



NATIONAL GUARD BUREAU
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NGB-PARC

30 October 2015

MEMORANDUM FOR All National Guard Bureau (NGB), All United States
Property and Fiscal Offices (USPFO) and ANG Contracting Offices

Subject: Contracting Officer Representatives (CORs)

References: (a) Memorandum, Deputy Assistant Secretary of the Army
(Procurement), (DASA(P)), 7 October 2015, subject: Contracting
Officer's Representative Management and Service Contract and
Oversight Responsibility
(b) Memorandum, Deputy Assistant Secretary of the Army
(Procurement), 21 October 2015, subject: Post Award Oversight
and Surveillance of Contracts
(c) Army Federal Acquisition Regulation Supplement (AFARS)
(d) Department of Defense Instruction No. 5000.72, 26 March 2015

1. The purpose of this memorandum is to clearly establish contracting policy on contracting officer's representative (COR) management and oversight of service contracts. This memorandum incorporates the latest guidance on requiring activity (RA) and contracting officer responsibilities as described in the attached enclosures and highlights additional implementing guidance issued by the undersigned.
2. Effective immediately, Contracting Officers are hereby instructed to allow 45 calendar days after receipt of a procurement request (PR) package for the RA to satisfy all COR requirements. In accordance with AFARS 5101.602-2-91, if, after the 45 days, a COR has not been properly trained and nominated, contracting officers will cease further action on the PR package and return it to the supported RA.
3. Contracting Officers are hereby instructed to validate COR and ordering officer records every 12 months in accordance with DFARS PGI 201.602-2(d)(vii) to ensure contractor compliance with the terms of the contract. Contracting Officers will document the review in the contract file. In addition to this review, the Contracting Officers will remain involved with the contract administration of the contract life cycle and ensure:

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- a. personnel outside the contracting chain of command are not directing, influencing or placing undue influence on CORs;
- b. personnel utilizing their position or rank to improperly assert “implied contractual authority” to impede, obstruct, or attempt to manage contracting matters are educated on appropriate contract rules and regulations;
- c. monthly communication with CORs through personal meetings, phone calls, and/or VTCs to build trust, collaboration and communication across the enterprise to promote sound contracting practices and proper oversight controls; and
- d. CORs complete monthly surveillance reports and maintain in the official file.

4. Education, communication and collaboration are the tenets of a successful organization. To assist the contracting staff, matrices outlining minimum NGB training requirements necessary to achieve approval to be appointed as a COR on service contracts are enclosed. In addition to these classes, construction CORs are required to complete CON 244 and for Architect-Engineer (A-E) services, CORs must complete CON 243. ARNG, ANG and Joint Components may require their CORs to complete additional training to serve on their contracts.

5. CORs serving on contracts that fail to meet the required training outlined in the attached matrices will have 90 days to obtain all required training. NOTE: This timeline exceeds the time allotted within the DoDI. Failure to complete and document the required training within the times prescribed may result in termination of the COR designation.

6. The DoDI 5000.72 states Contracting Officers may waive COR specific initial and refresher training; however, all waivers concerning COR training at the States shall be signed by the US Property and Fiscal Officer and will be clearly documented. The documentation shall outline why the waiver was granted, the corrective action plan to get the COR trained, the timeline to complete the training, and what actions will be taken if the timelines are not met. The training will be aggressively tracked by the Supervisory Contract Specialist for compliance. Failure to complete the required training will require additional waivers to be approved by the NGB PARC. For actions executed at NGB, the

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waiver will be signed by the Deputy PARC and/or PARC and must be clearly documented as identified above and aggressively tracked by the Chief of AQ.

7. The duties and responsibilities of a COR require annual filing of a Confidential Financial Disclosure Report (OGE Form 450). Within 30 days of appointment as a COR, the Contracting Officer shall verify the COR has filed an OGE Form 450. Waivers to this requirement may only be approved by the NGB PARC.

8. The point of contact for this action is Ms. Carolyn Massenburg at 703-607-1202 or email at carolyn.m.massenburg.civ@mail.mil.



CYNTHIA S. TOLLE
Principal Assistant Responsible for
Contracting

Attachment[s]:
As stated



DEPARTMENT OF THE ARMY
OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY
ACQUISITION LOGISTICS AND TECHNOLOGY
103 ARMY PENTAGON
WASHINGTON DC 20310-0103

OCT 07 2015

SAAL-PP

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Contracting Officer's Representative Management and Service Contract Oversight Responsibility

1. References:

a. Memorandum, Deputy Assistant Secretary of the Army (Procurement), 21 October 2010, subject: Post Award Oversight and Surveillance of Contracts.

b. Memorandum, Vice Chief of Staff of the Army, 19 June 2015, subject: Army Policy on Requiring Activity Responsibilities for Training, Appointment, and Management of Contracting Officer's Representatives.

2. The purpose of this memorandum is to rescind reference 1a. and update Army contracting policy on contracting officer's representative (COR) management and oversight of service contracts. There have been several enhancements to the COR management and service contract oversight process since reference 1a. was signed. This memorandum incorporates the latest guidance on requiring activity (RA) and contracting officer responsibilities as described in the enclosure. Ensuring the Army obtains quality services in accordance with contractual terms remains a shared responsibility of the requiring and contracting activities.

3. Contracting activities are hereby instructed to allow 45 calendar days after receipt of the procurement request (PR) package for the RA to satisfy all COR requirements. If, after 45 days, a COR has not been properly trained, nominated and approved, contracting officers will cease further action on the PR package and return it to the supported RA. The purpose of this requirement is to compel RAs to provide timely nominations to the contracting officer, to ensure responsive compliance with the Army Federal Acquisition Regulation Supplement 5101.602-2-91(a) requirement to appoint a properly trained COR prior to contract award.

4. The point of contact is Mr. John Courtis, (703) 617-0306, or e-mail: john.t.courtis.civ@mail.mil.

Encl

Harry R. Blalock
Deputy Assistant Secretary
of the Army (Procurement)

ATTACHMENT 1

SAAL-PP

SUBJECT: Contracting Officer's Representative (COR) Management and Service
Contract Oversight Responsibility

DISTRIBUTION:

PRINCIPAL ASSISTANTS RESPONSIBLE FOR CONTRACTING:

U.S. ARMY CONTRACTING COMMAND, HEADQUARTERS
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U.S. ARMY CORPS OF ENGINEERS, WINCHESTER
CENTCOM-JOINT THEATER SUPPORT CONTRACTING COMMAND
NATIONAL GUARD BUREAU

OVERVIEW OF REQUIRING ACTIVITY AND CONTRACTING OFFICER RESPONSIBILITIES FOR CONTRACTING OFFICER'S REPRESENTATIVE (COR) MANAGEMENT AND SERVICE CONTRACT OVERSIGHT

1. References:

- a. Army Regulation 70-13 (Management and Oversight of Service Acquisitions), 30 July 2010.
- b. Memorandum, Vice Chief of Staff of the Army, 19 June 2015, subject: Army Policy on Requiring Activity Responsibilities for Training, Appointment, and Management of Contracting Officer's Representatives.
- c. Federal Acquisition Regulation (FAR).
- d. Defense FAR Supplement.
- e. Army FAR Supplement.
- f. Department of Defense Instruction 5000.72 (DoD Standard for COR Certification), 26 March 2015.

2. Well-defined contract requirements are essential for successful service contract performance. Establishing clear requirements is the primary responsibility of the RA. In accordance with (IAW) reference 1a., RAs are responsible for:

- a. Establishing the need for a service contract;
- b. Performing market research sufficient to determine whether there are commercially-available services that meet the Army's needs and to identify the practices of firms engaged in providing the services;
- c. Developing a performance work statement (PWS) that describes the services in terms of the required results rather than either how the work is to be accomplished or the number of hours to be provided; and
- d. Prescribing contract quality requirements through the development of a quality assurance surveillance plan, prepared in conjunction with the PWS, specifying all the work requiring surveillance by the Government and the method of surveillance.

3. The RA assists the contracting officer in ensuring that the contractor has fulfilled its commitments to the Government during contract performance. The individual with the

Enclosure

OVERVIEW OF REQUIRING ACTIVITY AND CONTRACTING OFFICER RESPONSIBILITIES FOR CONTRACTING OFFICER'S REPRESENTATIVE (COR) MANAGEMENT AND SERVICE CONTRACT OVERSIGHT

primary responsibility for verifying the contractor's technical compliance is the COR. IAW reference 1b., the RA is responsible for:

- a. Nominating a properly qualified and trained COR; and
 - b. Incentivizing the COR by addressing the COR's performance of the designated functions in the COR's annual performance appraisal.
4. IAW Section 1.602 of reference 1c., contracting officers are responsible for ensuring performance of all necessary actions for effective contracting, ensuring compliance with the terms of the contract, and safeguarding the interests of the United States in its contractual relationships. To fulfill this obligation, the contracting officer's responsibilities in service contract oversight include:
- a. Serving as a business advisor to and active partner of the RA as the service contract requirements are developed (see paragraph 2 above);
 - b. Appointing a properly-trained and qualified COR prior to contract award IAW 201.602-2 of reference 1d. and subsection 5101.602-2-91 of reference 1e.;
 - c. Clearly identifying in the appointment letter the duties delegated to the COR, along with the limitations on the COR's authority (see Enclosure 4 of reference 1f.);
 - d. Maintaining open lines of regular communication with the COR to ensure adequate oversight and resolve any open problems;
 - e. Validating COR records every 12 months IAW subsection 5101.602-2-91 of reference 1e. and providing performance feedback to the COR's supervisor; and
 - f. Ensuring preparation of regular contractor performance information IAW subparts 42.15 of reference 1c., 242.15 of reference 1d., and 5142.15 of reference 1e.

Enclosure



DEPARTMENT OF THE ARMY
OFFICE OF THE VICE CHIEF OF STAFF
201 ARMY PENTAGON
WASHINGTON DC 20310-0201

JUN 19 2015

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Army Policy on Requiring Activity Responsibilities for Training, Appointment, and Management of Contracting Officer's Representatives

1. Reference, U.S. Army Audit Agency (AAA) Report (A-2015-0019-ALC), 18 December 2014, subject: Service Contract Oversight Material Weakness.
2. Contract support to the Warfighter is a proven force multiplier. Whether deployed or in garrison, contract support allows the U.S. Army to focus its military and civilian personnel on core missions. Effective oversight of contractors by Contracting Officer Representatives (CORs) is critical to the U.S. Army's mission success. The COR is the "front line scout" who oversees and evaluates vendor delivery of services to Army Commands, its Soldiers and their Families, facilities, and equipment.
3. A recent review by the U.S. AAA revealed that for 58 percent of contracts reviewed, the COR appointment process was not completed prior to contract award. Leaders and contracting officials must ensure that qualified personnel are nominated, trained, and appointed as CORs and that CORs consistently perform their oversight responsibilities. The enclosure to this memorandum describes Army policy on COR training, appointment, and management requirements.
4. Commanders and supervisors who select high quality CORs reap the benefits of substantially better contract support and protect the Army from fraud, waste, and abuse. I charge every leader and contracting official to timely nominate, appoint, and manage skilled CORs sufficient to provide effective oversight of contractors.
5. All questions and comments should be directed to the Office of the Deputy Assistant Secretary of the Army (Procurement) at usarmy.pentagon.hqda-asa-alt.mbx.office-of-the-dasa-p@mail.mil.

Encl


DANIEL B. ALLYN
General, U.S. Army

DISTRIBUTION:
(see next page)

ATTACHMENT 2

SUBJECT: Army Policy on Requiring Activity Responsibilities for Training, Appointment, and Management of Contracting Officer's Representatives

DISTRIBUTION:

Principal Officials of Headquarters, Department of the Army
Commander

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- U.S. Army Medical Command
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- U.S. Army Military District of Washington
- U.S. Army Test and Evaluation Command
- U.S. Army Installation Management Command

Superintendent, United States Military Academy
Director, U.S. Army Acquisition Support Center
Executive Director, Arlington National Cemetery
Commander, U.S. Army Accessions Support Brigade
Commandant, U.S. Army War College
Commander, Second Army

CF:

Director, Army National Guard
Director of Business Transformation
Commander, Eighth Army
Commander, U.S. Army Cyber Command

Army Policy on Contracting Officer's Representative (COR) Training, Appointment and Management

1. References:

- a. Army Regulation (AR) 70-13 (Management and Oversight of Service Acquisitions), 30 July 2010.
- b. Department of Defense Instruction (DoDI) 5000.72 (DoD Standard for Contracting Officer's Representative (COR) Certification), 26 March 2015.
- c. DoD, COR Handbook, 22 March 2012.

2. In accordance with AR 70-13, a COR is required to be appointed for all service contracts as early in the acquisition cycle as possible, unless the contracting officer retains contract oversight responsibilities.

3. Nomination and appointment of CORs occur in the Virtual Contracting Enterprise (VCE)-COR Module (available at: <https://cor.army.mil>) or the successor COR management tool. Contracting activities will allow 45 calendar days after receipt of the Procurement Request (PR) package for the Requiring Activity (RA) to satisfy all COR requirements. If, after 45 days, a COR has not been properly trained, nominated and approved, contracting activities will cease any further action on that PR package and return it to the supported RA.

4. When the contracting officer determines the duties and responsibilities of the COR meet the criteria for filing a Confidential Financial Disclosure Report (OGE Form 450), the RA must ensure the COR nominee has completed the OGE Form 450 (per DoDI 5000.72).

5. The RA is also responsible for developing and using a contract Quality Assurance Surveillance Plan (QASP). Each QASP should specify all work requiring surveillance and the method of surveillance. The COR is required to submit monthly status reports in the VCE-COR Module.

6. In March 2010, the Under Secretary of Defense established DoD COR competency and training standards for service acquisitions that the Army adopted as its standard. DoDI 5000.72, enclosure 6, explains the COR training, experience, and competency standards for three types of service requirements ranging from routine, low risk performance contracts to complex, high risk contracts. These standards supersede the COR certification standards prescribed in AR 70-13.

7. In the event that multiple or alternate CORs are necessary, RA shall ensure that each nominee has completed the required training and meets all COR requirements, and shall nominate each candidate in the VCE-COR Module.

Enclosure

Army Policy on Contracting Officer's Representative (COR) Training, Appointment and Management

Each COR's supervisor shall address the COR's performance of the designated functions in the COR's annual performance appraisal.

8. The Office of Defense Procurement and Acquisition Policy published the DoD COR Handbook. The handbook addresses key aspects of contract quality surveillance and the roles and responsibilities of the Contracting Officer, COR, and the RA/COR management. The DoD COR Handbook is available at <http://www.acq.osd.mil/dpap/policy/policyvault/usa001390-12-dpap.pdf>.

Table 2. DoD Standard for Certification of CORs – Type A

NATURE OF TYPE A: WORK OR REQUIREMENT	REQUIRED COMPETENCY TOPICS	REQUIRED COMPETENCIES	EXPERIENCE AND TRAINING REQUIREMENTS
<p>Fixed-price contracts without incentives and low performance risk.</p> <p>Attributes of such requirements might include:</p> <ul style="list-style-type: none"> • Lack of technical or administrative complexity • No identifiable risk factors • Limited requirement for technical expertise • Low likelihood of modification • Effort is a follow-on to an existing contract <p>COR responsibilities are generally limited to minimal technical and administrative contract surveillance.</p>	<p><u>General:</u></p> <ul style="list-style-type: none"> • Attention to detail • Decision making • Flexibility • Oral and written communication • Problem solving and reasoning • Self-management and initiative • Teamwork <p><u>Technical:</u></p> <ul style="list-style-type: none"> • Business ethics • Effective communication of contract requirements • Effective contract performance management • Effective COR performance 	<p>On completion of mandatory training, the COR should be able to perform at least these competencies in a manner consistent with the nature of Type A work or requirements:</p> <ul style="list-style-type: none"> • Assist in acquisition planning. • Assist in contract award process. • Establish and maintain a COR file with all required documentation. • Identify and prevent unethical conduct and instances of fraud, waste and abuse. • Perform technical and administrative contract surveillance and reporting responsibilities in accordance with the letter of designation and surveillance plan. • Recommend contract changes when necessary, and monitor contract performance as modified. • Monitor contract expenditures and payments. • Monitor contract schedule compliance. • Perform liaison responsibilities between the contracting officer, the requiring activity, and the contractor for management of the contract. • Inspect and accept or reject deliverables during contract performance and at close-out in conformance with contract terms and conditions. • Monitor the control and disposition of U.S. Government furnished assets. • Perform surveillance in a contingency environment, when applicable. 	<p><u>Experience:</u></p> <ul style="list-style-type: none"> • Agency experience: Minimum of 6 months unless waived. The waiver must be addressed in the nomination package. • Relevant technical experience: As determined by the requiring activity and COR Management for the contracting officer's consideration. • General competencies: As determined by the nominating supervisor for the contracting officer's consideration. <p><u>Training:</u></p> <ul style="list-style-type: none"> • DAU course, "Contracting Officer's Representative with a Mission Focus" (online). • DAU course, "COR in a Contingency Environment," when applicable (classroom or online). • WAWF training (online). • DoD Component provided ethics (designated OGE Form 450 filers only) & CTIP training. • Additional training mandated by the contracting activity or agency (e.g., security, etc.). <p><u>Refresher Training:</u></p> <ul style="list-style-type: none"> • Minimum of 8 hours COR specific training: <ul style="list-style-type: none"> ○ Every 3 years, OR ○ Before assuming COR responsibilities, if the individual has not served as a COR within the previous 24 months. • Annual DoD Component provided ethics (designated OGE Form 450 filers only) & CTIP training. • Any additional training mandated by the contracting activity or agency.

Table 3. DoD Standard for Certification of CORs – Type B

NATURE OF TYPE B: WORK OR REQUIREMENT	REQUIRED COMPETENCY TOPICS	REQUIRED COMPETENCIES	EXPERIENCE AND TRAINING REQUIREMENTS
<p>Fixed-price contracts with incentives; fixed-price contracts with other than low performance risk; and other than fixed-price contracts. This includes everything other than Types A and C.</p> <p>Attributes of such requirements might include:</p> <ul style="list-style-type: none"> Contract complexity or performance risk Effort will be performed in multiple regions or remote geographic locations The need for increased surveillance Magnitude of the requirement The contract contains incentive arrangements or cost sharing provisions The contract is cost-type of T&M or LH type, or FP LOE <p>COR responsibilities are of increased complexity.</p>	<p><u>General:</u></p> <ul style="list-style-type: none"> Attention to detail Decision making Flexibility Influencing and persuasive interpersonal skills Oral and written communication Planning and evaluating Problem solving Reasoning Self-management and initiative Teamwork <p><u>Technical:</u></p> <ul style="list-style-type: none"> Business ethics Defining government requirements Understanding and knowledge of contract type Effective analytic skills Effective communication of contract requirements Effective contract performance management Effective COR performance Project management Strategic planning Understanding the marketplace 	<p>On completion of mandatory training, the COR should be able to perform at least these competencies in a manner consistent with the nature of Type B work or requirements:</p> <ul style="list-style-type: none"> Assist in acquisition planning. Assist in contract award process. Establish and maintain COR file with all required documentation. Identify and prevent unethical conduct and instances of fraud, waste and abuse. Review technical deliverables and ensure compliance with Statement of Work or Statement of Objectives (e.g., perform technical monitoring and reporting in accordance with a quality assurance surveillance plan or other quality surveillance plan). Perform administrative monitoring and reporting responsibilities (e.g., handle security issues, attend meetings, etc.). Recommend contract changes when necessary and monitor contract performance as modified. Monitor contract expenditures and payments. Monitor contract schedule compliance. Perform liaison responsibilities between the contracting officer and the contractor for management of the contract. Inspect, and accept or reject deliverables during contract performance and at close-out in conformance with contract terms and conditions. Review and validate that contractor payment requests are commensurate with performance. Monitor control and disposition of U.S. Government furnished assets. Perform surveillance in a contingency environment, when applicable. 	<p><u>Experience:</u></p> <ul style="list-style-type: none"> Agency experience: Minimum of 12 months unless waived. The waiver must be addressed in the nomination package. Relevant technical experience: As determined by the requiring activity or COR management for the contracting officer's consideration. General competencies: As determined by the nominating supervisor for the contracting officer's consideration. <p><u>Training:</u></p> <ul style="list-style-type: none"> DAU course, "Contracting Officer's Representative" (classroom or on-line) or ALU-CL or equivalent course. DAU course, "COR in a Contingency Environment," when applicable (classroom or online). WAWF training (online). DoD Component provided ethics (designated OGE Form 450 filers only) & CTPP training. Additional training mandated by the contracting activity or agency (e.g., security, etc.). <p><u>Refresher Training:</u></p> <ul style="list-style-type: none"> Minimum of 16 hours COR specific training: <ul style="list-style-type: none"> Every 3 years, OR Before assuming COR responsibilities, if the individual has not served as a COR within the previous 24 months. Annual DoD Component provided ethics (designated OGE Form 450 filers only) & CTPP training. Any additional training mandated by the contracting activity or agency.

Table 4. DoD Standard for Certification of CORs – Type C

NATURE OF TYPE C: WORK OR REQUIREMENT	REQUIRED COMPETENCY TOPICS	REQUIRED COMPETENCIES	EXPERIENCE AND TRAINING REQUIREMENTS
<p>Unique contract requirements that necessitate the COR have a higher education or specialized training beyond the Type B requirements.</p> <p>Attributes of such requirements might include:</p> <ul style="list-style-type: none"> • Environmental remediation • Major weapons systems • Medical or dental or veterinarian services, etc. <p>COR responsibilities are of increased complexity.</p>	<p><u>General:</u></p> <ul style="list-style-type: none"> • Attention to detail • Decision making • Flexibility • Influencing and persuasive interpersonal skills • Oral and written communication • Planning and evaluating • Problem solving • Reasoning • Self-management and initiative • Teamwork <p><u>Technical:</u></p> <ul style="list-style-type: none"> • Business ethics • Defining government requirements • Understanding and knowledge of contract type • Effective analytic skills • Effective communication of contract requirements • Effective contract performance management • Effective COR performance • Project management • Strategic planning • Understanding the marketplace 	<p>On completion of mandatory training, COR should be able to perform at least these competencies in a manner consistent with the nature of Type C work or requirements:</p> <ul style="list-style-type: none"> • Assist in acquisition planning. • Assist in contract award process. • Establish and maintain COR file with all required documentation. • Identify and prevent unethical conduct and instances of fraud, waste and abuse. • Review technical deliverables and ensure compliance with Statement of Work or Statement of Objectives (e.g., perform technical monitoring and reporting in accordance with a quality assurance surveillance plan or other quality surveillance plan). • Perform administrative monitoring and reporting responsibilities (e.g., handle security issues, attend meetings, etc.). • Recommend contract changes when necessary and monitor contract performance as modified. • Monitor contract expenditures. • Monitor contract schedule compliance. • Perform liaison responsibilities between the contracting officer and the contractor for management of the contract. • Inspect, accept or reject deliverables during contract performance and at close-out in conformance with contract terms and conditions. • Review and validate that contractor payment requests are commensurate with performance. • Monitor and control disposition of government furnished assets. • Perform surveillance in a contingency environment, when applicable. • Other specific functions consistent with the objectives of the activity's mandatory specialized or technical training. 	<p><u>Experience:</u></p> <ul style="list-style-type: none"> • Agency experience: Minimum of 12 months unless waived. The waiver must be addressed in nomination package. • Relevant technical experience: As determined by the requiring activity or COR management for the contracting officer's consideration. • General competencies: As determined by the nominating supervisor for the contracting officer's consideration. <p><u>Training:</u></p> <ul style="list-style-type: none"> • DAU course, "Contracting Officer's Representative" (classroom or on-line) or ALU-CL or equivalent course. • DAU course "COR in a Contingency Environment," when applicable (classroom or online). • WAWF training (online). • DoD Component provided ethics (designated OGE Form 450 filers only) & CTPP training. • Additional training mandated by the contracting activity or agency (e.g., security, etc.). <p><u>Refresher Training:</u></p> <ul style="list-style-type: none"> • Minimum of 16 hours COR specific training: <ul style="list-style-type: none"> ○ Every 3 years, OR ○ Before assuming COR responsibilities, if the individual has not served as a COR within the previous 24 months. • Annual DoD Component provided ethics (designated OGE Form 450 filers only) & CTPP training. • Any additional training mandated by the contracting activity or agency. • Any necessary for maintenance of license or certification, etc.