




ACQUISITION POLICY MEMORANDUM 2012 - 02

To: Heads of Contracting Activity
Executive Officers

From: Angela Billups, Ph.D. 
Senior Procurement Executive

Subject: Federal Acquisition Certification for Contracting Officer's
Representatives (FAC-COR)

Effective Date: January 25, 2012

1. Purpose: This memorandum (a) represents the Department of Health and Human Services' (HHS) revisions to the Federal Acquisition Certification for Contracting Officer's Representative (FAC-COR) program; and (b) establishes FAC-COR certification as a prerequisite for serving as a COR within HHS and the Operating Divisions (OPDIVs).

To earn certification under FAC-COR, HHS' COR candidates must: (a) demonstrate they have met minimum training requirements and (b) refresh this training through continuous learning as described in paragraph 5 below.

2. Background: HHS' success depends on a knowledgeable and skilled acquisition workforce to contract for the supplies and services it needs to accomplish its mission. Contracting Officer Representatives (CORs) are valued members of that workforce because they help to monitor and manage HHS' contracts.

HHS' current Federal Acquisition Certification for Contracting Officer's Technical Representative (FAC-COTR) policy was revised to establish a risk-based, three-tiered FAC-COR certification program. The term Contracting Officer's Technical Representative (COTR) was changed to COR to align with the Federal Acquisition Regulation (FAR), which now incorporates a definition for "Contracting Officer's Representative" and includes designation of a COR as part of a Contracting Officer's responsibilities¹.

¹ See FAR Parts 1.602-2 "Responsibilities" and 2.101, "Definitions"

3. Applicability: HHS accomplishes its mission and objectives in a variety of ways, through the use of federal staff, federal financial assistance mechanisms (grants and cooperative agreements), and acquisition. The FAC-COR program applies to all executive agencies, except the Department of Defense (DoD). This federal certification shall be accepted by all civilian agencies as evidence that an employee meets the core training and experience requirements to perform COR functions in accordance with agency policy². The FAC-COR certification prerequisites and continuous learning requirements apply to all HHS employees who wish to continue performing COR functions. Contractors and contractor employees are not eligible to be certified or to serve as CORs.

4. HHS' FAC-COR General Program Structure

HHS' FAC-COR program will include three levels:

- Level I will require a minimum of 24 hours of acquisition-related training. This level of COR is generally appropriate for individuals serving on technical evaluation panels as well as supporting low-risk contract vehicles – such as firm-fixed price and services/supply contracts and orders that do not exceed \$25,000. Level I CORs are required to maintain at least 16 hours of training every 2 years.
- Level II will require a minimum of 60 hours of acquisition-related training and 1 year of previous experience. This COR level is generally appropriate for contract vehicles of moderate to high complexity and has a contract threshold value that ranges from \$25K to \$10M. Level II CORs are required to maintain at least 40 hours of training every 2 years.
- Level III will require a minimum of 96 hours of acquisition-related training and 2 years of previous experience. This COR level is appropriate for highly complex – mission critical contract vehicles that require significant acquisition investment. These CORs are often called upon to perform significant project/program management activities and manage contracts that exceed \$10M in value. Level III CORs are required to maintain at least 80 hours of training every 2 years.

As necessary, StaffDivs/OPDIVs covered by this FAC-COR policy may require additional training, dollar thresholds, and/or experience, above the appropriate FAC-COR requirements.

5. FAC-COR Training and Experience Requirements: HHS Contracting Officers shall not delegate authority to act as COR to uncertified personnel.³ Heads of Contracting Activity (HCAs) or their designees [typically Acquisition Career Managers (ACMs)] are hereby delegated authority to: (a) establish, manage and

² As necessary, StaffDivs/OPDIVs covered by this FAC-COR policy may require additional training, dollar thresholds, and/or experience, above the appropriate FAC-COR requirements.

³ See HHSAR 301.604 (attached) for exceptions.

monitor their OPDIVs' FAC-COR programs; (b) grant, suspend, deny, revoke, and reissue certifications; (c) evaluate candidate proficiencies and determine course equivalencies for certification, in accordance with FAI's required COR competencies; and (d) resolve any certification-related disputes.

HHS' FAC-COR program includes: (1) competency-based core training to achieve certification; (2) experience requirements for Level II and III certifications; and (3) continuous learning to maintain certification.

- i. For initial FAC-COR certifications, applicants are required to complete coursework that includes the key competencies stated in FAI's Key Competencies for CORs. FAC-COR certifications are valid for two years from the date that such coursework was completed⁴.
- ii. Individuals who hold a Federal Acquisition Certification in Contracting (FAC-C) or Project/Program Management (FAC-P/PM) Level I or Level II are considered to have met the FAC-COR reciprocity requirements for FAC-COR Level II. Individuals who hold a FAC-C and/or FAC-P/PM Level III are considered to have met the FAC-COR Level III reciprocity requirements⁵. However, they must still submit the necessary documents to obtain certification.
- iii. CORs are also subject to any specialized mandatory training requirements specified in interim and/or official HHS guidance.
- iv. FAC-COR certification lasts for two (2) years. To maintain FAC-COR certification, CORs are required to earn continuous learning points (CLPs) of skills currency training every two (2) years. CORs are responsible for tracking and maintaining their training records⁶, monitoring and managing their acquisition training needs, and notifying their immediate supervisors of ongoing training requirements for maintenance of their certifications. The servicing ACM must monitor the continuous learning requirements to ensure certifications remain active.

Continuous learning activities must be related to acquisition management, contracting, or project/program management and include, but are not limited to, the following:

- Training activities, such as teaching, self-directed study, and mentoring;
- Courses completed to achieve certification at the next higher level;

⁴ Within reason, the HCA (or designee) may use discretion in determining suitable timeframes for accepting training and determining certification expiration dates.

⁵ HHS shall follow any determinations made by FAI/OFPP as to which certifications by organizations outside the federal government are eligible for full or partial consideration under the FAC-COR. A copy of the certification must accompany the application.

⁶ FAI's Federal Acquisition Institute Training Application System (FAITAS) is the central acquisition workforce information system for all civilian agencies and supports the FAC-COR program.

- Professional activities, such as attending/speaking/presenting at professional seminars/symposia/conferences, publishing papers, and attending workshops;
- Educational activities, such as formal training and formal academic programs; and
- Experience, such as developmental or rotational assignments.

If the required CLPs are not earned within each 2-year period, a FAC-COR certification will lapse. Lapsed certifications may be reinstated when the applicable Level number of CLPs has been accumulated.

6. Certifications from other Federal agencies: HHS recognizes and accepts FAC-COR certifications issued by other Federal agencies or any HCA or designee. Individuals who have served in a COR capacity at another agency, and participated in another federal agency's COR training previous to the FAC-COR program, may seek recognition for fulfillment of the FAC-COR requirements and demonstrate their proficiency by completing the FAC-COR Certification through Fulfillment Form and submitting the information to their HCA or designee

7. FAC-COR Application Process: Applicants for HHS FAC-COR certifications shall submit application packages to their immediate supervisor. Application packages must include copies of relevant training certificates or documentation supporting fulfillment. Level II and III candidates are required to include the FAC-COR Functional Experience Transcript as a part of their application package.

HCA's or designees shall: (i) review the completed application packages; (ii) evaluate application packages; (iii) either grant or reject the applicant's certification; and (iv) sign and issue FAC-COR certificates

8. FAI's Federal Acquisition Institute Training Application System (FAITAS): This system is the central acquisition workforce information system for all civilian agencies and will support HHS' FAC-COR program. CORs are responsible for maintaining certification documentation for quality assurance purposes. FAI is responsible for managing FAITAS and will continue to issue guidance, as necessary, to support FAITAS implementation. More information regarding FAITAS can be found at www.fai.gov.

9. Performance Accountability: At least one critical element in the COR's performance standard must be specific to contract management or the COR duties described in the FAC-COR Appointment Letter.

Attachment

cc: Acquisition Career Managers
 John Teeter, ASA OCIO
 Diane Stewart, ASA OFMP
 Trina Greer, ASA HHS University