accredited institution, the individual must provide the date of each class, course descriptions, provider names, grades (if applicable), and competencies achieved.

#### 3.8 Reserved

#### 3.9 Certification Waivers

#### 3.9.1 FAC-C Waivers

The Senior Procurement Executive may waive the requirement for obtaining a certification, on a case-bycase basis, if granting a waiver is in the best interest of the Department. This authority may not be delegated. A certification waiver allows an individual who does not meet the certification requirements of the position to remain in that position. This is an assignment waiver and is only valid for the particular position to which the individual is assigned. This waiver is not transferable to another position or agency.

#### 3.9.2 FAC-C-DS Waivers

The Senior Procurement Executive may waive the requirement for contracting professionals assigned to acquisitions for digital services over the above threshold to have the FAC-C-DS specialization prior to being assigned (3.4.1 FAC-C-DS Policy) and allow an employee to be certified within one year after being assigned<sup>9</sup>. This decision must be documented in writing and provided to the agency Acquisition Career Manager.

#### 3.10 Documenting and Recording Training and Certification Requirements

The Senior Bureau Procurement Official is responsible for establishing policies for maintaining official training, education and certification records on their acquisition workforce employees and ensuring information is entered in FAI's system for training and certification. Training records must be available for inspection by OAM upon request.

Employees are responsible for maintaining all transcripts and training certificates for their records. Upon completion of training or relevant college coursework, the employee is responsible for submitting evidence of successful training completion to their supervisor and updating their information in FAI's system for training and certification to reflect training, certification, experience, and continuous learning points. Use of FAI's system for training and certification is a government-wide <u>mandatory</u> requirement of the FAC programs and <u>all</u> employees issued a FAC-C certification must be registered in FAI's system for training and certification.

#### 3.11 Additional Training Requirements

In addition to training required for FAC-C certification, contracting professionals shall complete additional training requirements, as applicable, as outlined below. This additional training may count towards continuous learning requirements.

#### 3.11.1 Small Business Programs

All contracting professionals are required to successfully complete the online course entitled "Small Business Programs" (FAC 031). This course provides an overview of the small business program in accordance with Federal Acquisition Regulation (FAR) Part 19 and the Small Business Act. The course is provided by DAU through the Continuous Learning Modules series at: <u>https://icatalog.dau.edu/onlinecatalog/tabnavcl.aspx</u>.

#### 3.11.2 Green Procurement

All contracting professionals are required to successfully complete green procurement training. An online course entitled "Green Purchasing for Civilian Acquisition," (FAC 018) provides an overview of the policies, requirements, and best practices for purchasing sustainable products and services. This course is provided by DAU through the Continuous Learning Modules at: <a href="https://icatalog.dau.edu/onlinecatalog/tabnavcl.aspx">https://icatalog.dau.edu/onlinecatalog/tabnavcl.aspx</a>.

#### 3.11.3 Earned Value Management

All contracting professionals who award or administer contracts for major acquisitions for development

<sup>&</sup>lt;sup>9</sup> Establishment of Federal Acquisition Certification in Contracting Core-Plus Specialization in Digital Services (FAC-C-DS), Available at: https://www.whitehouse.gov/wp-content/uploads/2018/05/fac\_c\_digital\_services\_05\_12\_18.pdf

are required to successfully complete an Earned Value Management course. DOC defines a "major acquisition for development" as an acquisition that includes \$25 million or more in development, modernization, and enhancement (DME) costs over the life cycle of the acquisition. Other projects may be designated "major acquisition for development" if they merit special attention due to their sensitivity, mission criticality, or risk potential. An online course entitled "Fundamentals of Earned Value Management" is available, at no charge, through DAU at: <a href="https://icatalog.dau.edu/onlinecatalog/tabnavcl.aspx">https://icatalog.dau.edu/onlinecatalog/tabnavcl.aspx</a>.

#### 3.11.4 Information Technology Systems and Software Applications

All contracting professionals shall have sufficient training in information technology systems (e.g., contract writing systems, FPDS, etc.) and software applications (e.g., Word, Excel, etc.) that are required to successfully accomplish assignments in an acquisition environment.

#### 3.11.5 Ethics

All contracting professionals shall successfully complete ethics training. Beginning in 1993, all federal employees have been required to receive a one-hour block of initial ethics training within 90 days of beginning federal employment. This initial ethics training satisfies the ethics training requirement. In addition, the DOC Office of General Counsel (OGC) provides annual ethics training which also satisfies the requirement for ethics training.

#### **END OF SECTION 3**

# Section 4 - Contracting Officer Warrant Program

#### 4.1 Background

Federal Acquisition Regulation Subpart 1.603 sets forth requirements for the selection, appointment, and termination of Contracting Officers. The Commerce Acquisition Regulation (CAR) supplements the FAR with policies specific to the Department of Commerce. Office of Federal Procurement Policy Letter 05-01<sup>10</sup> requires agencies to establish requirements to tie warrant levels to certifications under the Federal Acquisition Certification in Contracting program.

#### 4.2 Purpose

The purpose of the Contracting Officer Warrant Program is to mandate the specific standards which must be met prior to the delegation of Contracting Officer authority. The Warrant Program will ensure that only fully qualified employees are delegated the authority to obligate the Department in the expenditure of public funds through the acquisition system.

#### 4.3 Applicability

The requirements of the Contracting Officer Warrant Program apply to all individuals nominated to be Contracting Officers and all individuals currently serving as Contracting Officers. All individuals with Contracting Officer warrants must meet the requirements of this policy.

#### 4.4 Exemptions

Contracting Officer delegations are not required to make the following types of transactions. However, these transactions may require a delegation from another source.

- Purchase Card transactions below the micro-purchase threshold (see CAM 1313.301) Commerce Purchase Card Procedures (<u>http://www.osec.doc.gov/oam/acquistion\_management/policy/default.htm</u>);
- Standard Form 44 (Purchase Order-Invoice-Voucher);
- Government Bills of Lading;
- Real Property Acquisitions;
- Standard Form 182, Request, Authorization, Agreement and Certification of Training;
- Paid Advertisements for personnel recruitment actions; and
- Financial Assistance Agreements.

#### 4.5 Warrant Qualification Standards

To qualify to serve as a Contracting Officer with authority to award or administer contracts valued above the micro-purchase threshold, an individual must have a Federal Acquisition Certification in Contracting at an appropriate level to support their warrant obligations. Section 3.3.2 outlines the FAC-C requirements.

#### 4.6 Warrant Levels and Limitations

Within the Department of Commerce there are three (3) warrant levels. Bureaus may further restrict the warrant levels at their discretion. Specific education, training, and experience requirements for each level are identified in *Figure 4-1 Warrant Level Requirements*.

<sup>&</sup>lt;sup>10</sup> Available at: <u>https://obamawhitehouse.archives.gov/omb/procurement\_policy\_letter\_05-01</u>

Warrant Level	Warrant Threshold Authority	Education	Experience	Training <sup>11</sup>	FAC-C Level
Level I	In accordance with contract terms and conditions or a maximum of \$250,000 for Contracting Officers employed within an acquisition office and \$150,000 for Contracting Officers employed outside an acquisition office.	4 – year course of study leading to a bachelor's degree <b>OR</b> At least 24 semester hours from among the following disciplines: accounting, business, finance, law, contracts, purchasing, economics, industrial management, marketing, quantitative methods, or organization and management.	At least 1 year of contracting experience.	Core Courses: All Level I training requirements as prescribed on the FAI website at. <u>FAI.gov</u> . Continuous Learning: 80 CLPs every 2 years	Level I
Level II	In accordance with contract terms and conditions or a maximum of \$1,000,000. Up to the limits established in FAR 12.203 when using commercial item procedures	4 – year course of study leading to a bachelor's degree <b>OR</b> At least 24 semester hours from among the following disciplines: accounting, business, finance, law, contracts, purchasing, economics, industrial management, marketing, quantitative methods, or organization and management.	At least 2 years of contracting experience.	Core Courses: All Levels I and II training requirements as prescribed on the FAI website at <u>FAI.gov</u> . Continuous Learning: 80 CLPs every 2 years	Level II
Level III	Unlimited	4 – year course of study leading to a bachelor's degree that includes or is supplemented with at least 24 semester hours from among the following disciplines: accounting, business, finance, law, contracts, purchasing, economics, industrial management, marketing, quantitative methods, or organization and management.	At least 4 years of contracting experience.	Core Courses: All Levels I, II, and III training requirements as prescribed on the FAI website at FAI.gov. Continuous Learning: 80 CLPs every 2 years	Level III

#### Figure 4-1 Warrant Level Requirements

#### 4.7 Selection, Appointment and Termination of Appointment

Prior to delegating warrant authority, the Appointing Official shall ensure that a valid organizational need for the requested authority has been demonstrated.

#### 4.7.1 Selection of Warrant Levels

Appointment of Contracting Officers should be commensurate with the volume and complexity of acquisition actions to be handled. Individuals selected for Contracting Officer delegations must meet the FAC-C education, experience and training requirements that are commensurate with the warrant levels established in *Figure 4-1 Warrant Level Requirements*. In addition, Appointing Officials shall consider the following criteria:

<sup>&</sup>lt;sup>11</sup> FAC-C Training Requirements available at: <u>https://www.fai.gov/certification/contracting-fac-c#Cert</u>

- Warrant levels are based on the aggregate contract value, not the individual contract action. However, warrant levels for orders against Federal Supply Schedules, Governmentwide Acquisition Contracts, and Multi-agency Contracts are based on the aggregate value of the order, inclusive of options, not the aggregate value of the indefinite delivery, indefinite quantity contract.
- If the basis of award involves evaluating options, the option periods are included in the contract value to determine the warrant level required for award.
- If an action includes both additions and deductions the aggregate, absolute value of the changes determines the warrant level required for the transaction (e.g., the value of an action is \$110,000 regardless of whether the action includes \$30k of additions and \$80k of subtractions).

#### 4.7.2 Issuance of Appointments

All warrants shall be issued on Standard Form (SF) 1402, Certificate of Appointment and shall indicate the Contracting Officers warrant level and dollar threshold and any other limitations. Additional limits may be placed on the authority granted by the warrant; such limitations must be stated on the actual SF 1402. Prior to issuance of a warrant, the Appointing Official must ensure that the warrant applicant has a valid FAC-C certification and meets any specialized training required by the operating unit.

Senior Bureau Procurement Officials are authorized to issue all Level I, II, and III warrants. The HCO should prepare requests for warrants in the format provided in Appendix H and submit requests to the BPO for approval. Senior Bureau Procurement Officials may authorize HCOs to issue Level I warrants to program officials.

The Senior Procurement Executive will issue warrants for the BPO. Warrant requests for the BPO should be sent from the Head of Contracting Activity (HCA) using the format provided in Appendix H.

#### 4.7.3 Performance Plan Requirement

All warranted Contracting Officers in the 1102 contracting series shall have the following items as separate critical elements or incorporated into an existing performance element a requirement for:

- a. FPDS Data Accuracy complete, accurate, and timely reporting to FPDS.
- b. Small Business Achievement, including small disadvantaged, women-owned, historically underutilized business zone, and service-disabled veteran-owned business goals.

#### 4.7.4 Maintaining an Appointment

In order to maintain an appointment, Contracting Officers must complete 80 continuous learning points every two years. If this condition is not met, the FAC-C certification will expire and the Senior Procurement Executive may choose to revoke or modify a warrant.

The Appointing Official must perform a review of all delegations of authority issued to validate the continued need for the warrant and determine if Contracting Officers have maintained professional proficiency to qualify for appointment. Contracting Levels I and II warrants should be reviewed at least annually; and Level III warrants should be reviewed at least every two years. Based on the review, warrant authority should be terminated or reduced in scope, when appropriate.

#### 4.7.5 Termination of Appointment

Appointments of Contracting Officers remain in effect as long as the appointee is assigned to the position stated on the warrant unless terminated sooner by the Appointing Official, their successor, or the Senior Procurement Executive. Contracting Officer warrants may be terminated at any time for justifiable reasons such as, but not limited to, the following:

- Appointee fails to comply with applicable statutes, Executive Orders, OMB Circulars, Federal Acquisition Regulation, Commerce Acquisition Regulation, Commerce Acquisition Manual, and other internal policies;
- Appointee fails to satisfy continuous learning requirements;
- Appointee violates the Code of Ethics;
- A valid organizational need for the delegation of authority no longer exists;
- Appointee is reassigned to a new position where the need for a warrant no longer exists;
- Appointee transfers to another agency, retires, resigns or is terminated from Government employment; or
- Appointee does not complete required continuous learning points.

Warrant holders shall be notified in writing of the effective date of the termination. The notification shall provide enough time and sufficient instruction to ensure that unauthorized obligations are not made. Upon termination the original SF 1402 should be returned to the issuing office for placement in the official Contracting Officer appointment file. The SF 1402 should be annotated as "CANCELLED" and accompanied by a brief cover memorandum indicating the reason for termination.

#### 4.8 Additional Requirements for Program Officials

Contracting authority is generally reserved for employees working in a DOC contracting office. However, in limited circumstances where there is a demonstrated organizational need, contracting authority may be granted by the Senior Bureau Procurement Official to a DOC employee in a Program Office. Such authority shall be limited to a Level I Warrant.

In addition to the FAC-C education, experience, and training requirements outlined in *Figure 4-1 Warrant Level Requirements*, employees who are not employed by a contracting office shall meet the additional requirements outlined in subsections 4.8.1 through 4.8.5.

The Head of Contracting Office shall conduct annual acquisition management reviews of acquisitions processed by program officials with delegated contracting authority.

#### 4.8.1 Performance Plan Requirements

The nominated employee shall have Acquisition Management as a critical element in their performance plan weighted no less than 15%. In addition, the performance plan shall provide for input into the employee's interim and final performance appraisal by the Head of Contracting Office. Appendix I provides sample language for a performance plan element.

#### 4.8.2 Funding for Training, Travel and Oversight

The requesting organization shall fund all expenses related to travel, training and oversight audits for the nominee.

#### 4.8.3 On-the-Job Training

Upon acceptance of the nomination, nominees shall be assigned to work in the servicing contracting office to perform contracting duties for a minimum of one (1) week. For a period of six (6) months after the initial assignment in the servicing contracting office, the nominee shall perform contracting duties under the review, approval and signature of the Head of Contracting Office or a Level II or above Contracting Officer in the servicing acquisition office. At the end of the on-the-job training period, the Head of Contracting Office shall assess the performance of the nominee and provide a recommendation to the Senior Bureau Procurement Official for approval or disapproval of the request for contracting authority.

#### 4.8.4 Approval of Contract Actions

Program Officials who are granted contracting authority shall submit the complete acquisition file

(current action plus basic award and any other previously awarded modifications) to the Head of Contracting Office for approval and signature when the total value of the contractual action will exceed the warrant level as a result of modifications to the basic award. For example, an award was made for \$125,000 by a Contracting Officer with a Level I warrant (up to \$150K) and it later becomes personant to modify that award and increase its value by \$26,000

\$150K) and it later becomes necessary to modify that award and increase its value by \$26,000.

#### 4.8.5 Annual Training and Evaluation

Program Officials who are granted contracting authority shall serve one (1) week annually in the servicing contracting office for refresher acquisition and systems training and evaluation. In lieu of the annual training, the BPO may approve alternative training and development activities that shall include a minimum of 40 hours of organized instruction annually.

#### 4.9 Warrant Waivers

In unique situations, on a case-by-case basis, the Senior Procurement Executive may approve, in writing, any deviation from the policies, procedures, and requirements of the Contracting Officer Warrant Program. The Senior Bureau Procurement Official shall submit all requests for waivers to the SPE with the following documentation:

- a. Optional Form 612, Application for Federal Employment, signed by the candidate, or a resume detailing the candidate's experience, education, and training relevant to the position;
- b. Justification that relates the candidate's background and experience to the contract action(s) for which the warrant is required;
- c. Plan agreed upon by the candidate and HCO, delineating a time frame for achieving the requirements; and
- d. Statement that identifies the impact a disapproval of the waiver would have on the organization.

#### 4.10 Administration of Warrant Program

The Senior Bureau Procurement Official shall establish procedures for administering the Warrant Program within the bureau. Appointing Officials shall maintain official files documenting the qualifications of each Contracting Officer. Such files shall be available for oversight reviews. The BPO is responsible for ensuring that current, accurate and complete information regarding each individual with delegated procurement authority is maintained in FAI's system for training and certification.

#### 4.11 Reporting Requirements

The Senior Bureau Procurement Official shall submit an annual report to the Office of Acquisition Management by the 30<sup>th</sup> of January each year. The report shall be submitted electronically to: <u>FAC-CApplication@doc.gov</u> and include the following information for all Warrants:

- a. Name of Appointee;
- b. Grade and series;
- c. Organization;
- d. Warrant Level;
- e. Date of Appointment; and
- f. Any limitation on the warrant.

#### 4.12 Warrant Program Roles and Responsibilities

#### 4.12.1 Senior Procurement Executive

The Senior Procurement Executive is responsible for:

- a. Establishing the policies, procedures, and requirements that govern the Warrant Program; and
- b. Approving/disapproving deviations from the warrant program requirements.

#### 4.12.2 Head of Contracting Activity

The Head of Contracting Activity is responsible for:

- a. Submitting requests for Contracting Officer appointments for Senior Bureau Procurement Official within the operating unit to the SPE for approval; and
- b. Submitting requests for waivers or deviations from the Warrant Program for Senior Bureau Procurement Official to the SPE.

#### 4.12.3 Senior Bureau Procurement Official

The Senior Bureau Procurement Official is responsible for:

- a. Establishing procedures for administering the Warrant Program within the operating unit;
- b. Appointing Level I, II, and III Contracting Officers within the operating unit, in accordance with FAR 1.603;
- c. Submitting requests for waivers or deviations from the Warrant Program to the SPE; and
- d. Ensuring official records on individuals with delegated authority are maintained and information is entered into FAI's system for training and certification.

#### 4.12.4 Head of Contracting Office

The Head of Contracting Office is responsible for:

- a. Determining the number of Contracting Officer warrants and levels of authority necessary for the organization;
- b. Submitting requests for Level I, II, and III Contracting Officer appointments to the BPO for approval; submitting requests for waivers to the BPO;
- c. Monitoring the performance of Contracting Officers;
- d. Ensuring that FPDS data accuracy and small business goal achievement elements are included in the performance plan for all Contracting Officers; and
- e. Establishing controls to ensure compliance with laws, regulations, procedures, and good business judgment.

#### 4.12.5 Contracting Officer

The Contracting Officer is responsible for:

- a. Using sound business judgment and performing all necessary actions for effective contracting;
- b. Ensuring timely and accurate submission of individual contact action reports to FPDS;
- c. Achieving small business goals;
- d. Ensuring compliance with the terms of the contract, and safeguarding the interests of the United States in all contractual relationships;
- e. Ensuring that the requirements of FAR 1.602-1(b) have been met and that sufficient funds are

available for obligation;

- f. Complying with the terms and conditions of the warrant and any specified limitations;
- g. Ensuring contractors receive impartial, fair, and equitable treatment; and
- h. Requesting and considering the advice of specialists in audit, law, engineering, transportation, and other fields, as appropriate.

#### **END OF SECTION 4**

# **Section 5 - Career Planning**

#### 5.1 Background

Career planning is a process whereby an employee chooses and sets their career goals and identifies the means to achieve them. The process involves the employee and supervisor working together to set attainable career goals for the employee that are identified through projects, training, rotations, special assignments, and other career enhancing opportunities. The objective of the career planning process is to help employees choose realistic career paths and provide direction in developing and reaching their career goals.

#### 5.2 Individual Development Plan

The Individual Development Plan is an essential tool in the career planning process. It is based on both formal and informal assessments and identifies areas in which the employee should increase their knowledge and skills to reach career goals. An IDP specifically addresses the education, training, development, and job assignments required by an employee to progress in their career, improve business skills, and grow professionally and personally over the next several years. The use of the IDP allows the necessary planning, scheduling, and budgeting of training and development for each employee.

An IDP is required for each employee in the contracting series (GS-1102). A sample IDP is provided in Appendix J. Using the plan as a guide and with the support and approval of the supervisor, each employee must develop an IDP that shows specific training and development needs for both short term and long-term career goals and objectives. The IDP should specifically identify developmental activities over a two-to-three-year period, consistent with the employee's career path, capabilities, aspirations and the agency mission. The IDP should identify mandatory core training courses and recommended courses. In addition, employees may request on-the-job training, more challenging work assignments, participation in a rotational assignment, mentor relationship, participation in a professional association, outside education, and other job-related activities.

Individual Development Plans should be integrated into the performance plan process and reviewed in conjunction with mid-year and end-of-year performance reviews. An IDP should be updated each year to reflect the progression of the employee and adjusted as appropriate.

#### 5.3 Developmental Opportunities

In addition to the mandatory education and training requirements identified in Section 3, there are nonmandatory developmental opportunities that will broaden experiences and expand acquisition and business skills. Examples of such opportunities include rotational and or developmental assignments, participation in mentoring programs, teams and workgroups, or membership in professional associations. Developmental opportunities are a vital component to developing the acquisition workforce as business leaders. The variety and depth of experiences gained through developmental opportunities are not necessarily available through traditional classroom training or from normal work experiences. Developmental opportunities provide individuals with the ability to obtain additional skills that enable them to become more well-rounded acquisition professionals, which benefits both the employee as well as the organization.

#### 5.3.1 Rotational and Developmental Assignments

Rotational and developmental assignments are a vital tool for career development. Valuable experience is gained by working on a variety of assignments in other organizations within a bureau, across bureaus, and in the Office of Acquisition Management. Rotational and developmental assignments provide cross training and establish skills in other disciplines which, in turn, foster a better understanding of other disciplines and builds team relationships within the acquisition community. Generally rotational assignments involve an assignment to another organization for a

specified period of time and may involve a variety of work assignment specific project. Developmental assignments are generally project specific and the individual may maintain their current workload as well as a special assignment from another organization. Through these types of assignments, the acquisition office can create professional development opportunities without expending additional funds.

#### 5.3.2 Mentoring

Mentoring provides an opportunity for an individual to receive coaching and feedback on their career planning and career choices. Bureau acquisition offices are encouraged to sponsor voluntary mentoring programs. The HCO is responsible for ensuring that Mentors are employees that have progressed sufficiently in their own career and can provide career guidance to junior level employees in the same profession. Mentoring outside the normal employee/supervisory relationship allows the mentor a chance to share valuable information from their own professional experiences as well as gain experience in communication, team building, coaching and feedback. Acquisition offices are encouraged to work with their servicing Human Resource Office for guidance in establishing mentor programs.

#### 5.3.3 Teams and Workgroups

Participation on inter-office, agency, or department teams and/or workgroups often provides opportunities to network with acquisition professionals of various backgrounds, gain knowledge in new acquisition related fields or subject matter, share best practices and improve team building and communication skills.

#### 5.3.4 Professional Associations

Membership in professional associations is voluntary but strongly encouraged. It provides opportunities for sharing information and ideas on a variety of issues. Information is available to allow the professional to keep abreast of current topics through professional journals, seminars, and networking opportunities.

#### 5.4 Performance Standards

Performance standards should reflect the core business and technical competencies identified by FAI at <u>https://www.fai.gov/sites/default/files/2014-5-7-Contracting-Competency-Model.pdf</u>. The Individual Development Plan is a tool that should be used as part of the process of establishing performance standards. The IDP should reflect the employee's most recent performance appraisal and identify any education, training, or special assignments needed to improve performance or maintain the current acceptable level of performance. Acquisition offices are encouraged to work with their servicing Human Resource Office in establishing performance plans.

#### 5.5 Performance Incentives

The Department of Commerce rewards employees who serve as business leaders by focusing on outcomes and performance, partnering with customers and industry, and effectively leveraging technology and commercial best practices to facilitate innovative, streamlined, and flexible business arrangements that result in mission success and support the goals and objectives of the DOC acquisition community. Acquisition offices are encouraged to work with their serving Human Resource Office to provide monetary and other recognition to employees who have made substantive contributions to the Department's acquisition system.

#### 5.6 Tuition Assistance

Senior Bureau Procurement Officials are strongly encouraged to budget for tuition assistance to help employees in acquisition positions meet the positive education requirement, including a full-time course of

study leading to a degree in accordance with 5 U.S.C. 4107.

#### 5.7 Obtaining College Credit for Training Courses and Examinations

#### 5.7.1 American Council on Education

Employees may be eligible to receive college credit through a national program sponsored by the American Council of Education (ACE). ACE's purpose is to help individuals obtain academic credit for learning they have acquired outside of colleges and universities. ACE evaluates and makes credit recommendations for formal education programs and courses sponsored by non-collegiate organizations. These credits must be accepted and reflected on the transcript of an accredited college or university to be considered as credit toward the degree requirement or the 24-semester hour requirement. Some classes offered by the Defense Acquisition University (DAU) are ACE certified. Information on the ACE advisory service is available at: <a href="http://www.acenet.edu">http://www.acenet.edu</a>.

#### 5.7.2 CLEP and DANTES Examinations

College credit may be obtained through the College-Level Examination Program (CLEP) or through Defense Activity for Non-Traditional Education Support (DANTES) Program. These credits must be awarded by an accredited college or university to be considered as credit toward the degree requirement or the 24-semester hour requirement. The following website has information on CLEP exams: <u>http://www.collegeboard.com/</u>. The following website offers information bulletins on DANTES: <u>http://www.dantes.doded.mil/index.html</u>.

#### **END OF SECTION 5**

END OF CAM 1301.6

# **APPENDIX A - DEFINITIONS**

<u>Acquisition</u> - The acquiring of supplies or services (including construction) with appropriated funds by contract for the use of the Federal Government through purchase or lease, whether the supplies or services are already in existence or must be created, developed, demonstrated, and evaluated.

<u>Acquisition Career Manager</u> – The Individual appointed pursuant to OFPP Policy Letter 05-01 to lead the Department's Contracting Certification and Warrant program. The Director of Acquisition Policy and Oversight Division has been designed as the Acquisition Career Manager.

**<u>Acquisition Experience</u>** - Experience gained while assigned to an acquisition position which includes: related cooperative education and other acquisition developmental assignments; experience in DOC acquisition positions and in comparable positions outside of DOC.

<u>Acquisition Positions</u> - Employees who are in the acquisition system with duties that fall into an acquisition category. These positions comprise the contracting series (GS-1102) and positions in other job series in which significant acquisition-related functions are performed.

**<u>Acquisition Workforce</u>** - Employees performing acquisition-related work. The acquisition workforce includes permanent civilian employees who occupy acquisition positions.

**<u>Appointing Official</u>** – Person authorized to grant individual Contracting Officer warrant authority consistent with the applicable regulations of the Federal Acquisition Regulations and Commerce Acquisition Regulations.

**Business Leader** - Individual that possesses the ability to: develop, negotiate and manage business deals; communicate effectively; manage and lead change; solve problems in an ambiguous environment; analyze and understand the marketplace; build and manage relationships across functions and organizations; understand and effectively operate in the customer environment; develop and implement outcome oriented solutions; and execute.

<u>Career Development</u>-The professional development of employees by integrating the capabilities, needs, interests, and aptitudes of employees in acquisition positions with designated training and development designed to meet organizational objectives. Career development is accomplished through a combination of work assignments, education, job rotation, training, and self-development programs.

*Career Path* - The range of opportunities at each career level and the optimum route for progression in a career field.

<u>Career Planning</u> - A process by which the supervisor and the employee constructively and realistically assess the employee's career goals and development needs and the supervisor gives guidance on planning alternatives to achieve the goals.

<u>Chief Acquisition Officer</u> – The Department's Executive-level non-career employee designed pursuant to the Services Acquisition Reform Act (SARA) to advise and assist the head of the agency and other agency officials to ensure the mission of the agency is achieved through the management of the agency's acquisition activities. The Chief Financial Officer and Assistant Secretary for Administration has been designated as the Chief Acquisition Officer.

<u>**Competencies**</u> – Observable, measurable patterns of skills, knowledge, abilities, behaviors, and other characteristics than an individual needs to perform in occupational functions.

<u>Continuous Learning Points</u> - Continuing education or training opportunities such as agency- sponsored training and management/executive seminars, special job and/or professional association related projects and/or participation in seminars/workshops, or other appropriate developmental activities to remain current in the acquisition field.

<u>Contracting Officer</u> – Individuals designated authority to enter into, administer, and/or terminate contracts and to make related determinations and findings.

<u>Core Training Course</u> - An approved course of study that meets FAC-C training requirements for a career path.

<u>Critical Skills</u> – Business and technical skills that are needed by a member of the acquisition workforce to sufficiently perform their duties.

**Defense Acquisition University** - A consortium of Department of Defense education and training institutions and organizations providing mandatory acquisition courses for certification.

**Defense Acquisition University-Equivalent Course** – Courses offered by various training providers that have been certified as equivalent to mandatory acquisition courses provided by the Defense Acquisition University.

**Delegation of Procurement Authority** – Written authority to obligate Government funds that is delegated to an individual.

**<u>Digital Services:</u>** –Delivery of digital information (i.e., data or content) and transactional services (e.g., online forms and benefits applications) across a variety of platforms, devices, and delivery mechanisms (e.g., websites, mobile applications, and social media).

<u>Electives</u> – Any training opportunity related to the employee's job, those necessary for career development, or those used to for cross training. Electives may include no-cost distance learning, assignment-specific courses, or other training opportunities.

*<u>Federal Acquisition Certification in Contracting</u> – A certification program establishing core requirements for education, training, and experience for contracting professionals in civilian agencies.* 

**<u>Fulfillment Process</u>** - The DOD process through a determination is made based alternative training, experience, education, certification by another recognized organization, or other developmental activities that the required competencies for a particular certification level have been attained.

*<u>Head of Contracting Activity</u>* – Officials who are designated as Heads of Operating Units in orders establishing the respective operating units.

<u>Head of Contracting Office</u> - Individuals designated to head the contracting offices within each operating unit that has designated contracting authority to award and administer contracts to the full limit of the Department's contracting authority.

**Individual Development Plan** - Document used to plan an employee's education, training, experience and other developmental activities for progression in the procurement career field. Developing the plan is a joint effort of the employee, supervisor, and possibly other knowledgeable persons in the training and/or acquisition fields.

**<u>Contract Specialist Qualification Standard</u>**. The standard issued by the Office of Personnel Management that specifies the minimum requirements an individual must meet for the GS-1102 job series.

<u>Senior Bureau Procurement Official</u> – The senior career procurement official, within each operating unit that has been delegated contracting authority.

<u>Senior Procurement Executive</u> - The official appointed pursuant to Executive Order 12931 and the Services Acquisition Reform Act (SARA) to carry out the responsibilities identified in both the Executive Order and SARA.

**<u>Skills Currency</u>** – Federal Acquisition Certification in Contracting requires at least 80 hours of continuous education or training every two years to maintain certification.

**Specialized Experience** – Work experience in or related to the work to be performed.

<u>Waiver (1102 Qualification Standard)</u> --- A provision that permits the Department of Commerce SPE to waive the education or training requirements for an applicant for a GS-1102 grade 13 or above position based on a certification that the applicant possesses significant potential for advancement to levels of greater responsibility and authority.

<u>*Warrant*</u> – The delegation of Contracting Officer authority that allows an individual to obligate funds subject to any stated limitations.

# **APPENDIX B - OPM 1102 QUALIFICATION STANDARD Q&A**

#### **General Information**

#### 1. Why does the GS-1102 series have a separate qualification standard?

The Clinger-Cohen Act, issued in February 1996, amended the Office of Federal Procurement Policy (OFPP) Act to require that the Administrator of OFPP establish qualification requirements, including educational requirements, for positions at civilian agencies in the GS- 1102 series (see 41 U.S.C. 433). Five years earlier, Congress had established requirements for 1102 positions in defense agencies through the Defense Acquisition Workforce Improvement Act (see 10 U.S.C. 1724, 1732). The Clinger-Cohen language stipulates that qualification requirements established by OFPP shall be comparable to the DAWIA requirements. In June 1997 the U.S. Office of Personnel Management (OPM) published a qualification standard imposing requirements established by OFPP pursuant to Clinger-Cohen.

#### 2. In a nutshell, how is this standard different than its predecessor?

The predecessor to this standard introduced educational requirements that were effective January 1, 1998 for new hires and January 1, 2000 for existing employees. The revised standard does not change the minimum educational levels defined by the former standard. However, it does make three changes. First, it expands the waiver authority related to filling GS- 13 and above positions. The former standard only allowed the senior procurement executive to waive one of the two educational requirements, whereas the revised standard permits waiver of any or all requirements. Second, it removes language that permitted examinations to substitute for the 24-hour requirement since acceptable examinations have not been designated. With the exception of college course credit obtained through testing programs designed to grant credit by examination (such as the College Level Examination Program), you cannot take a test to qualify in lieu of the 24 hours. Third, it replaces the January 1, 1998 date found in the former standard with a January 1, 2000 date, meaning employees hired under the former standard have grandfathering rights as "current" employees.

#### 3. When does this standard go into effect?

This revised qualification standard was effective January 1, 2000. It applies to all new hires and to existing employees selected to fill GS-1102 positions in civilian agencies.

#### **Educational Requirements**

#### 1. Summarize the basic educational requirements of the qualification standard.

In order to qualify for positions at grades GS-5 through GS-12, you must possess either a bachelor's degree OR have completed at least 24 semester hours of coursework in certain business-related fields. In order to qualify for positions at grades GS-13 and above, you must possess a bachelor's degree AND at least 24 semester hours of coursework in certain business- related fields. The 24 hours may be included in, or in addition to, coursework taken to complete the degree program.

# 2. Does the phrase "a 4-year course of study leading to a bachelor's degree" mean I must have a degree, or just that I must be enrolled in a degree program?

The phrase means you must possess a bachelor's degree conferred or approved by an accredited U.S. college or university based on a 4-year course of study. Simply being enrolled and working toward a degree does not meet the qualification standard. Furthermore, "honorary" degrees or other degrees with no basis in coursework do not satisfy the standard.

#### 3. Does "4-year course of study" mean I had to finish my degree in four years?

No. You can earn the bachelor's degree in whatever length of time is necessary and accepted by the college or university conferring the degree. The descriptive phrase relates to how the educational institutions characterize the degree program, not to how long it takes you personally to complete the program.

#### 4. Does the degree have to be a business degree?

No. A qualifying bachelor's degree may be in any field of study and may be of any type, such as Bachelor of Arts, Bachelor of Science, and Bachelor of Business Administration. The 24 semester hours, however, must be in some combination of the eleven fields listed in the standard.

#### 5. How do I document that I have satisfied the degree and coursework requirements?

You need to check with your local human resource office to see what procedures they use. If you already had a degree when you were hired, you probably furnished a college transcript with your application and, if so, that information is included in your personnel records. If you have completed courses since being hired, you will probably need to furnish evidence to your human resource office, such as a new transcript and a copy of your diploma, as applicable. It may be necessary also to provide descriptive information on a course (e.g., course syllabus) to convince a human resource specialist that a particular course qualifies toward the 24-hour requirement.

You should periodically review your personnel records to ensure information has been recorded accurately, and work with your human resource office to update the records as needed. In the near future, your educational status will be maintained with other personnel and training data in a Government-wide acquisition career management information system.

# 6. When the degree AND 24-hour coursework requirements must be met for GS-13 and above positions, can I count courses taken as part of my degree program to satisfy the 24-hour requirement?

Yes, coursework could simultaneously count for the degree requirement and the 24-hour requirement. For example, if you earned a business degree, you should have completed sufficient credits in the required fields to satisfy the 24-hour requirement. However, if your degree is in another field, such as sociology, you might need to take some additional courses in the fields identified in the qualification standard to complete the 24-hour requirement.

# 7. The qualification standard identifies eleven fields for the 24-hour coursework requirement. Does this mean an acceptable course must have a course number identifying one of the fields (for example, an "economics" course might be "ECN 401")?

The answer to this question first requires an understanding of the purpose of the 24-hour coursework requirement, which is to provide a person with a minimum amount of business knowledge. This is particularly important because the primary function of contract specialists is to negotiate and execute business relationships on behalf of the Government. The eleven fields listed in the standard are

identical to those set forth by Congress in DAWIA, and presumably they were selected because they capture the types of knowledge and skills desired for members of the acquisition workforce to execute this function.

Colleges and universities do not use a standard convention for course numbering aligned to the eleven fields. For example, one institution identifies its accounting curriculum as "AMIS" courses, standing for "accounting and management information systems." Therefore, it is neither practical nor reasonable to restrict interpretation of the word "fields" to institutional programs using precisely the same language. Instead, it is appropriate to consider the identified fields as general subject areas. If the content of a course arguably fits within the general subject area represented by one of the fields, it should qualify toward the 24-hour requirement. A human resource specialist, or whoever in your organization credits completion of the 24 hours, may need to review course syllabus whenever it is not obvious from the course title that content fits the field. Consider these examples: a sociology course in statistics; a public administration course in quantitative techniques; a psychology course in organizational behavior. If the content of these courses is comparable to, or perhaps is recognized by the academic institution as a substitute for, courses clearly resting in the listed fields, you should receive credit toward the 24- hour requirement. It is your responsibility to furnish supporting descriptive information if credit for a course is being questioned.

#### 8. Can I credit procurement training courses toward the 24-hour requirement?

Not unless a college actually gives you credit under its curriculum. Education and training are separate components of agency career development programs. Training courses are designed to build job-specific knowledge and skills, complementing and supplementing the general level of knowledge and skills acquired through formal college education. The 24-hour requirement is intended to be satisfied through coursework taken at colleges and universities. A college may give credit for certain on-the-job training courses, or teach a course that has been determined "equivalent" to a prescribed training course. In such cases, you may be satisfying educational and training requirements simultaneously. However, unless a college specifically awards you course credit, your training courses do not count toward the 24-hour requirement. This is at the discretion of the college, and you do not have an automatic entitlement to the credit.

#### "Grandfathering" -- The Exception Provisions

# 1. I am currently working as an 1102 in a civilian agency. Am I "grandfathered" for civilian agency positions based on having a certain number of years of experience (meaning the requirements do not apply to me)?

The 1102 qualification standard does have some grandfathering features for the existing workforce, although none of those features are tied to a prescribed number of years of experience. Every 1102, regardless of grade, is considered to meet the standard for the position and grade held as of January 1, 2000, and is qualified for positions in other civilian agencies at the same grade without having to meet the educational and training requirements. In addition, an 1102 can be promoted through grade GS-12 without meeting the qualification requirements. There is no grandfathering provision that allows experience to substitute for education in order to qualify for promotions to GS-13 and above.

# 2. Do existing Federal employees in other series, such as GS-1105, have to meet the educational requirements to move into the 1102 field?

Yes. The 1102 standard applies to every civilian agency 1102 position and must be met by individuals entering the series from outside the Government, or from other series within the Government. If you

are a current 1105, you must meet the educational requirements to lateral or promote into the 1102 series.

# 3. What does this phrase mean: "Employees who occupy GS-1102 positions at grades 5 through 12 will be considered to meet the basic requirements for other GS-1102 positions up to and including those classified at GS-12"?

This statement is found in the "exceptions" paragraph for GS-5 through GS-12. Simply stated, it exempts employees hired by January 1, 2000 from the educational requirements for any position up to GS-12. If you meet neither the degree nor 24-hour requirement, you can still be promoted through GS-12. All individuals hired since January 1, 1998 should meet the educational requirements since they were hired under the former standard. However, many 1102s hired before January 1, 1998 do not have the education now required, and the exception accommodates those employees. Additionally, in the event someone was inadvertently hired into the 1102 series between January 1998 and January 2000 who did not actually meet the former standard, that employee would be covered by the exception.

### The Waiver Provision

### 1. Who is the "Senior Procurement Executive" as referred to in the standard?

For purposes of this qualification standard, the "senior procurement executive" is the highest career civil servant having responsibility for the procurement function within an agency (e.g., policy, procedures, workforce, etc.). Typically, this person is located in the agency headquarters office. This person may be different from the person designated as a "senior procurement executive" pursuant to the OFPP Act (41 U.S.C. 414(3)) and as defined in the Federal Acquisition Regulation, who is a political appointee in some agencies. OFPP established the requirements of this standard with the intention that senior career procurement officials would possess the waiver authority.

# 2. Can the senior procurement executive delegate the waiver authority to my contracting office so waivers can be issued locally?

No. The waiver authority is not delegable. The contracting office desiring to hire an applicant who needs a waiver would probably have to provide justification to the senior procurement executive to aid the waiver decision, but only the senior procurement executive can grant waivers.

### 3. Can the qualification requirements for positions in grades GS-5 through GS-12 be waived?

No. All new entrants into the GS-1102 career field at grades 5 through 12 must meet the qualification requirements. The requirements cannot be waived. However, if you are already an 1102 below grade GS-12 as of January 1, 2000, the "exception" language of the standard allows you to be promoted through GS-12 even if you do not have the education specified by the standard.

### 4. Do I need a waiver for any promotions up to GS-12?

No. A waiver is not necessary for promotions under grade GS-13 because all promotion candidates would either meet the standard or qualify for the "exception" at those lower grades. Waivers only exist for the requirements that apply to positions at GS-13 and above.

# 5. I do not meet the educational requirements for a position at GS-13 and above. Do I have to obtain a waiver to <u>apply</u> for a job?

No. The senior procurement executive of the hiring agency must grant a waiver only if the agency wants to <u>select</u> you to fill a position. If the vacancy announcement indicates that waivers may be granted, you can apply for the position. The human resource office will forward your application for review, along with the other applications, with a note that one or more applicants may need a waiver.

#### 6. How will vacancy announcements inform potential applicants about the possibility of a waiver?

When drafting vacancy announcements, human resource offices extract information from relevant qualification standards. In the case of 1102 positions, if an agency has decided for a specific vacancy that it will consider applicants who need a waiver, the vacancy announcement will state that candidates who do not meet the qualification requirements may be considered for a waiver in accordance with the standard. At the agency's option, the waiver may be applied to any of the educational, training, or experience requirements, or combination thereof, as specified in the vacancy announcement.

#### 7. Can I get a waiver and "carry it with me" every time I apply for a job?

No. A waiver is the prerogative of the hiring agency and would be granted based on the unique circumstances of a hiring action. "Blanket" waivers do not exist.

# 8. If I receive a waiver for a GS-13 position, do I need a new waiver for a GS-14 promotion, even if it is in the same agency?

Yes. Waivers are specific to a selection action, so any selection for a future promotion would require another waiver if you still did not meet the qualification requirements.

#### 9. Do I need a waiver to lateral?

The answer depends on the circumstances. A "lateral" is a reassignment into a position at the same grade. If you meet the qualification requirements, obviously you can lateral into positions within your own agency or other agencies without a waiver. If you do not meet the qualification requirements, the rules vary by grade and circumstances as described here. There is no waiver provision applicable to grades GS-5 through GS-12, only for grades GS-13 and above. Below GS-13, the "exceptions" language of the standard permits you to lateral into a position at any agency and then to continue to be eligible for promotions through GS-12. For grades GS-13 and above, the "exceptions" language permits you to lateral into positions at your agency or other agencies at the grade you occupy as of January 1, 2000 without a waiver. These "exceptions" are "grandfathering" features afforded to the existing workforce.

Suppose you are promoted into grade GS-13 or above after December 31, 1999 on the basis of a waiver. The need for a waiver for a subsequent lateral in this circumstance depends on whether you are changing agencies. If <u>another agency</u> wants to lateral you into one of its GS-13 or above positions, that agency must grant a waiver in order to give you the lateral. If <u>your own agency</u> (the one that gave you the waiver for the position you now occupy) wants to lateral you into another position within the agency, it may do so without processing a new waiver, even if geographic relocation is involved. For example, if you were promoted to a GS-13 Contract Specialist position at NIH-Bethesda MD based on a waiver, you could be selected for a lateral into a GS-13 Procurement Analyst position at CDC-Atlanta GA without the HHS senior procurement executive granting another waiver (since both organizations are within HHS).

However, you could not lateral from the NIH position into a GS-13 Contract Specialist position at EPA unless the EPA senior procurement executive granted you another waiver.

### 10. Have criteria been established for issuing waivers?

No. The waiver authority was created to provide flexibility to accommodate unique circumstances faced in each agency, but it is expected that waivers will be the exception rather than the rule. Waivers will be considered on a case-by-case basis within an agency and granted in those exceptional cases where the best candidate for a specific job does not meet some requirement of the standard. For example, an agency could benefit from this authority when hiring for hard-to-fill positions or duty locations where it is difficult to attract qualified candidates. Another case may be where a strong performer is on a career ladder but fails to meet the requirements for promotion. Hiring is an agency responsibility, and the decision to grant a waiver of the qualification requirements is at the discretion of the agency's senior procurement executive. Since you do not need a waiver to be considered for a position, and provided the announcement states waivers may be considered, hiring officials will review your qualifications and rate you against other applicants. If the hiring official considers you the best candidate for a position, presumably the official would seek a waiver to allow your selection.

# 11. Must the applicant specifically request a waiver when applying for a position where the vacancy announcement indicates waivers may be considered?

Submittal of the application implies a request for waiver when the applicant does not meet the requirements of the standard. Although the standard specifically identifies the senior procurement executive as having waiver authority and responsibility, the likely practice will be that a selecting official prepares and submits a justification document to the senior procurement executive relating the applicant's background and characteristics to the performance requirements of the job being filled. It is the agency's responsibility to document its decision to issue a waiver.

### Relationship Between Civilian Agency and Defense Agency Positions

### 1. I am a civilian agency 1102. Can I qualify for a DoD position?

The qualification standard does not apply to defense agency positions; instead, applicable requirements are set forth in DAWIA. However, comparability exists between both sets of requirements. DoD positions through grade GS-13 require either a bachelor's degree OR 24 semester hours in identified fields, which is the same requirement the 1102 standard sets for civilian agency positions through grade GS-12.

DoD has also created an "acquisition corps" to fill GS-14 and above positions, with GS-13s eligible for membership. The acquisition corps requires a bachelor's degree AND 24 semester hours, like the 1102 standard requires for GS-13 and above positions. If you meet the DAWIA educational requirements, you could qualify for DoD jobs. If you do not meet the educational requirements, but you have at least ten years of acquisition experience as of October 1991, you are grandfathered by DAWIA and could qualify for DoD jobs. If you do not meet the educational requirements or have enough experience to be grandfathered, you are not qualified for DoD jobs, even though you may be grandfathered for civilian agency positions under the qualification standard. However, DAWIA does allow DoD to waive the requirements to hire you.

### 2. I am a defense agency 1102. Can I qualify for a civilian agency position?

Like anyone else competing for a civilian agency position, generally you would have to meet the educational requirements of the standard for the position you seek in order to qualify. Suppose you do not meet the educational requirements. If you were an 1102 as of January 1, 2000, the standard

allows you to obtain a lateral or a promotion into a civilian agency position at grades GS-5 through GS-12. At grades GS-13 and above, you could lateral only into a position at the same grade that you held as of January 1, 2000. For promotions into civilian agency positions at grades GS-13 and above, you are not qualified if you do not meet the educational requirements; hence, you could only receive such a promotion if the hiring agency issued you a waiver. Your "DoD grandfathering" does not extend to civilian agency positions and does not give you access to promotions outside DoD. After you are placed in a civilian agency position, you are subject to the qualification standard for future civilian agency promotions. If you lateral into a civilian agency position below GS-12, you would be eligible for promotions through GS-12 even though you do not meet the educational requirements. For promotions to grades GS-13 and above, you would have to obtain a waiver if you do not meet the educational requirements.

### APPENDIX C SAMPLE REQUEST WAIVER OF OPM 1102 QUALIFICATION STANDARDS

MEMORANDUM FOR: Senior Procurement Executive

THROUGH: Bureau Senior Procurement Official

FROM: Head of Contracting Office

SUBJECT: Request for Waiver of OPM 1102 Qualification Standards

It is requested that a waiver be granted for: [*Insert Name, Position, Series, Grade, Organization, and Address*].

This request is to waive the \_\_\_\_\_24 semester hours of business-related courses, \_\_\_\_\_four years of

college leading to a degree, \_\_\_\_\_\_experience requirements, and/or \_\_\_\_\_training requirements.

[Specifically identify the portion of the standard that the individual does not meet (e.g., lacks 10 or the 24 credit hours in the required business related fields, has 24 semester credit hours, but lacks the degree, has completed all but one of the mandatory training requirements, etc.)].

The applicant has been determined to be the best-qualified individual for the position. In accordance with CAM 1301.6 the following narrative is provided.

[Provide a narrative that describes the potential of the applicant for advancement to levels of greater responsibility and authority based on demonstrated analytical and decision-making capabilities, job performance and qualifying experience].

In accordance with CAM 1301.6 the following justification is also provided.

[Provide justification for requesting the waiver that relates the applicant's background and experience to the performance requirements of the position to be filled. Address why the individual was selected in lieu of candidates who fully met the requirements of the GS-1102 OPM Qualification Standard (if any). Include a discussion of any impact a disapproval of the waiver would have on the organization].

If there are questions or if assistance is needed, please contact \_\_\_\_\_ [insert name

of contact] on [insert phone number for contact].

#### Attachments (See CAM 1301.6 subsection 2.4.5 Waiver Packages)

Position Description Vacancy Announcement Description of recruiting efforts Tentative selectee's application/resume Plan for meeting the Qualification Standard

### APPENDIX D GUIDANCE ON MEETING CONTINUOUS LEARNING POINTS

### Introduction

Professional learning by acquisition workforce members serves to improve the outcome of Federal procurements and benefits the public interest. Regular participation in continuous learning activities and programs enhances the skills of acquisition professionals, affords them opportunities for professional growth, and improves the quality of services rendered. Bureau Career Managers (BCMs) and supervisors shall work with acquisition workforce members to identify opportunities and determine the appropriate number of Continuous Learning Points (CLPs) obtained from each learning activity.

Accounting for and documenting continuous learning activities are mutual responsibilities between the acquisition workforce member, supervisor and BCM.

Acquisition workforce members should refer to Office of Federal Procurement Policy (OFPP) certification policies<sup>12</sup> to determine how many CLPs they must earn in order to maintain their certification. For discrete activities related to acquisition, such as attending learning events or training, each hour spent in a continuous learning activity is equal to one CLP. Experiential activities that do not have a definite number of learning hours, such as rotational assignments and mentoring are discussed below. Hours accrued over minimum requirements may not be carried forward for credit beyond the current period. In general, no single activity should be used to accumulate all CLPs required for certification maintenance. Workforce members should make an effort to participate in a variety of acquisition-related activities designed to give the member a well-rounded perspective of his/her acquisition function.

Not all training providers issue certificates based on hours. Some training providers issue certificates based on Continuing Education Units (CEUs) or CLPs. When converting to hours, one CEU equals 10 hours of instruction, and one CLP equals 1 hour of instruction.

**Note**: one training day is equal to six CLPs unless the training certificate identifies earned CLPs or Continuing Education Units (CEUs).

### **CLP Activities**

The following activities can generally be used to obtain CLPs:

#### A. Training/Education

CLPs may be earned through formal or informal training activities that are related to the acquisition workforce member's job, including participating in self-directed study<sup>13</sup>, presenting training, and taking higher education coursework.

#### B. Participating in Professional Organizations and/or their Events

CLPs may be earned for participating in professional organizations, attending events sponsored by them, and obtaining professional licenses or certifications. Membership in a professional organization alone will not be considered as fulfilling continuous learning requirements, but participation in the organization leadership will. Before participating in professional organizations, workforce members must ensure that their participation is authorized by their agency and is permitted by ethics laws and regulations. Examples of activities that may qualify for CLPs include holding elected/appointed positions, such as committee leadership roles, or attending and/or presenting at educational learning events or meetings.

### C. Publishing

<sup>&</sup>lt;sup>12</sup> Available at: <u>https://www.whitehouse.gov/omb/management/office-federal-procurement-policy/</u>

<sup>&</sup>lt;sup>13</sup> Self-directed study programs must be approved by the employee's supervisor.

Publishing articles related to acquisition are generally acceptable for CLPs. Points will only be awarded in the year published. Authors must comply with agency publication policy.

### D. Participating in Experiential Activities

Experiential activities are those at-work experiences that serve to enhance workforce professional skills and improve agency acquisition delivery, such as rotational and developmental assignments or mentoring. CLPs accumulate for learning; simply performing an already understood work function should not be used to accumulate CLPs. Longer experiences can be more beneficial than shorter experiences, but the granting of CLPs should be focused on what the workforce member has learned, rather than what they have done.

Supervisors and workforce members should pre-define, as much as possible, the learning activities to be accomplished in each experience, and should work together to determine the appropriate number of CLPs that each experience will accumulate for the member. Mentoring of workforce members during experiential learning is encouraged, as is sharing of knowledge gained in an experiential assignment through reports, briefings, project designs or formal or informal training.

#### **Sample Activities**

Below are sample activities and the number of CLPs recommended for completing them. This sample list is not intended to be all-inclusive and workforce members and supervisors should work together to identify qualifying events and experiences. Agencies can establish different CLP values for the listed activities; therefore, workforce members should seek agency guidance and consider the advice of their ACM in the assignment of CLP values for activities listed and those being contemplated.

SAMPLE ACTIVITY	POINTS
Formal or Informal Training (such as FAI/DAU classroom	1 CLP per hour of instruction (NOTE: excludes mealtime
or online courses)	and assigned breaks)
Accredited Higher Education Courses (i.e. college courses)	Generally, 10 CLPs per semester or quarter hour
Continuing Education Unit (CEU)	10 CLPs per CEU
Equivalency Exam	Same points as awarded for the course
Learning event, training or seminar presentation	1 CLP per hour, including preparation; maximum of 20 CLPs per year
Attendance at professional association meeting	1 CLP per meeting hour, maximum of 20 CLPs per year
Participation in intra- or interagency group on an acquisition topic	1 CLP per meeting hour, maximum of 20 CLPs per year
Association Leadership Role	1 CLP per hour; maximum of 20 CLPs per year
Professional License or Certification	20 to 40 CLPs
Publication	1 CLP per hour of material prep; max of 20 CLPs per year
On-the-job Experiential Learning	1 CLP per hour of activity; maximum 20 CLPs per year
Mentoring	1 CLP per hour of activity; maximum 20 CLPs per year
Rotational or Developmental Assignment	Based on learning achieved and length of assignment/detail. Generally:
12 month assignment/detail	80 CLPs
9 months	65 CLPs
6 months	45 CLPs
3 months	35 CLPs
2 months	30 CLPs
1 month	20 CLPs

Note: All activities may earn points only in the year accomplished, awarded, or published.

### **APPENDIX E – RESERVED**

### **APPENDIX F – RESERVED**

### **APPENDIX G - DEVELOPMENTAL OPPORTUNITIES**

To ensure the acquisition workforce develops the necessary breadth and depth of experience required to demonstrate effective contracting competencies, requires professionals to not only learn technical skills through formal training but also through on-the-job experience and informal learning opportunities. Examples of such opportunities include rotational and or developmental assignments, participation in mentoring programs, teams and workgroups, or membership in professional associations.

To assist in documenting demonstrated contracting work experiences consider utilizing the 1102 Experience Development Tool, available at

<u>https://www.fai.gov/sites/default/files/1102</u> Experience Development Tool December 2019.xlsx. Contracting professionals are also encouraged to create IDPs to document career goals, assess competencies and identify a path for career development. The Office of Personnel Management has a training and development policy wiki that provides information on IDPs, including templates and resources, which are available at: <u>http://www.opm.gov/wiki/training/Individual-Development-Plans.ashx</u>.

The following chart details developmental activities that may be appropriate at the various FAC-C levels.

FAC-C Level	Possible Developmental Activities
Level I	Participate in an onboarding program. <sup>14</sup> Obtain a peer mentor and/or technical mentor. <sup>15</sup>
Level II	Obtain a technical mentor and a leadership mentor. Participate in a rotational assignment other Bureau procurement offices or related organizations (i.e., budget, finance or a program office). Participate in a leadership development program. Participate in an intra-agency team on a Department-wide acquisition initiative. Consider a core-plus certification. Write an article for an acquisition–related magazine or journal. Present an acquisition topic at a training forum. Conduct special procurement-related research projects.
Level III	Be a technical mentor. Obtain a leadership mentor. Participate in a rotational assignment outside of the agency. Consider an additional core-plus certification. Lead an intra-agency team on an agency acquisition initiative. Participate on an intra-agency team on a non-acquisition initiative. Present a leadership topic at a training forum. Participate on an interagency team on an acquisition initiative. Conduct special procurement-related research projects.

<sup>&</sup>lt;sup>14</sup> An onboarding program helps new employees become better acclimated with their new role, understand employer expectations, meet colleagues, and understand the mission of the agency. For assistance in developing an onboarding program, the Department of Agriculture has a guide available at: <u>http://www.dm.usda.gov/obp/docs/SupervisorGuide.pdf</u> and the Department of the Interior has a helpful onboarding checklist at available at: <u>https://www.doi.gov/sites/doi.gov/files/uploads/ocio\_employee\_checklist.pdf</u>

<sup>&</sup>lt;sup>15</sup> More information and resources on mentoring can be found at: <u>http://www.opm.gov/wiki/training/mentoring-and-coaching.ashx</u>

### APPENDIX H SAMPLE REQUEST FOR APPOINTMENT OF CONTRACTING OFFICER

- MEMORANDUM FOR: Senior Bureau Procurement Official\*
- FROM: Head of Contracting Office\*
- SUBJECT: Request for Appointment of Contracting Officer

There is a clear and convincing need to appoint {<u>name of nominee</u>} as a Level {<u>warrant level</u>} Contracting Officer. This need is evidenced by {discuss factors which necessitate contracting authority}.

The nominee is employed in the following organizational position: {insert job title, series, grade, Office, Branch/Division and complete address}.

The nominee meets the education, training and experience requirements established by CAM 1301.6 Section 4.7, and the warrant level requested is commensurate with the nominee's qualifications. The attached OF 612 (or resume) is current and specifically identifies the nominee's education, procurement related training, and procurement experience. The nominee's education is clearly identified as to the type of degree held and/or the number of credit hours completed within the fields designated in CAM Chapter 1301.6 Section 4.7. Procurement training is identified as to course titles, dates, number of hours, and training provider. Procurement experience is identified which relates the nominee's background and experience to the types of contract actions that the nominee will be responsible for as a Contracting Officer.

The nominee's conflict of interest disclosure statement is on file in the Human Resources Office.

The nominee's recent performance appraisal(s) rating is fully successful or higher (or equivalent).

The level of authority requested per contract action is\_\_\_\_\_

{If applicable: The {insert organization} agrees to set aside funding for training, audits and required travel to servicing contracting offices as required for nominee.}

{If applicable: A copy of the nominee's Performance Plan reflecting a separate critical element for acquisition management or acquisition management as part of an existing critical element, with a minimum weight of 15% is attached}

{The nominee will complete a minimum of one week mandatory training at the servicing contracting office prior to appointment and will meet annually training and evaluation requirements}

{insert any additional comments}

### Attachments

\*In those instances where the request is for the appointment of a Senior Bureau Procurement Official, the request should be addressed to the Senior Procurement Executive from the HCA.

### **APPENDIX I - SAMPLE PERFORMANCE PLAN ELEMENT**

SECTION 1 - PERFORMANCE PLAN							
Employee's Name	)	Rating Period	Element No.				
		10/01/05 - 09/30/06	of3				
ITEM 1. Performa	nce Element, Objective and Point Weight						
Critical Element:	Acquisition Management						
Objective: <u>To pro</u>	vide timely and effective acquisition service.						
Point Weight:	15						
The weight must repoint increments, v	eflect the importance of the element or the time with no element weight higher than 60 points, ar	required to perform it, or both. El nd all element weights must equal	ement weight must be in 5- 100 points.				
and a second	ctivities or Required Results Related to the A						
	ucted timely and effectively in accordance with applicable la						
	ained through the use of all appropriate acquisition reporting	g systems.					
10 at 10 10 10 10 10	ontract administration is executed timely and effectively.						
Integrity, sound judgment and the highest ethical standards are demonstrated in all actions.							
ITEM 3. Evaluation	on Criteria (Benchmark performance standard	s must be used; add supplementa	l standards, if needed.)				
NIST/OAM Benchmark	k Performance Standards						
Acquisitions are award	ded within established procurement action lead times 85% of	of the time.					
	tation is generally complete, well-organized, and reflects the upports proposed actions.	e acquisition was conducted in accordance	e with applicable policies, procedures				
Contract administratio policy.	n is generally timely and ensures compliance with contract i	terms and conditions and is consistent with	n applicable law, regulation and				
Procurement data is ti	mely and accurately entered into the appropriate automatio	n system and identified errors are correcte	d timely.				
Sound judgment is get	nerally exercised in Contracting Officer decision on contract	tual actions.					

### **APPENDIX J - SAMPLE INDIVIDUAL DEVELOPMENT PLAN**

	individual Develo	pinent Fian			
J. Sample		<b>CURRENT POSITION, SERIES, GRADE AND ORGANIZATION</b> Contract Specialist GS-1102-09, Department of Commerce			
	Contract Spec				
SHORT-RANGE GOALS (1 year) To develop kno	wledge, skills, and abilities for ca	eer advanceme	nt		
LONG-RANGE GOALS (3-5 years)	ervisory contracting officer				
	EVELOPMENTAL ACTIVITIES/F	ORMAL TRAIN	ING		
ACTIVITY/COURSE TITLE	PURPOSE		DURATION	PROJECTED COMPLETION DATE AND ESTIMATED COST	
(1) Obtain appropriate training, education, and experience for developing strong procurement skills and leadership qualities. Take Intermediate Contracting (CON 202) course Take class in Interpersonal Communication.	To increase knowledge and contracting skills and to take course		160 hours	11/98	\$1,000.00
(2) Participate in government-wide procurement conferences, workshops, seminars, and outside professional organizations.	To broaden perspective and interacting with Government on acquisition topics.			1/99	\$ 250.00
(3) Obtain a procurement role model or mentor.	To obtain advice and guidar matters.	To obtain advice and guidance on career matters.		5/99	
(4) Request developmental assignment with senior level Co	To assist in high-level acqui experience.	To assist in high-level acquisition for experience.		3/99	
(5) Learn to use spreadsheet applications.	To support contract projects	To support contract projects and presentations.		10/98	
(6) Join a professional organization.	To stay abreast of current a	To stay abreast of current acquisition issues.		10/98	
EMPLOYEE'S SIGNATURE DATE SUPE	VISOR'S SIGNATURE	DATE SE		ERVISOR'S SIGN	IATURE DATE

### **Individual Development Plan**