

**ADMINISTRATIVE OFFICE OF THE  
UNITED STATES COURTS**

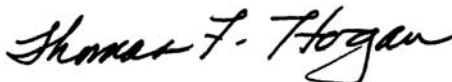
WASHINGTON, D. C. 20544

Date: 6/29/12

**GUIDE TO JUDICIARY POLICY**

TRANSMITTAL 14-004 VOLUME/PART 14 CHAPTER(S) 1

**TO:** Circuit Executives  
Federal Public/Community Defenders  
District Court Executives  
Clerks, United States Courts  
Chief Probation Officers  
Chief Pretrial Services Officers  
Bankruptcy Administrators  
Circuit Librarians  
Certified Contracting Officers

**FROM:** Judge Thomas F. Hogan 

**RE: PROCUREMENT**

This transmittal provides notice of changes to the *Guide to Judiciary Policy*, Vol. 14 (Procurement):

- [Chapter 1 – Overview](#)
- [Appendix 1B – Solicitation Provisions and Contract Clauses](#)
- [Appendix 1D – Contracting Officers Certification Program \(Level 1: Purchase Card Program\)](#)
- [Appendix 1E – Contracting Officers Certification Program \(Level 2: Special Delegated Procurement Programs\)](#)
- [Appendix 1F – Contracting Officers Certification Program \(Level 3\)](#)
- [Appendix 1K – Required Training by Certification Level \(Contracting Officers Certification Program\)](#)

Chapter 1 was revised to do the following:

- clarify subjects to which Vol. 14 does not apply and provide appropriate cross references;
- clarify the application of various dollar thresholds within Vol. 14;
- update the list of procurement-related statutes applicable to the judiciary;
- clarify the delegation of signatory authority through the Procurement Liaison Officer (PLO) and ensure consistency of language on this subject;
- resolve an inconsistency with Vol. 11 regarding when delegations must be re-issued;
- expand and clarify the Contracting Officers Certification Program (COCP) Level 3 delegation with respect to transit subsidy procurements and procurement of training products and services; and
- revise COCP Levels 5 through 7 (reserved to the AO's Procurement Management Division).

## Guide Transmittal 14-004 - Procurement

In addition, Chapter 1 and Appendix 1B were updated to reflect a reorganization of Title 41 of the United States Code, with associated changes to section numbers and hyperlinks. Appendices 1D, 1E, 1F and 1K were updated for clarification purposes and to match the changes in Chapter 1. In addition, Appendices 1I and 1J dealing with COCP Levels 6 and 7 have been reserved. The significant changes are detailed in the Redline Comparison below.

Questions regarding this transmittal may be directed to the Office of Finance and Budget, Procurement Management Division, at 202-502-1330.

### REDLINE COMPARISON REFLECTING CHANGES

*[Significant changes in Chapter 1 (Overview) follow:]*

Appx 1G ~~Contracting Officers Certification Program (Level 4)~~[Reserved]  
Appx 1H ~~Contracting Officers Certification Program (Level 5)~~[Reserved]  
Appx 1I ~~Contracting Officers Certification Program (Level 6)~~[Reserved]  
Appx 1J ~~Contracting Officers Certification Program (Level 7)~~[Reserved]

#### § 110 Overview

[. . .]

#### § 110.20 Scope

- (a) Information contained in this volume covers only procurement policies and procedures. ~~It should not be construed to encompass programmatic or funding~~
- (b) This volume does **not** apply to the following:
  - (1) Procurement of printing services. **See:** Guide, Vol 23, Ch 2 (Printing), which applies to purchases of such services from either the Government Printing Office (GPO) or from sources other than GPO.
  - (2) Leasing of vehicles, which generally must be accomplished through GSA's Fleet Management Program.
  - (3) Placement and administration of Reimbursable Work Authorizations (RWAs) with GSA. **See:** Guide, Vol 16 (Space and Facilities).
  - (4) Purchases made using non-appropriated funds, i.e., Attorney-Admission Funds, sometimes called "library funds" or "bench-and-bar" funds. **See:** Guide, Vol 13, Ch 12 (Attorney Admission Fees).
- (c) Questions related to programmatic policies and procedures:

All requests for information about not specifically set forth in this volume should be directed to the respective AO program office. For example, questions about cost ceilings for furniture procurements should be directed to the Space and Facilities Division, AO Office of Facilities and Security, which is responsible for Guide, Vol 16 (Space and Facilities), where those policies are published.

## REDLINE COMPARISON REFLECTING CHANGES

### § 110.20 [cont'd]

- (d) Questions related to budget and funding policies and procedures, such as whether appropriated funds may be used for a specific purchase, or the appropriate use of specific budget object codes, should be directed to the Budget Division, AO Office of Finance and Budget.

**Exception:** {Federal public defender organizations should direct such queries to Program Budget Operations and Assessment Division, AO Office of Defender Services}.

~~Example: An example of programmatic policies and procedures is the maximum permissible expenditures for furniture. The policy covering these maximum permissible expenditures is established and reviewed by the Space and Facilities Division, AO Office of Facilities and Security. All requests for information about these maximum permissible expenditures should be directed to that program office.~~

### § 110.40 Applicability

- (a) This volume applies to:  
[. . .]  
• the Federal Judicial Center, except for research projects and other services, including the procurement of personal services;  
[. . .]

### § 110.55 Application of Dollar Thresholds

- (a) Various dollar thresholds appear throughout this volume and determine applicability of requirements such as which clauses and provisions must be included, whether competition is required, advertising requirements, and whether formal contracting procedures must be followed. These dollar thresholds always apply to the original contract award, but apply to modifications only to the extent that the modification is not within the scope of the original contract.
- (b) For purposes of determining whether a specific procurement is or is not in excess of any specified dollar threshold, the dollar value used must include the estimated value of all contract options which might apply to that procurement. For additional information about contract options, see: Guide, Vol 14, § 220.40 (Options).

## REDLINE COMPARISON REFLECTING CHANGES

### § 120 Delegation of Procurement Authority

[. . .]

#### § 120.20 Authorized Delegations

##### § 120.20.10 The Director

[. . .]

(b) Delegation to Chief Judges and Federal Public Defenders

The Director has delegated authority to chief judges and federal public defenders (FPDs) up to ~~Level~~the limits described in Levels 1, 2 and 3 of the Contracting Officers Certification Program (COCP) to procure products and services within the provisions of the *Guide*, Procurement Manuals, and Procurement Bulletins. ~~This authority may be re-delegated to staff personnel who possess the appropriate qualifications as outlined in the COCP up to Level 3. This delegation is limited to actions that are within the authority defined by Level 3 certification. See also: § 140.30 in accordance with this chapter of the Guide. See also: § 140 (Contracting Officers Certification Program).~~

##### § 120.20.30 Procurement Executive

The PE is authorized to re-delegate any level of COCP procurement authority to AO personnel who possess the applicable qualifications. The PE, or the PE delegatee, may also provide one-time delegations of procurement authority to ~~the court units~~unit contracting officers when required for a specific situation not otherwise in that unit's authority, and may take other actions as set forth in this chapter of the *Guide*, Procurement Manuals, and Procurement Bulletins. **See also:** [§ 140 \(Contracting Officers Certification Program\)](#).

##### § 120.20.40 Chief Judges and Federal Public Defenders

Chief judges and federal public defenders are authorized to re-delegate oversight and procurement authority to ~~PLO's and CO's~~a Procurement Liaison Officer (PLO) within their court units, in compliance with the limitations specified in the COCP. ~~Chief judges and federal public defenders may authorize PLOs, with the PLO having authority~~ to re-delegate procurement authority to contracting officers (COs).

##### § 120.20.45 Contracting Officers

Contracts may be entered into and signed on behalf of the judiciary only by contracting officers, appointed in accordance with the requirements of the Contracting Officers Certification Program (COCP) as described in this chapter of the Guide. In addition, contracting officers may bind the judiciary only to the extent of the authority delegated to them. Contracting officers must ensure that all requirements of law, judiciary policy and regulations, including required approvals, are met when entering into contracts. Information on the limits of an individual contracting officer's authority must be provided upon request.

## REDLINE COMPARISON REFLECTING CHANGES

### § 120.20.60 Cancellations, Suspensions, and Limitations on Procurement Authority

[. . .]

### § 120.20.60 Cancellations, Suspensions, and Limitations on Procurement Authority

[. . .]

#### (b) Authority to Cancel, Suspend, or Limit Procurement Authority

Delegations of procurement authority may be canceled, suspended, or further limited by the person making the delegation — PLO, the chief judge, the federal public defender, ~~the PE, or the Director~~ the PE. No cancellation or suspension of procurement authority may operate retroactively so as to invalidate contracts which were otherwise valid at the time of award.

#### (c) When Delegations Must be Re-Issued

The general delegation of authority from the Director to chief judges, FPDs, and the FJC Director is delegated to the position and is not required to be re-issued by the Director upon appointment of a new chief judge or FPD or a new FJC Director. ~~However, all lower level delegations of procurement authority are to named individuals, not positions, and must be re-issued when there is a personnel change in either the individual making the delegation or the individual receiving the delegation.~~

A delegation of PLO authority by a chief judge or FPD is not required to be re-issued upon Specifically, the appointment of a new chief judge, FPD, or FJC Director FPD unless a different person is being appointed as PLO.

The appointment of a new PE or PLO automatically voids all existing PLO delegations. The new chief judge, FPD, or FJC Director must issue a new PLO the CO delegation(s) made by the prior PE or PLO. The new PE or PLO must issue new CO delegation(s). Re-appointment of the same individual as PLO does not require that all existing CO delegations be re-issued. Appointment In situations where a PLO has also been appointed as a COCP contracting officer at any level, although the PLO delegation may not be required to be re-issued, the contracting officer delegation is automatically voided by appointment of a different person as PLO does require that all existing CO delegations be re-issued new chief judge or FPD and must be re-issued for the individual to continue to act as a contracting officer.

### § 120.30 Types of Delegation

[. . .]

#### § 120.30.40 Documentation of Authorized Delegations and Redelegations

All delegations and redelegations of procurement authority must be documented and must:

- (a) Be current – Form AO 374 (Delegation of Procurement Liaison Officer) or Form AO 375 (Procurement Liaison Officer's Appointment of Contracting Officer);
- (b) Specify any restrictions to the types of products or services the individual may purchase which are in addition to the limits of the COCP level for which the individual is appointed; and
- (c) Specify the dollar limitation of those purchases, if less than the applicable COCP level to which the individual is appointed.

## REDLINE COMPARISON REFLECTING CHANGES

### § 120.40 Delegation of Procurement Authority Under Special Delegated Procurement Programs

[ . . . ]

#### § 120.40.20 Level 2 Certification Requirement and Duties

After completion of COCP Level 2 training, the PLO will issue a written COCP Level 2 certification to individuals in ~~courts~~court units with procurement responsibilities of any special delegated procurement program. The certification will identify which of the special delegation ~~program under~~programs the ~~COCP Level 2 individual has been delegated authority~~. **See also:** [§ 140.25 \(Level 2 Certification: Special Delegated Procurement Programs\)](#).

### § 130.20 Procurement Statutes

[ . . . ]

#### § 130.20.55 Labor Statutes Governing Contractor Wages and Benefits

(a) Service Contract Employee Wages and Benefits

The Service Contract Act, [41 U.S.C. § 351§ 6701, et seq.](#), requires that federal contracts in excess of \$2,500, which are principally for services furnished by service employees, include a clause specifying minimum monetary wages and fringe benefits, as determined by the Secretary of Labor based on prevailing wages in the specific locality, required to be paid to service employees performing the contract.

**See also:** [Guide, Vol 14, § 325.25 \(Purchase of Services\)](#).

[ . . . ]

(c) Supply Contract Employee Minimum Wages and Benefits

The Walsh-Healey Public Contracts Act, [41 U.S.C. § 35§ 6501, et seq.](#), requires that all federal contracts in excess of \$~~105~~100,000 for the manufacture or furnishing of materials, supplies, articles and equipment, include or incorporate by reference the Act's stipulations pertaining to such matters as minimum wages, maximum hours, child labor, convict labor, and safe and sanitary working conditions.

~~**See also:** [Guide, Vol 14, § 330.10.30 \(Provisions and Clauses\)](#).~~

[ . . . ]

#### **§ 130.20.65 Funding Severable Services Across Fiscal Years**

Under 28 U.S.C. § 604(g)(4)(A), the judiciary may obligate funds of the current fiscal year for a severable services contract where performance begins in the current fiscal year and extends through a period of not more than 12 months.

**See also:** [Guide, Vol 14, § 220.50.60 \(Contracts Crossing Fiscal Years\)](#).

#### **§ 130.20.70 Multi-Year Contracts**

Under 28 U.S.C. § 604(g)(4)(B), the judiciary may obligate funds of the current fiscal year to fully fund a multi-year contract of more than one (1) but not more than five (5) years.

**See also:** [Guide, Vol 14, § 410.75 \(Multi-Year Contracts\)](#).

## REDLINE COMPARISON REFLECTING CHANGES

### § 130.20.75 Judiciary Information Technology Fund

Under 28 U.S.C. § 612, a fund was established for the judiciary “. . . without fiscal year limitation for the procurement (by lease, purchase, exchange, transfer, or otherwise) of information technology resources for program activities . . . [as well as] expenses, including personal services, support personnel in the courts and in the Administrative Office of the United States Courts, and other costs, for the effective management, coordination, operation, and use of information technology resources . . .”.

See also: Guide, Vol 14, § 510 (Personal Services Contracts).

### § 130.30 Procurement Oversight

#### § 130.30.10 Policy

Oversight involves administering and managing the procurement program. ~~This oversight responsibility does not provide procurement authority. See also: § 130.20.25(b) (Authority to Delegate).~~

- (a) The Director

The Director delegates procurement oversight responsibility to the chief judges and federal public defenders through this chapter.

[. . .]

- (d) Required Documentation

The re-delegation of oversight responsibility from the chief judge or federal public defender to a PLO is ~~effective upon signing a Designation~~ effected using the Form AO 374 (Delegation of Procurement Liaison Officer letter and updating the InfoWeb Procurement Delegation System).

#### § 130.30.20 Procurement Liaison Officer Oversight Responsibilities

~~The individual who possesses delegated or re-delegated authority~~ s appointed as a PLOs hasve oversight responsibility for administering and managing the procurement program throughout ~~the~~their specific court unit or FPDO. This includes complying with this chapter of the *Guide*, Procurement Manuals, and Procurement Bulletins. ~~The PLO's delegated oversight authority does not include authority to conduct procurements on behalf of the judiciary. If the PLO requires or desires actual signatory authority to execute contracts, modifications, etc., additional training is required. See also: Appointment as a PLO does not, in itself, constitute authority to act as a contracting officer. See also: § 120.20.45 (Contracting Officers); § 140.15.30 (Appointment Process for PLOs and COs (Levels 1-3)); § 130.40 (Procurement Liaison Officers).~~

#### § 130.30.30 [Reserved]

**REDLINE COMPARISON REFLECTING CHANGES**

**§ 130.40 Procurement Liaison Officers**

[ . . . ]

**§ 130.40.20 Appointment Documentation**

Every PLO designation by a chief judge or federal public defender must be in writing using [Form AO 374 \(Delegation of Procurement Liaison Officer\)](#). When it is desired for a PLO to ~~have signatory authority, the individual must be also appointed as a CO, using~~ also be a contracting officer, the [Form AO 375 \(Procurement Liaison Officer's Appointment of Contracting Officer\)](#) must be used, or equivalent~~modifying the form~~ or letter, signed appropriately for signature by the chief judge or federal public defender. See also: § 130.40.40 (Training Requirements).

**Note:** Appointment of a PLO to any COCP level except Level 1 (purchase card) is not recommended, due to the separation of duties issues it generates.

**§ 130.40.30 Responsibilities**

PLO responsibilities include, but are not limited to:

- (a) Re-delegating procurement authority ~~throughout~~ to contracting officers within the court unit, subject to limitations set forth in the Contracting Officers Certification Program (COCP). ~~The COCP provides guidance as to the responsibility and dollar limitation that each CO may purchase, including the types of products or services., as described in this volume of the Guide.~~

[ . . . ]

**§ 130.40.40 Training Requirements**

- (a) Procurement Liaison Officers Appointed as Contracting Officers

~~If a~~ A PLO who also serves as a ~~CO with signatory authority, the PLO~~ contracting officer must complete the required training for the applicable COCP certification level ~~as set forth in the COCP.~~ **See also:** [§ 120.20.45 \(Contracting Officers\)](#); [§ 130.30.20 \(Procurement Liaison Officer Oversight Responsibilities\)](#); [§ 140.55 \(Training\)](#).

- (b) Procurement Liaison Officers Not Appointed as Contracting Officers

Individuals designated as PLOs, but not ~~delegated signatory CO authority~~ contracting officers, must take the Judiciary Executive Procurement Oversight Seminar (desktop training). They are also encouraged to take other training referenced in the COCP.

**§ 140.15.15 Certification Levels [table]**

Certification Level	Who may be appointed	Who may delegate the authority
[ . . . ] 5 [ . . . ]	<del>Reserved</del> <del>Reserved</del> <u>Career 1102 procurement personnel (AO)</u>	<u>The PE</u>



**REDLINE COMPARISON REFLECTING CHANGES**

**§ 140.15.30 Appointment Process for PLOs and COs (Levels 1-3)**

Stage	Description				
1	<p>The chief judge or federal public defender selects and appoints a PLO in each court unit (normally the court unit executive) or federal public defender organization to administer and manage the procurement program throughout the court unit or federal public defender organization. <del>Not</del><u>See: § 130.40.20 (Appointment as a PLO does not include signatory Contracting Officer authority at any COCP level. See: § 130.40.20.2If signatory Contracting Officer authority is desired for the PLODocumentation).</u></p>				
<u>2</u>	<p><u>If the PLO is also appointed as a contracting officer</u>, then:</p> <p>(1) the PLO <u>must</u> <del>completes</del> all training requirements <u>atfor</u> the <del>proposed</del><u>applicable</u> COCP appointment level, and</p> <p>(2) the chief judge or FPD issues a separate delegation to the PLO <del>to delegate signatory procurement authority at a specific COCP level</del><u>using Form AO 375 (Procurement Liaison Officer's Appointment of Contracting Officer)</u>. A PLO cannot appoint him/herself as a CO. [. . .]</p>				
3	<p>The PLO selects and appoints one or more individuals as a CO at a COCP level within the court unit's or federal public defender organization's general delegation of authority. <b>See also:</b> <del>§ 130.3040.2030 (Procurement Liaison Officer Responsibilities)</del>.</p>				
4	<p>The following describes how new or newly assigned employees are appointed to exercise procurement authority at COCP levels 1 through 3.</p> <table border="1" data-bbox="240 1003 1523 1318"> <thead> <tr> <th data-bbox="240 1003 620 1129">IF the new or newly assigned employee is assigned duties at...</th> <th data-bbox="620 1003 1523 1129">THEN the...</th> </tr> </thead> <tbody> <tr> <td data-bbox="240 1129 620 1318">[. . .] COCP Level 2 or 3</td> <td data-bbox="620 1129 1523 1318">[. . .] (2) Proposed CO or procurement officer <u>completes and</u> signs the bottom portion of Form AO 375 (Appointed Individual's Acknowledgment). [. . .]</td> </tr> </tbody> </table>	IF the new or newly assigned employee is assigned duties at...	THEN the...	[. . .] COCP Level 2 or 3	[. . .] (2) Proposed CO or procurement officer <u>completes and</u> signs the bottom portion of Form AO 375 (Appointed Individual's Acknowledgment). [. . .]
IF the new or newly assigned employee is assigned duties at...	THEN the...				
[. . .] COCP Level 2 or 3	[. . .] (2) Proposed CO or procurement officer <u>completes and</u> signs the bottom portion of Form AO 375 (Appointed Individual's Acknowledgment). [. . .]				

**§ 140.20 Level 1 Certification: Purchase Card Program**

[. . .]

**§ 140.20.30 Level 1 Delegation**

A delegation of Level 1 authority includes use of the judiciary purchase card for:

[. . .]

- orders placed under judiciary-wide contracts or blanket purchase agreements (BPA) up to the specified maximum order threshold of the contract or BPA when the contract or BPA does not require competition, and explicitly authorizes orders to be placed using the purchase card.

## REDLINE COMPARISON REFLECTING CHANGES

### § 140.25 Level 2 Certification: Special Delegated Procurement Programs

[. . .]

#### § 140.25.20 Authority

A ~~Contracting~~ ~~Officer~~ with a higher level certification does not automatically have Level 2 certification. Individuals must be specifically certified at Level 2 for the special delegated procurement program to procure under this authority. The individual may hold several Level 2 certifications corresponding to the specific special delegated procurement programs under which awards may be made.

### § 140.25.40 Training Requirements

To be eligible for appointment as a Level 2 CO, individuals must complete:

[. . .]

- any corresponding specialized training program offered by the responsible program office (see: § 120.40.15 (AO Office with Primary Program Responsibility)).

### § 140.30 Level 3 Certification: General ~~Delegated Procurement Activities~~ Delegation

[. . .]

#### § 140.30.20 Authority

A delegation of Level 3 authority covers the ~~solicitation of quotes and proposals and~~ award of purchase orders and contracts within the limits defined below and as summarized in Appx 1F Contracting Officers Certification Program (Level 3). ~~Level 3~~ Level 3 authority is not inclusive of Level 1 ~~or purchase card authority or any~~ Level 2 authority. However, the Form AO 375 (Procurement Liaison Officer's Appointment of Contracting Officer) may be annotated to indicate inclusion of these levels of authority, provided the appointed individual has met the training requirements for Level 1 or Level 2, as well as the requirements for Level 3.

### § 140.30.30 Level 3 Delegation

A delegation of Level 3 authority includes:

- (a) Open market procurements, with or without competition, up to \$5,000 per purchase ~~(not including purchase card buys)~~. As noted above, this delegation does not include COCP Level 1 purchase card procurement authority, unless the individual has completed the training requirements for Level 1 and the AO-375 specifically delegates both Level 1 and 3. See also: § 140.20 (Level 1 Certification: Purchase Card Program).
- [. . .]
- (i) Procurement of training products and services up to \$25,000 without competition ~~with approval of the chief judge or federal public defender (or PLO, if delegated)~~.
- [. . .]
- (k) Unlimited authority for the procurement of transit passes/vouchers using less than full and open competition with signed approval of the chief judge, federal public defender, or FJC Director (or PLO, if delegated).
- (l) Unlimited authority for the sole source procurement of non-commercial products or services available only from state or local government entities with signed approval of the chief judge, federal public defender, or FJC Director (or PLO, if delegated).

## REDLINE COMPARISON REFLECTING CHANGES

### § 140.30.40 Delegation Limitations

- (a) A delegation of Level 3 authority does not include authority for the following procurements:
- best value competitive procurements of any dollar amount ~~or authority for other than full and open competition;~~
  - sole source procurement of non-IT products or services, except training products or services, above the \$5,000 competition threshold, or
  - sole source procurement of training products or services above the separate \$25,000 competition threshold applicable to these products or services.
- [. . .]

### § 140.35 Level 4 Certification: ~~General Delegated Procurement Activities~~ [Reserved]

This is reserved for future delegations.

### § 140.40 Level 5 Certification: ~~General Delegated Procurement Activities~~ General Delegation (AO Only)

~~This is reserved for future delegations:~~

#### § 140.40.10 Scope

This level is specific to career procurement personnel within PMD in the 1102 job series.

#### § 140.40.20 Authority and Delegation

A delegation of Level 5 authority confers procurement authority up to \$100,000 subject to the policies and procedures as set forth in –

- Volume 14 of the *Guide*;
- the Judiciary Purchase Card Program Manual;
- applicable Procurement Bulletins;
- the *AO Manual*; and
- internal policies of the Procurement Management Division.

#### § 140.40.30 [Reserved]

#### § 140.40.40 Education and Training Requirements

To be eligible for appointment as a Level 5 CO, individuals must have either a baccalaureate degree OR at least 24 semester hours among these disciplines: accounting, law, business, finance, contracts, purchasing, economics, industrial management, marketing, quantitative methods, or organization and management. In addition, the individual must complete the mandatory training plus one of the two elective courses as indicated in Appx 1K (Required Training by Certification Level (Contracting Officers Certification Program)).

Individuals appointed as Level 5 COs must complete 80 hours of continuing education training every two years.

## REDLINE COMPARISON REFLECTING CHANGES

### § 140.45 Level 6 Certification: ~~General~~ **Delegated Procurement Activities** Delegation (AO Only)

#### § 140.45.10 Scope

This level is specific to career procurement personnel within PMD in the 1102 job series.

#### § 140.45.20 Authority and Delegation

~~A delegation of Level 6 authority covers the solicitation of quotes and proposals and award of purchase orders and contracts within the limits defined below. Level 6 authority is not inclusive of Level 1 or Level 2 authority.~~

#### ~~§ 140.45.30 Level 6 Delegation~~

~~A delegation of Level 6 authority confers procurement authority up to \$1,000,000 subject to the policies and procedures as set forth in -includes the authorities listed for Level 3 Certification (~~see: § 140.30~~) with the following changes and increased thresholds:~~

- ~~• other than full and open competition procurements up to \$500,000;~~
- ~~• competitive, lowest price, technically acceptable open market procurements up to \$500,000;~~
- ~~• best value competitive procurements up to \$500,000;~~
- ~~• procurements for expert and consultant services up to \$500,000; **see also:** 5 U.S.C. § 3109; Guide, Vol 14, Ch 5 (Special Categories of Procurements); and~~
- ~~• interagency agreements and memoranda of understanding up to \$500,000, when approved by the PE prior to signing.~~
  - ~~• Volume 14 of the Guide;~~
  - ~~• the Judiciary Purchase Card Program Manual;~~
  - ~~• applicable Procurement Bulletins;~~
  - ~~• the AO Manual; and~~
  - ~~• internal policies of the Procurement Management Division.~~

#### § 140.45.30 [Reserved]

#### § 140.45.40 Education and Training Requirements

To be eligible for appointment as a Level 6 CO, individuals must ~~complete~~meet the ~~following~~education requirements and training:

- ~~• Training for Level 35 Certification (~~see: Appx 1F~~)~~
- ~~• Procurement Planning I~~
- ~~• Negotiation Techniques~~
- ~~• Contract Administration II~~
- ~~• Contract Law~~
- ~~• Price Analysis~~
- ~~• Cost Analysis~~
- ~~• Advanced Negotiation Techniques~~
- ~~• Contract Formation II~~
- ~~• Performance Based Service Contracting~~
- ~~• Architect/Engineering Services Contracting~~
- ~~• Federal Real Property Leasing, and~~
- ~~• Advanced Performance Based Service Contracting~~

**REDLINE COMPARISON REFLECTING CHANGES**

**§ 140.45.40** *[cont'd]*

~~See also: Appx 1 § 140.40.40 (Education and Training Requirements)) and complete the additional mandatory training plus two electives as shown in Appx 1K (Required Training by Certification Level (Contracting Officers Certification Program (Level 6))).~~

~~Individuals appointed as Level 6 COs must complete 80 hours of continuing education training every two years.~~

**§ 140.50 Level 7 Certification: -General ~~Delegated Procurement Activities~~ Delegation (AO Only)**

**§ 140.50.10 Scope**

This level is specific to career procurement personnel within PMD in the 1102 job series.

**§ 140.50.20 Authority and Delegation**

~~A delegation of Level 7 authority covers the solicitation of quotes and proposals and award of purchase orders and contracts within the limits defined below. Level 7 authority is not inclusive of Level 1 or Level 2 authority.~~

**~~§ 140.50.30 Delegation~~**

~~A delegation of Level 7 authority confers unlimited procurement authority subject to the policies and procedures as set forth in the following:~~

- ~~• Volume 14 of the Guide;~~
- ~~• Judiciary Purchase Card Program Manual;~~
- ~~• applicable Procurement Bulletins;~~
- ~~• the AO Manual; and~~
- ~~• internal policies of the Procurement Management Division.~~

**§ 140.50.30 [Reserved]**

**§ 140.50.40 Education and Training Requirements**

To be eligible for appointment as a Level 7 CO, individuals must ~~complete~~ meet the ~~following~~ education requirements and training:

- ~~• Training for Level 6 certification;~~
- ~~• Procurement Planning II; and~~
- ~~• Advanced Contract Law, or equivalent courses.~~

**REDLINE COMPARISON REFLECTING CHANGES**

**§ 140.50.40** *[cont'd]*

~~See also: Appx 1J (see: § 140.40.40 (Education and Training Requirements)) and complete the additional mandatory training plus two electives as shown in Appx 1K (Required Training by Certification Level (Contracting Officers' Certification Program (Level 7))).~~

Individuals appointed as Level 7 COs must complete 80 hours of continuing education training every two years.

**§ 140.55 Training**

[. . .]

**§ 140.55.20 Training Availability**

(a) Levels 1 Through 3

Training for appointment up to Level 3 is available only through the judiciary, because the classes are specific to the judiciary's unique requirements. This includes:

[. . .]

- ~~Judiciary~~Federal Appropriations Law Course (desktop training).

**See also:** ~~J-Net~~ Procurement ~~website~~.

~~(b) Levels 4 Through 7~~

~~Additional training courses for delegation of authority at levels higher than Level 3 area of the J-Net.~~

(b) Levels 5 Through 7

Training requirements for COCP Levels 5 through 7 are based upon the Federal Acquisition Certification in Contracting (FAC-C) program as implemented by the Federal Acquisition Institute (FAI). Courses are available from FAI as well as various commercial and educational organizations.

[. . .]

**§ 140.60.10 Continuing Education Requirements** *[table]*

Certification Level	Required Hours Every Two (2) Years
<u>5</u>	<u>80</u>

**§ 140.60.50 Continuing Education Certification Process** *[table]*

Stage	Description
[. . .] 4 [. . .]	The PLO <del>enters</del> <u>ensures that</u> the <del>new biennial certification date</del> <u>training information including relevant dates is entered</u> into the InfoWeb Procurement Delegation System.

**§ 150 Procurement Integrity and Ethics**

[. . .]

**§ 150.30 Conflicts of Interest**

[. . .]

**REDLINE COMPARISON REFLECTING CHANGES**

**§ 150.30.20 Potential Conflicts of Interest [table]**

Type of conflict <del>of interest</del>	Definition
<p>[. . .]                      (b) Competitive Advantage                      [. . .]</p>	<p>[. . .]                      The contractor, under a prior or existing contract, participates in defining or preparing the requirements or documents that are involved in a subsequent procurement where the contractor may be a competitor. This includes, <del>but is not limited to, any participation by a contractor which would allow them to suggest technology, process or other bias into the solicitation's requirements reflective of their familiarity or expertise and giving them a competitive advantage.</del> <u>Examples include</u> defining the requirements, preparing an alternatives analysis, drafting the statement of work or specifications, or developing the evaluation criteria.</p>

**§ 150.40 Standards of Conduct**

**§ 150.40.10 General**

Judiciary employees are held to the highest standards of conduct in the performance of their duties and must conduct themselves so as to avoid even the appearance of any impropriety. All officials, including judges, chief probation officers, chief pretrial services officers, procurement liaison officers, the PE, COs, procurement officials, circuit librarians, and their subordinates must exercise due care in the oversight and ~~use~~execution of procurement actions within their purview. All employees must conduct all dealings with potential offerors and contractors in a manner so that no favoritism or competitive advantage is given to one business over another in dealing with the judiciary.

**§ 150.50.30 [Reserved]**

**§ 150.50.40 [Reserved]**

**§ 160.30 Who May Authorize [table]**

IF the action...	THEN...
<p>(a) falls within the <u>general</u> delegation authority of the court unit, FPDO, or FJC <u>defined at § 120.20.10(b)</u></p>	<p>the authorizing official is the chief judge, FPD, the FJC Director, or the PLO (if delegated) who will provide a one time delegation to the CO to ratify the unauthorized action or assign it to a CO with the appropriate authority.</p>
<p>(b) does not fall within the delegation authority of the court unit, FPDO, or FJC <u>defined at § 120.20.10(b)</u></p>	<p>the authorizing official is the PE. The CO will submit to the PE the ratification documentation, including a signed approval of the request by the PLO, chief judge, FPD, or the FJC Director. The PE will review the documents and, if appropriate, provide a one time delegation of authority for the CO to ratify the action.</p>

## REDLINE COMPARISON REFLECTING CHANGES

[Significant changes in Chapter Appendix 1B (Solicitation Provisions and Contract Clauses) follow:]

### Provisions and Clauses (Chapter 3)

#### Clause 3-1, Contractor Use of Mandatory Sources of Products or Services

Include the following clause as prescribed in [§ 310.20.70 \(Clauses\)](#).

##### **Contractor Use of Mandatory Sources of Products or Services (APRJUN 2014~~2~~)**

- (a) Certain products or services to be provided under this contract for use by the judiciary are required by law to be obtained from nonprofit agencies participating in the program operated by the Committee for Purchase from People Who Are Blind or Severely Disabled (the Committee) under Javits-Wagner-O'Day Act, (41 U.S.C. ~~§ 48~~[§§ 8501-8506](#)). [ . . . ]

#### Clause 3-3, Provisions, Clauses, Terms and Conditions - Small Purchases

Include the following clause as prescribed in [§ 310.50.30\(d\)](#), [§ 325.30.20\(b\)](#), and [§ 325.45.10\(c\)](#).

##### **Provisions, Clauses, Terms and Conditions - Small Purchases (APRJUN 2014~~2~~)**

[ . . . ]

- (b) The contractor shall comply with the following clauses incorporated by reference:

[ . . . ]

- (8) [Clause 7-125, Invoices](#) (~~JANAPR~~ 201~~0~~~~1~~)

[ . . . ]

- (c) The contractor shall comply with the following clauses, incorporated by reference, unless the stated circumstances do not apply:

[ . . . ]

- (2) [Clause 6-60, Rights in Data – General](#) (~~SEPJUN~~ 201~~0~~~~2~~) (Applies if data will be produced, furnished, or acquired under the purchase order.)

[ . . . ]

- (6) The following apply to products only:

[ . . . ]

- c) [Clause 3-155, Walsh-Healey Public Contracts Act](#) (~~APRJUN~~ 2014~~2~~) (Applies to purchase orders over \$15,000 for the manufacturing or furnishing of products in the United States, Puerto Rico, or the U. S. Virgin Islands.)

- (7) The following apply to services only:

[ . . . ]

- c) [Clause 3-160, Service Contract Act of 1965](#) (~~APRJUN~~ 2014~~2~~) (Applies to any purchase order over \$2,500, the principal purpose of which is to furnish services through the use of service employees for work to be performed in the United States, Puerto Rico, Guam, or the U.S. Virgin Islands, **except** where [Clause 3-215, Exemption from Application of the Service Contract Act to Contracts for Maintenance, Calibration, or Repair of Certain Equipment](#) ~~=~~ Requirements, **or** [Clause 3-225, Exemption from Application of the Service Contract Act to Contracts for Certain Services](#) ~~=~~ Requirements apply. See (c)(7)g) and (c)(7)h) below.)



## REDLINE COMPARISON REFLECTING CHANGES

### Clause 3-45, Anti-Kickback Procedures

Include the following clause as prescribed in [§ 330.10.30\(i\)](#) (*Provisions and Clauses*).

#### Anti-Kickback Procedures (~~JAN~~JUN 200312)

[. . .]

(b) The Anti-Kickback Act of 1986 ([41 U.S.C. §§ 51-58](#)~~§§ 8701-8707~~) (the Act), prohibits any person from:

[. . .]

### Clause 3-50, Cancellation, Rescission, and Recovery of Funds for Illegal or Improper Activity

Include the following clause as prescribed in [§ 330.10.30\(j\)](#) (*Provisions and Clauses*).

#### Cancellation, Rescission, and Recovery of Funds for Illegal or Improper Activity (~~JAN~~JUN 200312)

(a) If the judiciary receives information that a contractor or a person has engaged in conduct constituting a violation of subsection (a), (b), (c), or (d) of section 27 of the Office of Federal Procurement Policy Act ([41 U.S.C. § 423](#)~~§§ 2101-2107~~) (the Act), as amended by section 4304 of the National Defense Authorization Act for Fiscal Year 1996 (Pub. L. 104-106), the judiciary may:

[. . .]

### Clause 3-55, Price or Fee Adjustment for Illegal or Improper Activity

Include the following clause as prescribed in [§ 330.10.30\(k\)](#) (*Provisions and Clauses*).

#### Price or Fee Adjustment for Illegal or Improper Activity (~~JAN~~JUN 200312)

(a) The judiciary, at its election, may reduce the price of a fixed-price type contract and the total cost and fee under a cost-type contract by the amount of profit or fee determined as set forth in paragraph (b) of this clause if the head of the contracting activity or designee determines that there was a violation of subsection 27(a), (b), or (c) of the Office of Federal Procurement Policy Act, as amended ([41 U.S.C. § 423](#)~~§§ 2101-2107~~).

[. . .]

### Clause 3-155, Walsh-Healey Public Contracts Act

Include the following clause as prescribed in [§ 330.10.30\(dd\)](#) (*Provisions and Clauses*).

#### Walsh-Healey Public Contracts Act (~~APR~~JUN 20142)

If this contract is for the manufacture or furnishing of materials, products, articles or equipment in an amount that exceeds or may exceed \$15,000, and is subject to the Walsh-Healey Public Contracts Act, as amended ([41 U.S.C. §§ 35-45](#)~~§ 6501 et seq.~~), the following terms and conditions apply:

[. . .]

(2) all employees whose work relates to this contract shall be paid not less than the minimum wage prescribed by regulations issued by the Secretary of Labor ([41 CFR 50-202.2](#)). Learners, student learners, apprentices, and handicapped workers may be employed at less than the prescribed minimum wage (see 14 CFR 50-202.3) to the same extent that such employment is permitted under Section 14 of the Fair Labor Standards Act (~~41~~29 [U.S.C. 40](#)201 et seq.).

[. . .]

REDLINE COMPARISON REFLECTING CHANGES

**Clause 3-160, Service Contract Act of 1965**

Include the following clause as prescribed in [§ 325.25.80\(a\)](#) (*Required Clauses and Provisions*).

**Service Contract Act of 1965 (~~APR JUN~~ 2011~~2~~)**

(a) Definitions

“Act”, as used in this clause, means the Service Contract Act of 1965 ([41 U.S.C. 351, § 6701 et seq.](#)).

[. . .]

(b) Applicability

This contract is subject to the following provisions and to all other applicable provisions of the Act and regulations of the Secretary of Labor ([29 CFR part 4](#)). This clause does not apply to contracts or subcontracts administratively exempted by the Secretary of Labor or exempted by [41 U.S.C. 3566702](#), as interpreted in Subpart C of [29 CFR Part 4](#).

[. . .]

**Clause 3-175, Fair Labor Standards Act and Service Contract Act – Price Adjustment (Multi-Year and Option Contracts)**

Include the following clause as prescribed in [§ 325.25.80\(b\)](#) (*Required Clauses and Provisions*) and [§ 410.75.65\(c\)](#) (*Contract Clauses and Provisions*).

**Fair Labor Standards Act and Service Contract Act – Price Adjustment (Multi-Year and Option Contracts) (~~APR JUN~~ 2011~~2~~)**

[. . .]

(c) The wage determination, issued under the Service Contract Act of 1965; ~~as amended~~; ([41 U.S.C. § 351 § 6701, et seq.](#)), by the Administrator, Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor, current on the anniversary date of a multi-year contract or the beginning of each renewal option period, will apply to this contract. If no such determination has been made applicable to this contract, then the federal minimum wage as established by section 6(a)(1) of the Fair Labor Standards Act of 1938, as amended, ([29 U.S.C. § 206](#)) current on the anniversary date of a multi-year contract or the beginning of each renewal option period, will apply to this contract.

[. . .]

**Clause 3-305, Payment by Electronic Funds Transfer – Central Contractor Registration**

Include the following clause as prescribed in [§ 330.10.30\(nn\)\(2\)](#) (*Provisions and Clauses*).

**Payment by Electronic Funds Transfer – Central Contractor Registration (JUN 2011~~2~~)**

[. . .]

(h) Payment Information

The *[insert court payment office name]* will not provide EFT payment information. Payment information may be obtained by [registering as a payee vendor](#) with the United States Department of the Treasury ~~at <https://www.ipp.gov/>~~. Registered vendors may retrieve and/or review check stub advice each time an EFT payment is received.

[. . .]

**REDLINE COMPARISON REFLECTING CHANGES**

**Clause 3-310, Payment by Electronic Funds Transfer – Other Than Central Contractor Registration**

*Include the following clause as prescribed in [§ 330.10.30\(nn\)\(3\)](#) (Provisions and Clauses).*

**Payment by Electronic Funds Transfer – Other Than Central Contractor Registration (JUN 2011~~12~~)**

[. . .]

(h) Payment Information

The *[insert court payment office name]* will not provide EFT payment information. EFT payment information may be obtained by registering as a payee vendor with the United States Department of the Treasury. Registered vendors may retrieve and/or review check stub advice each time an EFT payment is received. The Treasury registration web site is:

<https://wwwwww.ippfms.treas.gov/gov/paid/PAIDfaq.asp>.

[. . .]

**Clause 4-5, Ordering**

*Include the following clause as prescribed in [§ 410.30.705\(a\)](#) (Clauses).*

[. . .]

**Clause 4-10, Order Limitations**

*Include the following clause as prescribed in [§ 410.30.705\(b\)](#) (Clauses).*

[. . .]

**Clause 4-20, Requirements**

*Include the following clause as prescribed in [§ 410.30.705\(c\)](#) (Clauses).*

[. . .]

**Clause 4-25, Indefinite Quantity**

*Include the following clause as prescribed in [§ 410.30.705\(d\)](#) (Clauses).*

[. . .]

**Clause 4-30, Payment (Time-and-Materials and Labor-Hour Contracts)**

*Include the following clause as prescribed in [§ 410.45.50\(c\)](#) (Provisions and Clauses - Labor-Hour and Time-and-Materials Contracts).*

**Payment (Time-and-Materials and Labor-Hour Contracts) (APR 2011)**

[. . .]

**Alternate I (APR 2011):** *In accordance with [§ 410.45.50\(ed\)](#) (Provisions and Clauses - Labor-Hour and Time-and-Materials Contracts), add the following paragraph (h) to the basic clause.*

[. . .]

**REDLINE COMPARISON REFLECTING CHANGES**

**Clause 6-60, Rights in Data – General**

*Include the following clause as prescribed in [§ 650.65\(b\)](#) (Clauses).*

**Rights in Data – General (~~SEP~~JUN 20102)**

[. . .]

(a) Definitions. As used in this clause:

[. . .]

“Technical Data” means recorded information (regardless of the form or method of the recording) of a scientific or technical nature (including computer databases and computer software documentation). This term does not include computer software or financial, administrative, cost or pricing, or management data or other information incidental to contract administration. The term includes recorded information of a scientific or technical nature that is included in computer databases (**see: [41 U.S.C. § ~~403\(8\)~~§ 116](#)**).

[. . .]

**Clause 6-70, Work for Hire**

*Include the following clause as prescribed in [§ 520.75\(ii\)](#) (Provisions and Clauses) and [§ 650.65\(f\)](#) (Clauses).*

[. . .]

**Clause 7-165, Penalties for Unallowable Costs**

*Include the following clause as prescribed in [§ 740.40.50\(b\)](#) (Clauses).*

**Penalties for Unallowable Costs (~~JAN~~JUN 200312)**

[. . .]

(b) Contractors which include unallowable indirect costs in an offer may be subject to penalties. The penalties are prescribed in [10 U.S.C. § 2324](#) or [41 U.S.C. § ~~256~~§ 4303](#), as applicable.

[. . .]

**Clause 7-180, Prohibition of Assignment of Claims**

*Include the following clause as prescribed in [§ 740.50.40\(b\)](#) (Clauses).*

**Prohibition of Assignment of Claims (~~JAN~~JUN 200312)**

The assignment of claims under the Assignment of Claims Act of 1940, as amended, [31 U.S.C. § 3727](#), [41 U.S.C. § ~~15~~§ 6305](#), is prohibited for this contract.

(end)

*[Significant changes in Chapter Appendix 1D (Contracting Officers' Certification Program – Level 1 Purchase Card Program) follow:]*

**Contracting Officers' Certification Program – Level 1 [table]**

**Dollars**

[. . .]

**Conditions**

**Types of Actions**

**REDLINE COMPARISON REFLECTING CHANGES**

<p>Orders Under GSA Federal Supply Schedules or Contracts Awarded by Judiciary</p> <p>[. . .]</p>	<p>GSA Federal Supply Schedules: up to the GSA competition threshold, provided the terms of the contract allow orders using the Government purchase card. <b>See:</b> <a href="#">Guide, Vol 14, § 310.50.43 (Required Ordering Procedures)</a>.</p> <p>Judiciary-wide contracts or BPAs up to the specified maximum order limitation <del>whenif:</del></p> <p><u>(1)</u> the contract and/or BPA doesn't require competition, <del>when;</del> <u>and</u></p> <p><u>(2) the terms of</u> the contract/BPA <del>terms</del> allow orders using the Government purchase card.</p>	
<p><b>Procurement Method</b></p>		
<p>Other Than Full and Open Competition Procurement Actions <u>(over \$5,000)</u></p> <p>[. . .]</p>	<p>not delegated</p>	
<p><b>Products/Services</b></p>		
<p>Products</p>	<p>delegated, <del>to be used</del> up to the authorized dollar limit of Level 1</p>	
<p>Services</p> <p>[. . .]</p>	<p>delegated, <del>to be used</del> up to the authorized dollar limit of Level 1. Restrictions on the purchase of services using the purchase card are in the <a href="#">Judiciary Purchase Card Program Manual</a></p>	
<p><i>[Significant changes in Chapter Appendix 1E (Contracting Officers' Certification Program – Level 2 Special Delegated Procurement Programs) follow:]</i></p>		
<p align="center"><b>Contracting Officers' Certification Program – Level 2 [table]</b></p>		
<p>[. . .] <b>Types of Actions</b></p>	<p><b>Special Delegated Procurement Program</b></p>	<p><b>Conditions</b></p>
<p><del>Small Purchase Purchase Orders</del></p> <p>[. . .]</p>	<p><del>1, 2, 4, 5, 6</del></p>	<p><del>open market purchase orders cannot exceed \$100,000.</del></p>
<p>Orders Under Contracts Awarded by Judiciary or Other Federal Agencies</p>	<p>1, 2, 5, 6, <del>7</del></p>	<p>1, <del>2, 7</del>: authorized for services up to maximum order of judiciary-wide and other federal agencies' contracts.</p> <p><del>5: authorized up to \$100,000 for GSA schedules and Use of the approved J-Net template document is not required when using this authority.</del></p> <p><u>5</u>: authorized up to the maximum order <u>limitation</u> of <u>GSA schedules, as well as</u> judiciary-wide <u>contracts</u> and other federal agencies' contracts.</p> <p>6: authorized within limits established by the building delegation agreement with GSA.</p>

**REDLINE COMPARISON REFLECTING CHANGES**

Procurement Method	Special Delegated Procurement Program	Conditions
[. . .] Best Value Competitive Procurements [. . .]	<u>6N/A</u>	<del>other than 6:</del> <u>n</u> Not delegated
[Significant changes in Chapter Appendix 1F (Contracting Officers' Certification Program – Level 3) follow:] [. . .] Training Required for Level 3 Certification – <i>Judiciary Basic Procurement Seminar (blended training)</i> <del>– desktop and Judiciary classroom) plus Federal Appropriations Law, (desktop training).</del> Biennial continuing education = 16 hours		
<b>Contracting Officers' Certification Program – Level 3 [table]</b>		
<b>Dollars</b> [. . .]	<b>Conditions</b>	
<b>Types of Actions</b>  Noncompetitive open market procurements  [. . .]	  up to <u>\$25,000</u> . <del>(Note: This does not include purchase card buys for training products and services</del>  <u>up to \$5,000 for all other purchases. (For guidance on granting procurement authority to an individual for multiple COCP levels, see: Guide, Vol 14, § 140.30.20 (Authority).)</u>	
<b>Procurement Method</b>		
Other Than Full And Open Competition Procurements	<del>IT: delegated u</del> Up to \$25,000 <del>with signed approval by chief judge, FPD or the FJC Director (or PLO, if delegated):</del>  <del>Training products and services up to \$25,000 without competition with approval:</del> <u>IT products or services</u>  <u>Unlimited:</u> <ul style="list-style-type: none"> <li><u>(1) Transit Passes/Vouchers</u></li> <li><u>(2) Purchase of non-commercial products or services only available from state/local government entities</u></li> </ul> <u>AO 370 in support of above must be approved</u> by chief judge or FPD (or PLO, if delegated).  <del>Non-IT</del> <u>All other purchases exceeding the applicable competition threshold:</u> <del>not delegated.</del>	
<b>Products/Services</b>		

**REDLINE COMPARISON REFLECTING CHANGES**

Experts and Consultants pursuant to <a href="#">5 U.S.C. § 3109</a>	up to \$25,000: delegated ( <b>see also:</b> <a href="#">Guide, Vol 14, Ch 5 (Special Categories of Procurements)</a> ) ( <b>Note:</b> For FPD case-related experts and consultants, <b>see:</b> <a href="#">Guide, Vol 14, Appx 1E (Contracting Officers' Certification Program – Level 2 Special Delegated Procurement Programs).</a> )
Space Alteration	not delegated <del>for procurement;</del> <a href="#">court units</a> must use GSA Reimbursable Work Authorization (RWA)

*[Significant changes in Chapter Appendix 1K (Required Training by Certification Level (Contracting Officers Certification Program)) follow:]*

[. . .]

**(Note: ~~Levels 4 and 5 are reserved.~~ Certification Level 4 is reserved. All “CON” required courses are Federal Acquisition Institute training courses or equivalent. See: [www.fai.gov](http://www.fai.gov))**

Required Training <i>[table]</i>	Hrs	Certification Level						
		1	2	3	4	5	6	7
<b>Procurement Liaison Officers</b>								
Judiciary Executive Procurement Oversight Seminar (desktop training – Course 1)	*							
<b>Contracting Officers</b>								
Judiciary Purchase Card Program Training (desktop training – Course 2)	1	X						
Judiciary Basic Procurement Seminar (blended training – desktop – Course 3 <del>and plus</del> two-day classroom <del>contractor led</del> )	*		X	X			X	X
Specialized Training Programs Offered by the Responsible Program Office and AO [hours vary by program]			X					
<del>Judiciary</del> <a href="#">Federal</a> Appropriations Law (desktop training)	8			X		X	X	X
<del>Procurement Planning I</del> <a href="#">Shaping Smart Business Arrangements (CON 100) (online)</a>						X	X	X
<a href="#">Mission Support Planning (CON 110) (online)</a>						X	X	X
<a href="#">Mission Strategy Execution (CON 111) (online)</a>						X	X	X
<a href="#">Mission Performance Assessment (CON 112) (online)</a>						X	X	X
<a href="#">Mission Focused Contracting (CON 120) (classroom)</a>	<del>80</del>					X	X	X
<a href="#">Judiciary Basic Procurement (online)</a>						E		
<a href="#">Simplified Acquisitions Procedures (classroom)</a>						E		
<a href="#">Business Decisions for Contracting (CON 214) (online)</a>	<del>80</del>						X	X
<del>Negotiation Techniques</del> <a href="#">Intermediate Contracting for Mission Support (CON 215)</a>	<del>4064</del>						X	X

**REDLINE COMPARISON REFLECTING CHANGES**

<del>Contract Administration II</del> <u>Legal Considerations in Contracting (CON 216) (online)</u>	<del>40</del>									X	X
<del>Contract Law</del>	<del>80</del>									X	X
<del>Price Analysis</del>	<del>40</del>									X	X
Cost Analysis <del>40</del> <u>XX Advanced and Negotiation Techniques (CON 217)</u>	40									X	X
<del>Contract Formation II</del>	<del>40</del>									X	X
<del>Performance Based Service Contracting</del>	<del>40</del>									X	X
<del>Architect/Engineering Services Contracting</del>	<del>40</del>									X	X
<del>Federal Real Property Leasing</del>	<del>40</del>									X	X
<u>Advanced Contracting for Mission Support (CON 218)</u>	<u>80</u>									X	X
<u>Best Value Source Selection Using Tradeoffs (classroom)</u>										E	
<del>Advanced Performance-Based Service Contracting</del> <u>40</u> <u>XX Procurement Planning II</u> <u>40</u> <u>Acquisitions (classroom)</u>										X	E
<u>Writing Performance Work Statements (classroom)</u>										E	
<u>Strategic Sourcing (online)</u>										E	
Advanced <del>Contract Law</del> <u>Business Solutions for Mission Support (CON 353)</u>	80										X

X = Mandatory

E = Elective

**NOTE:** Elective training required for COCP Level 5, 6 and 7 may be obtained from FAI or various commercial and educational organizations and is subject to the approval of the PE.

\* The approximate time to complete each module will be displayed in the online course.