



DEPARTMENT OF THE NAVY

NAVAL SUPPLY SYSTEMS COMMAND
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IN REPLY REF
NAVSUPINST 4205.3F
NAVSUP N72

AUG 19 2015

NAVSUP INSTRUCTION 4205.3F

From: Commander, Naval Supply Systems Command

Subj: CONTRACTING OFFICER'S REPRESENTATIVE

Ref: (a) DFARS 201.602-2, Contracting Authority and Responsibilities
(b) DoDI 5000.72, DoD Standard for COR Certification
(c) FAR 3.101, Standards of Conduct
(d) FAR 42.302, Contract Administration Functions
(e) FAR 42.2, Contract Administration Services
(f) FAR 46.4, Contract Quality Assurance
(g) DoDI 4105.67, Non-appropriated Fund (NAF) Procurement Policy and Procedure
(h) SECNAVINST 7043.5 (series) NAF Procurement Policy and Procedure

Encl: (1) NAVSUP Contracting Officer's Representative (COR) Standards
(2) NAVSUP COR Procedures for Monitoring Contractor Performance
(3) NAVSUP Husbanding Service Provider (HSP) COR Procedures for Monitoring Contractor Performance
(4) Contract/Delivery/Task Order Deliverables Tracker
(5) NEXCOM (NAFI) Procedures for Monitoring Contractor Performance

1. Purpose. To update and revise the Naval Supply Systems Command (NAVSUP) policy, assign responsibilities and provide guidance addressing the designation (appointment), responsibilities, limitations of authority, and oversight of a Contracting Officer's Representative (COR).

2. Cancellation. NAVSUPINST 4205.3E, NAVSUPINST 4205.3E CH-1 and NAVSUP policy letter 14-010. This instruction has been revised significantly and must be reviewed in its entirety.

3. Scope and Applicability. This instruction applies to all Navy Field Contracting System (NFCS) activities and to all requiring activities with CORs appointed by NFCS Procuring Contracting Officers (PCOs). Enclosures (1) through (4) apply to contracts subject to references (a) through (f). Enclosure (5) applies to contracts subject to references (g) and (h).

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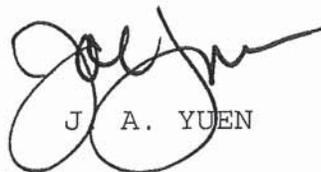
4. Policy. COR Designation (Appointment). References (a) and (g) authorize contracting officer designation of CORs for appropriated fund (APF) and NAFI contracts respectively.

5. Request for Changes. Submit suggestions for changes to this instruction in writing to NAVSUP N72. Requests for change shall be submitted via the contracting activity chain of command and should include a statement of the issue, the recommended solution and specific proposed change language to be implemented. Electronic mail submissions are acceptable.

6. Waivers or Deviations. Requests for waivers or deviations to this instruction shall be submitted via the contracting activity chain of command and forwarded to NAVSUP N72. Electronic submissions are acceptable. Activities without a Chief Contracting Office (CCO) shall submit such requests via the appropriate Procurement Performance Management Assessment Program (PPMAP) office.

7. Action. All NFCS personnel, CORS and ACORS appointed for contracts awarded by NFCS activities shall comply with this instruction.

8. Records Management. Records created as a result of this instruction, regardless of media and format, shall be managed per SECNAV Manual 5210.1.



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**NAVSUP CONTRACTING OFFICER'S
REPRESENTATIVE (COR) STANDARDS**



NAVAL SUPPLY SYSTEMS COMMAND

AUG 19 2015

NAVSUP CONTRACTING OFFICER'S
REPRESENTATIVE (COR) STANDARDS

TYPE A WORK/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/requirements:</p> <ol style="list-style-type: none"> 1. Assist in acquisition planning. 2. Assist in contract award process. 3. Establish and maintain COR file with all required documentation. 4. Identify and prevent unethical conduct and instances of fraud, waste and abuse. 5. Perform technical and administrative contract surveillance and reporting duties in accordance with letter of designation and Quality Assurance Surveillance Plan (QASP). 6. Recommend contract changes when necessary and monitor contract performance as modified. 7. Monitor contract expenditures and payments. 8. Monitor contract schedule compliance. 9. Perform liaison duties between the contracting officer, the requiring activity, and the contractor for management of the contract. 10. Inspect and accept or reject deliverables during contract performance and at close-out in conformance with contract terms and conditions. 11. Monitor the control and disposition of Government furnished assets. 12. Perform surveillance in a contingency environment, when applicable. 13. Assist in contract closeout. 	<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, CLC 106, "Contracting Officer's Representative with a Mission Focus" (online). • DAU course, CLC 206, "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.

NAVSUP CONTRACTING OFFICER'S
REPRESENTATIVE (COR) STANDARDS

TYPE B WORK/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/LH type, or FP LOE. Hybrid-Fixed Price requirements which includes any provision for T&M/LH. <p>COR responsibilities are of increased complexity.</p>	<p>General:</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>Technical:</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 the following competencies in a manner consistent with the nature of Type B work/requirements:</p> <ol style="list-style-type: none"> 1. Assist in acquisition planning. 2. Assist in contract award process. 3. Establish and maintain COR file with all required documentation. 4. Identify and prevent unethical conduct and instances of fraud, waste and abuse. 5. Review technical deliverables and ensure compliance with Statement of Work/Statement of Objectives (e.g., perform technical monitoring and reporting in accordance with a QASP). 6. Perform administrative monitoring and reporting responsibilities (e.g., handle security issues, attend meetings, etc.). 7. Recommend contract changes when necessary and monitor contractor performance as modified. 8. Monitor contract expenditure and payments. 9. Monitor contract schedule compliance. 10. Perform liaison duties between the contracting officer and the contractor for management of the contract. 11. Inspect, and accept or reject deliverables during contract performance and at close-out in conformance with contract terms and conditions. 12. Review and validate that contractor payment requests are commensurate with performance. 13. Monitor control and disposition of Government furnished assets. 14. Assist in contract closeout. 15. Perform surveillance in a contingency environment, when applicable. 	<p>Experience:</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>Training:</p> <ul style="list-style-type: none"> • DAU course, CLC 222, COR (classroom or online) or ALU-CL or equivalent course. • DAU course CLC 206, 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>Refresher Training:</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) & CTIP training. • Any additional training mandated by the contracting activity or agency.

AUG 19 2015

NAVSUP CONTRACTING OFFICER'S
REPRESENTATIVE (COR) STANDARDS

TYPE C WORK/REQUIREMENT	REQUIRED COMPETENCY TOPICS	REQUIRED COMPETENCIES	EXPERIENCE/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>General:</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>Technical:</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/requirements:</p> <ol style="list-style-type: none"> 1. Assist in acquisition planning. 2. Assist in contract award process. 3. Establish and maintain COR file with all required documentation. 4. Identify and prevent unethical conduct and instances of fraud, waste and abuse. 5. Review technical deliverables and ensure compliance with Statement of Work/Statement of Objectives, e.g., perform technical monitoring and reporting in accordance with a QASP. 6. Perform administrative monitoring and reporting responsibilities, e.g., handle security issues, attend meetings, etc. 7. Recommend contract changes when necessary and monitor contractor performance as modified. 8. Monitor contract expenditures. 9. Monitor contract schedule compliance. 10. Perform liaison duties between the contracting officer and the contractor for management of the contract. 11. Inspect, and accept or reject deliverables during contract performance and at close-out in conformance with contract terms and conditions. 12. Review and validate that contractor payment requests are commensurate with performance. 13. Monitor the control and disposition of Government furnished assets. 14. Perform surveillance in a contingency environment, when applicable. 15. Assist in contract closeout. 16. Other specific functions consistent with the objectives of the activity's mandatory specialized or technical training. 	<p>Experience:</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>Training:</p> <ul style="list-style-type: none"> • DAU course, CLC 222, COR (classroom or online) or ALU-CL or equivalent course. • DAU course CLC 206, 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>Refresher Training:</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) & CTIP training. • Any additional training mandated by the contracting activity or agency. • Any necessary for maintenance of license or certification, etc.

**NAVSUP COR PROCEDURES FOR
MONITORING CONTRACTOR PERFORMANCE**



NAVAL SUPPLY SYSTEMS COMMAND

NAVSUP COR Procedures for Monitoring Contractor Performance

1. Definitions

a. Administrative Contracting Officer (ACO). This is the warranted Government official responsible for administering the contract to the extent that the PCO has delegated contract administration. The ACO generally resides within the Contract Administration Office.

b. Alternate Contracting Officer's Representative (ACOR). The alternate Government official appointed in writing by the PCO. The ACOR performs the COR responsibilities including technical direction/clarification in the absence of the COR.

c. Contract Administration Office (CAO). The office designated to perform assigned functions related to the administration of the contract.

d. Contract Administration Plan (CAP). This is a formal process for assigning service contract administration functions to the responsible individuals, e.g., PCO, ACO, ordering officer, COR, Defense Contract Audit Agency (DCAA), etc. The CAP ensures that all contract administration functions are performed, without duplication of effort; and that careful consideration is given to contract type, performance, place of performance, etc. when assigning duties. A sample documentation form for the CAP is available on CKS/Forms Library under the subheading "COR/ACOR Forms" at <https://www.navsup.navy.mil/cks/referencelibrary>.

e. Contracting Officer's Representative (COR). An employee, military or civilian, of the U.S. Government, a foreign government, or NATO/coalition partners designated (appointed) in writing by a PCO to serve as technical liaison between the Government and a contractor for a specific contract, set of line items or an order under an IDC contract or BOA. In no case shall contractor personnel serve as a COR. COR authority delegated to the COR by the PCO shall not be re-delegated. The COR shall not appoint, delegate, re-delegate or sub-delegate his/her COR responsibilities to another person. If circumstances change and there is a reasonable expectation that the COR cannot perform effectively, i.e., personal conflict of interest, change in assignment, etc., the COR shall notify COR management and the PCO to request a successor COR be designated. The COR monitors the contractor's performance and provides technical advice to the contracting officer and contractor

within the scope of work or PWS of the contract including verifying that invoices properly reflect the services performed or the products delivered. Samples of COR appointment letters are available on CKS/Forms Library under the subheading "COR/ACOR Forms" at <https://www.navsup/navy.mil/cks/referencelibrary>.

f. Delivery Order Contract. This is a contract that does not procure or specify a firm quantity of supplies (other than a minimum or maximum quantity) and provides for the issuance of orders for the delivery of supplies during the period of the contract (FAR 16.501-1).

g. DOD Contracting Officer's Representative Tracking (CORT) Tool. This is a web-accessible application that will allow DOD components to track COR nominations, appointments, terminations and training. It is also a web-based portal for CORs to file and maintain reports and other pertinent documentation.

h. Indefinite-Delivery Contract (IDC). A contract used to acquire supplies or services when the exact times and/or exact quantities of future deliveries are not known at the time of contract award. There are three types of IDCs: definite-quantity, requirements, and indefinite-quantity.

i. Navy Field Contracting System (NFCS). Collectively, all Navy contracting activities exercising contract authority derived from Commander, Naval Supply Systems Command as HCA.

j. Non-Personal Services Contract. A contract under which the personnel providing the services are not subject (either by the contract's terms, or by the manner of its administration) to the supervision and control usually prevailing in relationships between the Government and its employees (FAR 37.101).

k. Nominating Official. The individual authorized by the requiring activity to approve a COR's nomination through the DOD CORT Tool. This individual may be the COR's supervisor or a higher level management individual in the COR's chain of command. This individual is responsible for the nomination of a qualified individual to serve as a COR for contracts or orders associated with the requiring activity. The nominating official should consider the level of effort required to perform the assignment, including the type of contract, the complexity of the contract, the degree of oversight required, and any other concurrent COR assignments. The individual shall ensure the prospective COR understands the importance of performance of the

designated COR responsibilities and allows adequate time and resources, e.g., time, supplies, and equipment, for performance of COR designated duties/responsibilities. This individual will ensure performance of COR duties/responsibilities are evaluated as part of the COR's performance assessment throughout the period of the contract, including input on performance of COR responsibilities from the PCO. If COR designation is terminated for any reason, this individual takes action to identify/nominate a replacement COR and ensure the terminated COR provides all reports/records and files to COR management or successor COR, as appropriate.

l. Nomination Approval. This is submitted by the requiring activity/COR management to the PCO through the DOD CORT Tool.

m. Ordering Officer. An individual authorized to sign, issue and modify delivery orders/task orders within the limits of assigned authority. Ordering officers are appointed in writing by the appointing official at the designated ordering activity.

n. Personal Services Contract. A contract that by its express terms or as administered, make contractor personnel appear in effect, Government employees (see FAR 37.101).

o. Procuring Contracting Officer (PCO). This is the Government official authorized by a warrant to enter into a contract for the Government. The only individual authorized to designate CORs/ACORs.

p. Quality Assurance Surveillance Plan (QASP). In accordance with reference (e), a QASP should be prepared in conjunction with preparation of the PWS and should specify all work requiring surveillance and the method of surveillance. FAR 12.208 states, "contracts for commercial items shall rely on contractors' existing quality assurance systems as a substitute for Government inspection and testing before tender for acceptance unless customary market practices for the commercial item being acquired include in-process inspection. Any in-process inspection by the Government shall be conducted in a manner consistent with commercial practice." Therefore, a QASP is not required for acquisition of commercial supplies. Additionally, in accordance with DFARS 246.404, a QASP is not required for acquisitions at or below the simplified acquisition threshold unless the criteria at DFARS 246.402 have been met. If a QASP is required for a service requirement, include the plan with the base period and options. For guidance and

assistance in preparing a QASP, a "QASP Tutorial and Guide," "AQASP Preparation Template" and sample QASPs can be found at <https://www.navsup.navy.mil/cks/referencelibrary#forms> under the Q section. Also, under this section is a QASP Matrix and Elements of a QASP.

q. Requiring Activity. The activity which establishes and identifies a need which is subsequently developed into a Request for Contractual Procurement (RCP) action or a Purchase Request (PR) and submitted to a contracting activity for acquisition.

r. Service Contract. A contract that directly engages the time and effort of a contractor whose primary purpose is to perform an identifiable task rather than to furnish an end item of supply. The PCO is responsible for ensuring a proposed service contract is proper; i.e., the PCO shall determine whether the proposed service is for a personal or non-personal service contract using guidelines in FAR 37.104 as stipulated in FAR 37.101.

s. Task Order Contract. A contract for services that does not procure or specify a firm quantity of services (other than a minimum or maximum quantity) and provides for the issuance of orders for the performance of tasks during the period of the contract (see FAR 16.501-1).

t. Technical Assistant (TA)/Technical Point of Contact (TPOC). The requiring activity representative who may be assigned to provide technical/administrative assistance to the COR. TAs/TPOCs may be assigned to assist and support the COR, but do not have the authority to provide any technical direction or clarification directly to the contractor.

u. Technical Direction Letter (TDL). A written document issued by the COR to the contractor. It is used to clarify, define, or give specific direction within the PWS/SOW of the basic contract and in conjunction with orders for specific tasks falling within the scope of the basic contract. TDLs shall be issued to provide technical instructions relating to schedule, labor hours and/or deliverables under task orders or contract. Technical direction should not alter or modify the scope or terms of the contract or specific task order. TDLs shall not be used as pseudo task orders or modifications and shall not identify new deliverables, or increase labor categories or mix proposed by the contractor. Each TDL shall be issued for a specified time, task and location. TDLs shall not include ambiguous, all inclusive language such as: on board ships, at homeports of attached units, or other designated areas/sites, as

directed. Oral technical direction may be issued only in emergency circumstances and shall be confirmed by issuance of a written TDL within two working days. Every TDL must be reviewed by the PCO or ACO prior to being issued by the COR. Even an oral TDL must be discussed with the PCO/ACO before it is placed. Each TDL must include, at a minimum, the date of the TDL, the contract and TDL number, printed name and contact information of the COR and the PCO/ACO, reference to the relevant section or item in the PWS/SOW, and signatures and dates of the PCO/ACO and the COR. The PCO/ACO shall be on distribution to receive copies of all TDLs when copies are distributed to the contractor. COR shall maintain a TDL log, and copies of all TDLs issued.

v. Tracking Deliverables. A recent Department of Defense Inspector General audit report identified a need for stronger contract oversight specifically for task orders to ensure the Navy receives the quantity and quality of services for which it contracted. The audit revealed that NAVSUP CORs did not have a mechanism to track deliverables when they were submitted. A sample of the documentation required is provided as enclosure (4). Contractor's performance documented in the COR Monthly Report must now include the actual dates deliverables were submitted and track all changes to deliverables where a modification to the task order/contract is required. Enclosure (4) must be completed and attached to the COR Monthly Report to the PCO via the COURT Tool. As an alternative for completing enclosure (4), the information from this enclosure may be incorporated into the COR Monthly Report and submitted.

2. COR Ethics. Per references (b) and (c), the COR shall complete a Confidential Financial Disclosure Report (OGE Form 450). The COR shall conduct Government business in a manner above reproach and, except as authorized by statute or regulation, with complete impartiality and with preferential treatment for none. Transactions relating to the expenditure of public funds require the highest degree of public trust and an impeccable stand of conduct.

3. COR Qualifications

a. A COR must be a U.S. Government employee, civilian or military, or an employee, civilian or military, of a foreign government or a North Atlantic Treaty Organization (NATO)/coalition partners as cited in DFARS 201.602-2(d)(1). Prior to designating a COR, the PCO must ensure the nominee has achieved the mandatory competencies and experience/training requirements for designation as a COR, as detailed in the NAVSUP

Contracting Officer's Representative (COR) Standards (enclosure (1)). The COR must understand the responsibilities and limitations of his/her role in providing technical assistance in the administration of a specific contract/task order to which the COR has been appointed. PCOs may require the COR to take additional training at any time during the COR's appointment. Failure to attend additional training as directed by the PCO may result in termination of the COR appointment. Required competencies and the experience/training requirements are established based on the complexity of the contract.

b. CORs meeting the experience/training requirements of:

(1) Type A work shall be designated for fixed price, low performance risk contracts, and may be designated as a COR on contracts for Type A work only.

(2) Type B work shall be designated on other than low performance risk, fixed price contracts, and may be designated as a COR on contracts for Type A or B work.

(3) Type C work shall be designated when there are unique requirements that necessitate a professional license, technical or additional education/training beyond Type B, and may be designated as a COR on contracts for Type A, B, or C work.

c. Training is available online from the Defense Acquisition University (DAU) website at <https://learn.dau.mil/> or training may be obtained through courses at Army Logistics University (formerly Army Logistics Management College (ALMC)) Fort Lee, Virginia. In addition to mandatory COR training, supplemental training with a focus on services is highly encouraged. Specific and minimum training requirements are outlined in enclosure (1) and reference (b).

d. The PCO may waive COR specific initial and refresher training requirements for COR nominees who have obtained a minimum of Level II "Certification in Contracting" (1102 job series), "Industrial Property Management" (1103 job series), or "Quality Assurance" (1910 job series), in accordance with sections 1701-1764 of Title 10, United States Code, also known as "The Defense Acquisition Workforce Improvement Act (DAWIA)." The PCO will determine what the COR-specific refresher training course requirements should be commensurate with the contract work being performed. However, annual provided ethics and combating trafficking in persons (CTIP) training may not be waived.

4. Contract Administration Plan (CAP). The contract surveillance activities performed by CORs should be tailored to the dollar value and/or complexity of the specific contract. To ensure satisfactory administration of service contracts and avoid duplication of contract administration functions including those listed in references (c) and (d), the PCO shall develop a CAP for each contract with an assigned COR. A CAP is also required for each contract whenever the requiring activity is delegated authority by the PCO to perform specific duties or significant tasks related to contract administration, e.g., property administration, other than inspection and acceptance. Development of a CAP requires coordination between the PCO, the COR, the requiring activity, the ACO and personnel from any Government activity necessary for efficient and effective administration. The CAP will delineate responsibilities for specific administration functions to an authorized representative of the Government including personnel security responsibilities required to ensure that security background investigations are accomplished in accordance with the contract and the DD Form 254, DOD Contract Security Classification Specification, if required. It shall also address the responsibilities and limitations of authority of appointed ordering officers for IDCs. When an IDC is involved, proper procedures and restrictions or limitations on placing orders and for making source selections shall be addressed in the CAP. A master CAP may be established to cover a group or types of similar contracts from an individual requiring activity where assignment of contract administration functions to the PCO, ACO, COR, and/or ordering officer are consistent. A master CAP may also be appropriate for multiple awards under a single solicitation, as discussed in FAR 16.504(c).

5. Contractor Performance Assessment Report (CPAR). A CPAR involves assessing and documenting a contractor's performance, both positive and/or negative, on a given contract for a specific period of time. This performance information is used for accomplishing past performance evaluations for future source selections. Each assessment must be based on objective facts and supported by program and contract management data. CORs play a significant role in the CPAR process and may be the assessing official on the contract responsible for preparing a quality narrative to accompany the CPAR rating. As the assessing official, the COR must make a dedicated effort to thoroughly describe the circumstances surrounding the rating. The rating must include sufficient information to justify it pursuant to the procedures at FAR Subpart 42.1503. Also, COR as the assessing official, must complete an "interim" CPAR,

annually in the Contract Performance Assessment Reporting System (CPARS) Automated Information System (AIS) within 45 days of the anniversary of the first day of performance under the contract. The "final" CPAR shall be completed within 45 days of the end of the performance period. Only a "final" CPAR is required for contracts with a period of performance less than one-year. The CPARS provides contractor performance information to the Past Performance Information Retrieval System (PPIRS) where it can be retrieved by DOD activities. The CPARS Automated Information System collection tool and other relevant guidance can be accessed at <https://www.cpars.gov/>. This website also includes a comprehensive user manual that describes system functionality, including email notifications. CORs must take the on-line "Quality and Narrative Writing" training prior to completing the initial CPAR and then annually as a refresher prior to completing subsequent CPARS. All CPARS information is treated as "For Official Use Only/Source Selection Information," in accordance with FAR Subparts 2.101, 3.104 and 42.1503.

6. Limitations and Restrictions. A single individual shall perform only one of the following functions: (a) initiation of the requirement; (b) award of contract or placement of order; and (c) receipt, inspection and acceptance of supplies or services. If circumstances preclude an individual from performing a single function, as a minimum, the individual responsible for the award of a contract or placement of an order shall not perform the receipt, inspection and acceptance function. Such separation of functions is essential to avoid the potential for fraud, waste, and abuse and any appearance of mismanagement of Government funds or conflict of interest. The COR does **not** have the authority to:

a. change the price/cost or fee, quantity, quality scope, delivery schedule, labor mix or other terms and conditions of the contract, task or delivery order;

b. issue delivery orders;

c. make or authorize any changes in the contract; and/or

d. re-delegate COR authority or responsibilities. Only the PCO, ACO or ordering officer (within his/her specific delegation) shall have the authority to request proposals, negotiate prices and obligate the Government. The COR must also maintain an arms-length relationship with the contractor to help ensure that services remain non-personal.

7. Alternate COR (ACORs), Technical Assistant (TA)/Technical Points of Contact (TPOC) or Multiple CORs. Only persons explicitly authorized by the PCO are eligible to perform COR responsibilities. In order to ensure continuity of contract administration, PCOs may designate an ACOR to a specific contract to perform the responsibilities of the COR in the COR's absence. The appointment letter for the ACOR must explicitly state that the ACOR shall act only in the absence of the COR. The appointment letter must be a complete and stand-alone document tasking specific duties/responsibilities to the COR prior to award. PCOs may add, delete, revise or elaborate on the COR responsibilities contained in the nomination package as necessary, and as required. Discuss any changes to the duties recommended in the nomination package with the requiring activity/COR management prior to issuing the appointment letter. The letter shall include: (1) the period covered by the appointment, and must state that COR duties are not re-delegable; (2) the COR may be personally liable for unauthorized acts; and (3) a statement that the COR's signature on the appointment letter certifies the information as correct to the best of his or her knowledge. The letter should also establish the basis for a feedback procedure to ensure the PCO (and ordering officer, if applicable) is kept aware of significant events of contract performance. There may be only one COR, or multiple CORs appointed to a specific contract to monitor different orders or contract line items. A TA/TPOC may also be assigned to assist and support the COR, but does not have the authority to provide any technical direction or clarification directly to the contractor. The commanding officer or the designee of the requiring activity may appoint a TA/TPOC to assist the COR in executing routine administration and monitoring duties. In no case shall the COR appoint the TA/TPOC to assist with COR duties. The appointment must be in writing and must set forth the TA's/TPOC's responsibilities and limitations. Before appointment, the requiring activity's commanding officer or designee shall ensure TAs/TPOCs have the appropriate and adequate experience and training. The successful completion of COR training is strongly recommended for all TAs/TPOCs. The COR remains technically responsible for contractor performance monitoring despite the appointment of a TA/TPOC; therefore, the COR should ensure information received from the TA/TPOC is accurate and complete. The COR shall also ensure the TA/TPOC maintains a non-personal relationship with the contractor. Sample letters for ACORs and TAs/TPOCs are available at the Contract Knowledge Site (CKS)/Forms Library under the subheading "COR/ACOR Forms" at <https://www.navsup.navy.mil/cks/referencelibrary#forms>.

8. Self-Nomination Process. The COR should be identified by the requiring activity as early in the acquisition process as practicable. The COR must be a CORT Tool user to complete the nomination package. If the COR requires access to the CPARS, the synchronized pre-deployment and operational tracker (SPOT) and enterprise contractor manpower reporting application (eCMRA), an account would be required after COR designation. The self-nomination process is initiated by the prospective COR using the DOD CORT Tool, which is located on the Wide Area Workflow (WAWF) website <https://wawf.eb.mil>. The requiring activity submits a request for COR designation to the PCO through the CORT Tool. The request shall outline the services/supplies being procured; nominee's technical qualifications including specific experience/training; the technical functions to be performed; and the duration of requested appointment. The COR nomination shall affirm the COR will be afforded necessary resources (time, supplies, equipment, & opportunity) to perform the designated functions; the prospective COR and the prospective COR's supervisor understand the importance of performance of the designated functions; and the prospective COR supervisor will ensure the performance of the designated functions will be addressed as part of the COR's performance assessments. The COR's supervisor shall solicit input on performance of the COR's duties from the PCO. Copies of COR training course certificates are to be provided as attachments in the self-nomination process. If the nominee will be serving as an ACOR, the nomination package shall be initiated by the ACOR nominee. To initiate the COR/ACOR nomination the COR/ACOR creates a profile and completes the required fields in the CORT Tool. Then the COR/ACOR must prepare a contract nomination package by selecting the "COR Nomination Process;" completing all required data fields and certifications; and, saving and submitting the nomination to the Requiring Activity Manager/Higher Level Authority for approval. An online DD Form 2875, System Authorization Access Request (SAAR) is required. The DD Form 2875 will be created from a new CORT Tool registration or when a user adds an additional role. The DD Form 2875 must be reviewed and approved or rejected by the requiring activity approval authority. The requiring activity approval authority may be the COR nominee's supervisor. Currently, the two signatures required on the DD Form 2875 is the CORT Tool user (COR nominee) and their supervisor. The nomination process requires the COR nominee to certify the following in the CORT Tool:

a. He/she will complete the COR specific "refresher training" as required by "DoD Standards for Certifications of

Contracting Officer Representative (COR) for Services Acquisition" every 3rd year. He/she will update the training section of CORT Tool with a copy of the refresher course certificate and date of course completion.

b. He/she has the necessary clearance for the contract and any relevant information;

c. If determined by the PCO, he/she will comply with the requirement to complete an OGE Form 450, Confidential Financial Disclosure Report and complete and file the OGE Form 450 by February of each year while serving as COR, and include a statement in the February Monthly COR Report that this was accomplished;

d. Understand that he/she may be required, as a COR, to complete COR Reports and submit them within the CORT Tool as specified in the contract

e. He/she will complete the Monthly COR Report and submit to the PCO within the CORT, if contract deliverables are required the COR shall track them using enclosure (4) (or similar document), and submit to the PCO with the Monthly COR Report via CORT Tool;

f. He/she will accomplish the annual administrative review of their COR files with the PCO each year in the anniversary month of the appointment;

g. He/she understands the COR may be held personally liable for unauthorized acts;

h. He/she will, if applicable, register as a user of Invoicing, Receipt, Acceptance and Property Transfer (iRAPT) online and taken the training at <https://wawf.eb.mil> and will process payments when possible using iRAPT.

9. COR Supervisor Process. An email is generated by the CORT Tool and sent to the COR's supervisor listed in the COR's profile. COR supervisor/COR management shall access the CORT Tool, review the nomination, and approve, save, reject or cancel the nomination. Note: The CORT Tool provides the COR the capability to submit the nomination for approval, save the nomination for completion at a later time, or cancel the nomination. CORT Tool guidance and training is available at https://www.navsup.mil/cks/reference_library/acquisition_reference_library/forms.

10. Responsibilities

a. Nominating Official/Requiring Activity shall:

(1) Ensure the person identified has completed or will have completed COR training and certify prior to designation that the individual possesses the required competencies and meets the expertise/training requirements consistent with the duties to be assigned;

(2) Ensure COR duties/responsibilities are incorporated in either the COR's annual performance appraisal or performance assessment;

(3) Discuss COR duties/responsibilities to be designated and the importance of performance of COR responsibilities with COR nominee;

(4) Ensure performance of COR duties/responsibilities are evaluated as part of the COR's annual performance appraisal or performance assessment throughout the period of the contract, including input on performance of COR responsibilities from the PCO;

(5) Ensure the COR and COR management/supervisor are both registered in the DOD CORT Tool.

(6) Approve and submit a COR nomination to the PCO preferably with the RCP/PR submission, but no later than 14 days prior to contract award using the DOD CORT Tool. The COR nomination process is discussed in paragraph 8 above;

(7) Identify, concurrent with submission of the RCP/PR, those specific areas of the proposed contract effort where specific technical expertise is required to ensure quality, satisfactory performance and successful contract completion;

(8) Identify any repetitive or similar requirements applicable to the requiring activity, so a master CAP may be developed by the PCO and subsequently submitted by the requiring activity with similar RCP/PR submissions. If at the time of submission of the RCP/PR, modification of the master CAP is necessary for the specific requirement involved, such information shall be provided to the PCO so an addendum to the master CAP may be developed by the PCO for the instant requirement;

(9) Determine that the COR nominee has no personal conflict of interest with performing duties/responsibilities to be assigned;

(10) Ensure the COR nominee has completed and filed the initial OGE Form 450, and an annual OGE Form 450 thereafter, within the required time period;

(11) Review for PCO's approval the DD Form 254, if required, and ensure the COR nominee has the necessary clearance for the contract;

(12) Ensure the COR nominee understands the requirement to complete a yearly review of COR files with the PCO or other officials as authorized by the PCO each year in the anniversary month of their designation;

(13) Ensure the COR nominee is registered as a WAWF online user at <https://wawf.eb.mil>; and

(14) Provide timely notice to the PCO when the COR must be replaced or the appointment terminated; i.e., if a conflict of interest develops or the COR is transferred.

b. PCOs shall:

(1) Determine the need for either a COR, multiple CORs or alternate CORs, to assist in technical monitoring and contract oversight and advise the requiring activity of the need for COR(s) support and the qualifications mandated per enclosure (1) of this instruction;

(2) Ensure the COR complete and file the required OGE Form 450;

(3) Insert DFARS 252.201-7000 into the solicitation and contract when appointment of a COR is anticipated;

(4) Develop the CAP. State those functions that are specifically delegated to each party (PCO, CAO, COR, ordering officer, etc.). It is not necessary to state detailed procedures to be used by each party to perform those functions. However, the CAP must be sufficient to ensure that all contract administration functions are assigned; state the specific circumstances of the contract; and give due consideration to the type of contract, the place of performance, the period of performance, inspection and acceptance criteria, and security

requirements. The CAP shall clearly state the limitations and restrictions on the roles of the COR and the use of TDLs;

(5) Verify the nominee has achieved the required competencies and experience/training requirements detailed in NAVSUP COR Standards (enclosure (1)), as documented in the requiring activity's nomination package;

(6) Notify the requiring activity the COR nominee is acceptable, or identify deficiencies and request additional nominations, as applicable;

(7) Provide an orientation to the COR nominee to address duties/responsibilities to be delegated, unique terms and conditions of the contract, importance of performance, personal conflict of interest (COI) and potential COI, informal commitments/unauthorized commitments, and ethics/integrity in relationships with the PCO/COR management/contractor;

(8) Insert in section G of the solicitations and contracts, when a COR will be designated the Contract Administration Appointments and Duties. The sample "text" is available on the CKS/Forms Library under the subheading "COR/ACOR Forms" at https://www.navsup.navy.mil/cks/reference_library/acquisition_reference_library/forms;

(9) Appoint the COR, in writing, setting forth the extent and method of contract monitoring which is appropriate to the particular contract. The appointment letter must be a complete and stand-alone document tasking specific duties/responsibilities to the COR prior to award. PCOs may add, delete, revise or elaborate on the COR's responsibilities which are contained in the nomination package as necessary, and as required. Discuss any changes to the duties recommended in the nomination package with the requiring activity/COR management prior to issuing the appointment letter. The letter shall include the period covered by the appointment and must state: (1) COR duties are not re-delegable; (2) the COR may be personally liable for unauthorized acts; and (3) include a statement that the COR's signature on the appointment letter certifies the information as correct to the best of his or her knowledge. The letter should also establish the basis for a feedback procedure to ensure the PCO (and ordering officer, if applicable) is kept aware of significant events of contract performance. For an IDC, if a COR is to be appointed, more than

one COR may be appointed to monitor different orders or contract line items under the same contract;

(10) Sign the appointment letter. Obtain both the COR's and nominating official's signed acknowledgements on the appointment letter and forward to the COR, with a copy to the requiring activity/COR management. Two copies of the appointment letter signed by the PCO, COR and nominating official shall be provided to the contractor and CAO. The contractor must acknowledge receipt of the letter by counter-signing one copy and returning it to the Contracting Officer. The PCO will make appropriate distribution of this contractor acknowledgement and upload the signed appointment/designation letter to the CORT Tool. The COR nomination and acceptance shall be completed through the CORT Tool, unless a specific waiver is granted by OUSD(AT&L) Defense Procurement and Acquisition Policy, Program Development and Implementation (PDI) Directorate;

(11) Identify the COR in the contract/order award document;

(12) Provide a copy of the contract, any modifications, and any additional guidance, as needed, to the COR;

(13) For award of IDCs, identify the ordering activity/activities that will be authorized to place task orders under IDC in the contract award document, i.e., all Navy contracting officers or all DOD contracting officers;

(14) Withhold or terminate appointments when there is reason to believe the appointment is not in the best interest of the Government. When appointments are withheld or terminated, the PCO will immediately notify the nominating official of the reason(s), i.e., conflict of interest, inadequate training or experience. A sample COR termination letter is available on CKS/Forms Library under the subheading "COR/ACOR Forms" at <https://www.navsup.navy.mil/cks/referencelibrary>;

(15) Meet annually on the anniversary month of the appointment with the COR and review the COR's files and adherence to his or her appointed duties. Annual meetings can take place via video teleconferences (VTC), conference calls, personal visits, etc. Written documentation of the annual meeting must be retained in the contract/order and COR files. At a minimum, the PCO shall include the date of the meeting, the mode in which it was conducted and any pertinent information

regarding the substance, and extent of the meeting. Ensure the COR Functional Review Questionnaire, at [https://www.navsup.navy.mil/cks/reference_library/acquisition reference library/forms](https://www.navsup.navy.mil/cks/reference_library/acquisition_reference_library/forms), is completed and on file for each annual review;

(16) Provide feedback on COR performance to the COR management/supervisor. If the COR's reports and performance are inadequate, discuss performance with the COR. If the reports and the COR's performance continue to be inadequate, discuss the COR's performance with the COR management/supervisor. If reports/performance continue to be inadequate, notify both the COR and COR management/supervisor that the COR designation is (will be) terminated and request nominations for a replacement COR;

(17) Document the termination of a COR designation due to transfer, retirement, or other causes in writing. Notice of termination must be acknowledged by the COR and COR management and posted in the DoD CORT Tool (see paragraph (14) above). Termination notice must be provided to the COR management who will provide notice to either the local JAG or OGC;

(18) Modify contracts when appointments have been terminated;

(19) Insert the current NAVSUP clause 5252.242-9402, Technical Direction, in solicitations and contracts where authority will be delegated to the COR to issue TDLs;

(20) Review and approve/sign all TDLs prior to the COR issuing them to the contractor. Keep a copy of each TDL issued in the appropriate contract file, and reference the TDL number when issuing modifications associated with TDLs, including incremental funding modifications;

(21) When CPARs are required, ensure all individuals involved with monitoring contractor performance understand their role and responsibilities; and

(22) Review, approve or reject same or similar text as provided in enclosure (4) to track the dates deliverables are submitted. Ensure this documentation is attached in the CORT Tool with the COR Monthly Report, as required.

c. CORs shall:

- (1) Complete the required COR training or refresher training prior to contract award;
- (2) Complete the OGE Form 450;
- (3) Register and create a COR profile in the DOD CORT Tool;
- (4) Read the contract and understand the terms and conditions that are applicable to the assigned COR duties and responsibilities;
- (5) Read the CAP;
- (6) Read reference (b) located from the DOD Issuances Website at <http://www.dtic.mil/whs/directives>;
- (7) Perform the duties and comply with the responsibilities and limitations specified in the COR designation (appointment) letter, including the documentation of actions taken under such delegation of authority;
- (8) Inform the PCO when they will be unavailable to perform his or her duties;
- (9) Maintain an arms-length relationship with contractor employees;
- (10) Identify new contract requirements and changes as they occur;
- (11) Avoid conflicts of interest or any appearance of conflicts of interest. If a conflict or the perception of a conflict of interest develops, notify the appointing PCO, nominating official, and deputy agency's ethics official immediately;
- (12) Adhere to the statutes and regulations governing the standards of conduct;
- (13) Understand the COR's role and responsibilities in regards to CPARS. If assigned as the assessing official, the COR is responsible to manually input basic contract information into CPARS, initiate the assessment process by entering proposed

ratings and remarks, and forward assessments to the contractor for review and comments;

(14) Complete an "interim" CPAR, annually in the CPARS AIS within 45 days of the anniversary of the first day of performance under the contract, and complete the "final" CPAR within 45 day of the end of the performance period;

(15) Take the online "Quality and Narrative Writing" training prior to completing the initial CPAR and then annually as a refresher prior to completing subsequent CPARS;

(16) Assign contractor performance evaluation ratings consistent with procedures established in FAR Subpart 42.1503;

(17) Pay particular attention to the timely review of invoices to ensure that labor hours, labor mix, materials (if any), travel and Other Direct Costs (ODCs) identified are consistent and reasonable for the effort completed during the period covered by the invoice. For all cost-reimbursement invoices: (1) validate and confirm prime contractor and subcontractor ODCs, labor hours, and material costs; (2) review the subcontractor back-up documentation associated with each invoice to ensure its validity and reasonableness; and (3) verify receipt of all services claimed to have been provided on an invoice. If a contractor refuses to provide cost and back-up information, or the information provided is insufficient, contact the contracting officer immediately. Update the "Comment" section of the WAWF document to annotate Receipt and Acceptance and annotate such language as "Acknowledged Receipt and Acceptance of Goods Received and/or Services Rendered Without Exception." This language or similar language is to be annotated in the "Comment" section, only if the goods (supplies) received and the services rendered conform to the contract requirements. It is not necessary to use the comment section for 2-in-1 and combo invoices because they have a specific receipt and acknowledgement section within. Retain any documentation used to validate Receipt and Acceptance. For non-conforming goods, immediately notify the vendor/contractor. Upon completion of the review, prepare the Contractor Invoice Review Form, available on CKS/Forms Library under the subheading "COR/ACOR Forms" at <https://www.navsup.navy.mil/cks/referencelibrary>, and submit copies to the PCO/ACO (ordering officer and DCAA);

(18) Submit a written report to the PCO (and ordering officer) on contractor performance, if CPARS is not required.

This report shall be submitted 60 days prior to contract (task/delivery order) completion, but in no event, less than annually. This report may be compiled from the COR file documentation and should address all aspects of contractor performance including cost effectiveness, quality, and timeliness. A sample COR report of the contractor's performance is available on CKS/Forms Library under the subheading "COR/ACOR Forms" at <https://www.navsup.navy.mil/cks/referencelibrary/>;

(19) NOT make any commitments or changes that will affect price, quality, quantity, delivery, or any other term or condition of the contract;

(20) NOT issue delivery/task orders;

(21) NOT change or give the appearance of changing the intent or substance of an order or contract;

(22) NOT perform their duties in a manner that would suggest the contract is a vehicle for personal services;

(23) NOT interfere with contractor's dealings with organized labor, subcontractors or with the contractor's personnel practices;

(24) NOT receive, inspect and accept supplies or services resulting from a requirement that the COR initiated (see additional information per paragraph 6 above on Limitations and Restrictions);

(25) NOT duplicate the authority delegated to DCAA per DFARS 242.803; e.g., audit and approve interim vouchers for provisional payment;

(26) NOT appoint, designate, re-designate or sub-designate COR duties/responsibilities to other persons; and

(27) Maintain a COR file, by contract and/or task/delivery order which contains documentation relative to the actions taken by the COR. COR files shall be available for review by the PCO, Inspector General, U.S. Government Accountability Office, internal review officials, or other officials, as authorized by the PCO. A complete COR file should contain the following documentation:

- (a) Copy of the original COR appointment letter (signed by the PCO and acknowledged by the COR and the nominating official).
- (b) Documentation supporting completion of COR training.
- (c) A copy of the procurement request(s) with SOW/PWS Independent Government Estimates.
- (d) A copy of the request for proposal and all amendments.
- (e) A copy of the contractor's technical proposal.
- (f) Copies of pre-award correspondence.
- (g) A copy of the contract/order and all modifications.
- (h) A copy of all correspondence, including e-mails between COR and the contractor, contracting officer and/or ordering officer, and other Government officials involved in the contract and/or delivery/task order.
- (i) A record of all Government Furnished Property, the date provided to the contractor, and the condition of the property when provided.
- (j) A copy of the CAP.
- (k) Copies of DD Form 254, Security Specification.
- (l) Name, position title, phone number, e-mail address and function of every Government person who is providing technical or administrative assistance.
- (m) Name, position title, phone number, e-mail address of the alternate COR.
- (n) A Quality Assessment Surveillance Plan (QASP) describing when, where and how surveillance is accomplished, and how the results will be used, if applicable.
- (o) Copies of the minutes and list of attendees for each contract related meeting.
- (p) Copies of test reports (if applicable).

- (q) Contract "diary."
- (r) Government inspector's performance log.
- (s) An outline showing any important dates.
- (t) Contractor inspection procedure and log (if applicable).
- (u) Record of unforeseeable situations, conditions, Acts of God, etc., and any actions taken to minimize adverse consequences.
- (v) A tickler system showing all due dates.
- (w) Copies of all contractor performance reports.
- (x) Descriptions of contractor performance or provisional deficiencies and steps taken to correct them.
- (y) A system of documenting all labor hours, costs, travel dollars authorized and expended.
- (z) Copies of all invoices and receipt documents processed from the contractor.
- (aa) Copies of all receipt and acceptance documents processed.
- (ab) Copy of all TDLs issued.
- (ac) Copy of COR monthly reports and documentation of actual dates deliverables are submitted (if applicable).
- (ad) Any additional supporting documentation.
- (ae) Record of overall contractor performance evaluation at the end of the contract or delivery/task order.
- (af) Letter terminating COR appointment (if applicable).
- (ag) Minutes of the contracting officer's debriefing of the COR at the end of the contract.

d. Duties that may be assigned to a TA/TPOC shall:

- (1) Identify contractor deficiencies to the COR;
- (2) Review contract/task/delivery order deliverables, recommend acceptance/rejection and provide the COR with documentation to support the recommendation;
- (3) Assist in preparing the final report on contractor performance for the applicable contract/task/delivery order per the format and procedures prescribed by the COR;
- (4) Identify contractor noncompliance with reporting requirements to the COR;
- (5) Evaluate the contractor's proposal for specific delivery/task orders and identify any potential problems, areas of concern or issues to be discussed during negotiations for the COR;
- (6) Review contractor status and progress reports, identify deficiencies to the COR and provide the COR with recommendations regarding acceptance, rejection and/or Government technical clarification requests;
- (7) Review invoices for the appropriate mix of types and quantities of labor, materials and ODCs, and provide the COR with recommendations to facilitate COR timely review of the invoice;
- (8) Provide the COR with timely input regarding technical clarifications for the SOW, possible technical direction to provide the contractor and recommend corrective actions; and
- (9) Provide detailed written reports of any trip, meeting or conversation to the COR subsequent to any interface between the TA/TPOC and the contractor.

**NAVSUP HUSBANDING SERVICE PROVIDER
(HSP) CONTRACTING OFFICER'S
REPRESENTATIVE (COR) PROCEDURES FOR
MONITORING CONTRACTOR PERFORMANCE**



NAVAL SUPPLY SYSTEMS COMMAND

NAVSUP Husbanding Service Provider (HSP) Contracting Officer's
Representative (COR)

1. Purpose. To provide additional policy and guidance addressing the designation (appointment), responsibilities, limitation of authority, and oversight of a Contracting Officer's Representative (COR) for Husbanding Service Provider (HSP) contracts herein referred to as a HSP COR.
2. Addendum. This enclosure serves as an addendum to NAVSUPINST 4205.3F CONTRACTING OFFICER'S REPRESENTATIVE. It does not replace the information in the basic instruction which applies to all CORs. It provides additional information, greater clarity and granularity of CORs specifically assigned to HSP contracts.
3. Scope and Applicability. This applies to all Navy Field Contracting System (NFCS) activities and to all requiring activities with CORs appointed by NFCS Procuring Contracting Officers (PCOs) to HSP contracts. Where guidance in the basic instruction conflicts with this guidance for actions supporting an HSP contract, this addendum prevails.
4. Policy
 - a. COR Designation (Appointment). Applicable regional Fleet Logistic Center (FLC) Procurement Contracting Officers (PCOs) shall appoint a properly trained COR in writing prior to award all HSP contracts and task orders.
 - b. COR Qualifications. PCO must ensure the nominee has achieved the mandatory competencies and experience/training requirements for designation as a COR as detailed in enclosure (1), NAVSUP Contracting Officer's Representative (COR) Standards as Type C work, that is unique contract requirements necessitating specialized training or knowledge for COR duties/responsibilities of increased complexity. The specialized knowledge required of HSP CORs includes the following:
 - (1) Knowledge of the terms and condition set forth in all current husbanding service contracts, regardless of scope or regional coverage.
 - (2) Extensive knowledge of the full range of contract performance evaluation methods, surveillance plans and

techniques and principles, procedures, and regulations specific to surveillance of HSP performance.

(3) Skilled to explain requirements and prepare written guidance and decisions relating to ship port visit requirements; proficient in conducting training relating to contracting processes and mechanisms for acquiring HSP services across multiple knowledge levels.

(4) Comprehensive knowledge of the broad field of logistics as it relates to Navy afloat units and ability to apply that knowledge to analyze and evaluate effectiveness and efficiency of operations and to resolve difficult problems identified within the contracting processes, work methods and day-to-day operational procedures.

(5) Fleet customer support and fleet logistics experience; knowledgeable of principles, concepts, and practices for management of goods and services required for supporting the fleet.

(6) In addition to the initial and refresher DAU course/COR specific training requirements, HSP CORs must complete annual training for acquisition ethics and Combating Trafficking in Persons. It is important that HSP CORs maintain an arms-length relationship with HSP contractors with whom they may grow familiar over the course of contract performance and to ensure no financial conflict of interest, complete an OGE Form 450. CORs must remain vigilant to identify unethical business or illegal labor practices of contractors.

c. Contract Administration Plan (CAP). All HSP contracts shall utilize a standard CAP for Fixed Price, Indefinite Delivery Contracts modified to standardize, align and delineate ordering, administration and contract surveillance activities specific to HSP contracts and HSP contract CORs. CAP information relevant specifically to HSP contracts:

(1) Contract Type: Single or multiple awards Firm-Fixed Price (FFP) contracts with priced, standard contract line item numbers (CLIN).

(2) The PCO is located at the Fleet Logistics Center (FLC) Contracting Department or Contracting Detachment and is responsible for all pre-award duties to solicit, negotiate and award full and open competitive single or multiple-award firm fixed price indefinite delivery indefinite quantity (FFP IDIQ)

type regional contracts and providing support for fleet port visit requirements in respective theaters of operation.

(3) Vendors submit delivery documents to the ship Supply Officer (SUPPO). SUPPOs reconcile delivery and invoice documents against order and receipt documents ensuring proper receipt inspection for quality, quantity, and price are conducted. All documentation will be maintained in the SUPPO's port visit file.

(4) SUPPOs submit a Material Inspection and Receiving Report (DD Form 250); and Port Visit Checklist to the COR. The report shall include the following:

(a) The data elements included on the DD Form 250 or fleet approved equivalent.

(b) Copies of all government and vendor provided documentation for supplies and services ordered and received, regardless of source or contracting method. If any documentation is lacking, annotate on the cover letter.

(c) A statement of certification for payment confirmation with the SUPPO's signature indicating receipt of all services and supplies obtained during the port visit, except those annotated for exclusion, adjustment (of price or quantity), or rejection: providing ample, understandable descriptions for any and all exceptions, by line item.

(5) The COR shall review all documents provided by the HSP, and the Ordering Officer and upon review will forward them to the TYCOM Local Processing Office, stating that the documents have been reviewed, and whether or not any irregularities were identified.

(6) The TYCOM Local Processing Office (LPO) will serve as the Certifying Officer to certify for payment the HSP submitted invoice and Material Inspection and Receiving Report after the COR has accepted supplies and services. Vendors submit a delivery document/delivery tickets to the SUPPO. SUPPOs reconcile delivery documents against completed Port Visit Ship Checklist (PV Checklist) and receive goods and services on the PV Checklist. SUPPOs send the delivery documents along with the completed PV Checklist to the COR who then reconciles these documents against the contract task order to accept the supplies and services.

(7) The ordering officer (OO) is generally located at the servicing FLC and is responsible for processing fleet validated ship standard logistics requisitions (STD LOGREQ) for task orders against FFP IDIQ regional HSP service contracts for port visit services. The PCO and OO may be the same individual, but in no case shall the COR or the ship SUPPO perform the duties of the OO.

(8) The COR is responsible for technical interface with the HSP contractor and the performance of duties related to contract surveillance, invoice review, and acceptance of delivered supplies and services, per contract modifications/orders, and administration as described below.

(a) Technical Interface: COR will monitor HSP performance and inform the HSP of failures to comply with the technical requirements of the contract, inform the PCO of any such failures, and coordinate any corrective actions with the PCO at the contract and task order level. Technical requirements include services that exceed or fall short of quality and timeliness specified in the contract, as measured by the QASP. The COR shall inform the PCO and the HSP when the HSP makes or fails to make corrections for failed compliance.

(b) Contract Surveillance: A standard PV Checklist serves as the primary input to the base QASP that identifies performance requirements for standard tasks with delineated assessment methods, frequency of assessment, and acceptable quality levels (AQL) for performance. Ships will fill out PV Checklists and return with the vendor's delivery documents noting services received and quality of performance. The COR uses the completed PV Checklist to complete QASP reviews. The PV Checklist and QASP can be utilized to support CPARS evaluations or substantiate concurrence, partial concurrence, or rejection of contractor services and partial payments of invoices.

(c) Contractor Performance Assessment Reporting System (CPARS): Each port visit is serviced by individual task orders for which the contractor will be evaluated at the contract level annually in CPARS to provide comprehensive past performance evaluation information that can be accessed in evaluating contractors for future HSP and other contract awards. CORs will be assigned Assessing Official (AO) roles in CPARS to write evaluations and review contractor comments. CORs must utilize QASP evaluations to support their CPARS ratings. PCOs will be assigned as Reviewing Officials (ROs) in CPARS.

(d) Invoice Review and Approval/Inspection and Acceptance of Services: HSP contractors submit delivery documents/delivery tickets to ship SUPPOs as documentation for services rendered and/or supplies delivered. HSP contractor submit invoices directly to CORs and submit invoice data into iRAPT WAWF. SUPPOs ensure all receipt documentation is complete containing evidence of volumetric measures, i.e., trip tickets, flow meter readings, log book entries. SUPPOs shall ensure all receipt documents are forwarded along with the PV Checklist to the COR. CORs reconcile the delivery document/PV Checklist with the contract task order and invoice to accept supplies and services for payment. CORs approve in iRAPT WAWF and forward to TYCOM LPO for payment.

(e) Contract Task Orders: HSP order process is initiated when a ship submits a STD LOGREQ to request husbanding services for scheduled port visits. PCO/LSR screen LOGREQs to identify in-scope, out of scope, and non-standard requirements against the regional HSP contract; estimate port visit costs utilizing the CLIN pricing and historical pricing information. The PCO and the OO may be the same individual, but in no case shall a ship's crew member or COR perform the duties of the OO.

(f) Contract Modifications: CORs recommend contract modifications or other administrative contract actions to improve the capacity of the contract vehicle to procure required logistics services or to protect the Government's interest more effectively. A key task will be monitoring expenditures compared to obligations and recommending task order modifications to de-obligate excess funds.

d. Contractor Performance Assessment Report System (CPARS). HSP contract CORs will assess and document contractor performance at the contract level annually in CPARS to provide comprehensive past performance evaluation information that can be accessed in evaluating contractors for future HSP and other contract awards. CORs will be assigned Assessing Official (AO)

e. Limitations and Restrictions. A professional, well-trained, knowledgeable and responsive HSP COR is central to achieving increased oversight of HSP contracts and contractors. The HSP COR performs a critical role in identifying standard and non-standard port visit requirements, assessing the demand and availability of contractor resources to fulfill valid requirements, and assessing contractor delivery and performance with a vigilant eye towards ethical business practices. In the fulfillment of these responsibilities, CORs shall

(1) Not deviate from standardized processes in receiving and validating port visit requirements and invoices without express approval from the Numbered Commanders (N41) and PCO.

(2) Not accept invoices for payment without receipt and reconciliation with a properly completed PV Checklist from the ship.

(3) Not delay in completing QASP reviews to document contractor performance for each port visit.

(4) Not provide CPARS assessments for contractors that are inconsistent with PV Checklists and QASP reviews which are required supporting documentation.

(5) Not inflate HSP contractor assessments in QASP reviews or CPARS assessments.

(6) Ensure HSP CORs can qualitatively perform their routine and enhanced responsibilities. The COR nominating official and the PCO shall certify the following prior to COR appointment:

(a) Assigned COR functions and responsibilities are the primary functions and responsibilities for the individual appointed as an HSP COR.

(b) Ship SUPPOs or other ship crew members are not assigned as HSP contract CORs.

(c) HSP CORs are not assigned as OOs.

f. Technical Assistant (TA). The afloat unit Commanding Officer (CO) shall appoint ship personnel (normally senior SUPPO) as a Technical Assistant (TA) for supporting their ship's port visits. The CO or TA may designate other ship's personnel as receiving assistants as applicable for specific performance requirements of port visit/task orders, i.e., the ship's First Lieutenant may be appointed a receiving assistant for brow and crane services or paint floats; the ship's Engineer should be appointed a receiving assistant for potable water deliveries, and Collection and Holding Tank (CHT) offloads.

g. Self-Nomination Process. CORs must self-nominate thru the Contracting Officer's Representative Tracking (CORT) Tool on the iRAPT WAWF website. CORs will certify in iRAPT WAWF their understanding of basic COR responsibilities including training

requirements, reporting to the PCO in the CORT Tool, if required, and an annual administrative review.

h. COR Supervisor Process. The Numbered Fleet shall identify and provide a professional, full-time COR for HSP regional contracts to the FLC PCO. Fleet Forces Command and Commander Pacific Fleet are resource sponsors for CORs. The COR can be physically located at the regional FLC. The Fleet COR Supervisor shall ensure all training and qualification requirements are current and annually updated according to the training standards identified in Enclosure (1). Additionally, the COR Supervisor shall ensure the nominated COR meets the specialized knowledge requirements identified in 4.b above.

5. Definitions

a. Fleet Requirements Review Board. Stood up at the Numbered Fleet level. Validates ship submitted/COR reviewed LOGREQs for port visits. Considers COR provided port visit cost estimates. Board validation of the LOGREQ or LOGREQ items creates a requirement that is then submitted to the FLC to award task orders or new contracts.

b. Husbanding Contract. A contract to provide logistic support services and/or supplies for ship port visits throughout the world where there are no United States (U.S.) Navy facilities. Support is provided by husbanding service providers (HSP) for Navy vessels entering non-U.S. Navy facilities.

c. Husbanding Services. Logistics services specifically associated with ship port visits and procured utilizing FLC HSP contracts. Services are identified in the STD LOGREQ and HSP contract CLIN structure. These services include such things as trash removal, sewage removal, waste oil and oily water removal, fresh potable water, afloat and overland cargo movement, crane and forklift services, water taxi services, land transportation (buses, vans), communications (land lines and cell phones), pilot/tugs/line handlers, berthing, fenders and camels, brows, paint float rental, force protection barriers/personnel/supplies, etc. Fuel and food provisions are usually procured under other contract vehicles and not the HSP contract.

d. Husbanding Service Providers (HSP). Contractors responsible for providing husbanding services for U.S. naval ships in ports not operated by the U.S. Navy. NAVSUP GLS Lead Contracting Executive, through the regional FLCs, is responsible

for the solicitation, award, and monitoring of services for all husbanding contracts used by the U.S. Navy. HSPs are not "Husbanding Agents" or "Agents" as they are not U.S. Government employees and have no authority to create or modify obligations for the U.S. Government.

e. Logistics Requisition (LOGREQ). A naval message that the ship submits to request services for a scheduled port visit. Follows the fleet approved STD LOGREQ format. Subsequently serves as a requirement to the FLC upon validation from the Fleet Requirements Review Board. It will then be used as the basis for a Request for Quotation (RFQ).

f. Port Visit Checklist (PV Checklist). A document that matches the paragraph structure of the LOGREQ. The ship SUPPO will generate a PV Checklist to support the requirements identified in a specific LOGREQ. The ship will utilize the document to inspect and receive services throughout a port visit. The ship SUPPO will reconcile the checklist against the delivery document/tickets and submit both to the COR for reconciliation and acceptance. The COR must utilize the checklist when completing port visit QASP reviews and CPARS assessments.

g. Requiring Activity. The Numbered Fleet is the requiring activity for the basic IDIQ contract and will develop a STD LOGREQ to serve as the basis for the regional HSP contract(s) and its CLIN structure. The Numbered Fleets will nominate CORs for the HSP contract(s) that will subsequently be assigned to support individual port visits. The ship is the activity that establishes and identifies the need for individual port visit requirements and is responsible for developing the LOGREQ against which the PCO will award a task order against a single or multiple-award FFP IDIQ HSP contract. The ship is responsible for utilizing the STD LOGREQ that will drive the statement of work and subsequent priced CLIN structure in the task order. The ship will not nominate CORs for assignment to Task Orders, but will provide Technical Assistants (TA) to support the PCO assigned COR.

h. Technical Assistant (TA). The requesting/serviced ship's SUPPO and other ship's personnel may be assigned to provide technical/administrative assistance to the COR and may serve to inspect and receive goods and services provided by the contractor on the PV Checklist. TAs do not have the authority to provide any technical direction or clarification directly to the contractor.

i. Tracking Deliverables. HSP CORs and the ship's personnel will utilize the PV Checklist to track the actual dates deliverables were submitted and any changes to these deliverables. The SUPPO will provide this PV Checklist, along with a DD 250 or other receipt documents to the COR for acceptance.

6. Responsibilities

a. Nominating Official/Numbered Fleet shall:

(1) Ensure COR duties and responsibilities are the primary responsibilities of an individual's position description and that the individual nominated (or hired) to perform the function of regional HSP contract COR is adequately trained, skilled and qualified.

(2) Provide timely notice to the PCO when the COR must be replaced or the appointment terminated. In no case shall the Fleet/Requiring Activity allow their HSP COR position to go unfilled or someone performing as the HSP COR to do so without proper appointment in writing.

(3) Identify and standardize to the greatest extent possible repetitive and similar port visit requirements applicable to the fleet units and incorporate these in the STD LOGREQ, so that standard, priced CLINs can be developed and negotiated by the PCO for inclusion in HSP contracts and properly administered according to the standard CAP for HSP contracts.

b. PCOs shall:

(1) Ensure the requiring activity submits proper Requests for Contractual Procurement for regional husbanding service ID/IQ contracts with services delineated in the statement of work that matches the current STD LOGREQ in use.

(2) Ensure the technical review board and/or COR utilize past performance information from PPIRS and/or other sources to evaluate contractor offers for husbanding solicitations.

(3) Award single or multiple FFP IDIQ contract(s) with fixed priced CLINs for regional husbanding services.

(4) Place orders (IAW Policy) validated by the Fleet Requirements Review Board for individual LOGREQs. Accept the

validated LOGREQ and port visit cost estimate from the COR for use as the requirement to award a task order against the regional IDIQ(s).

(5) Award task orders against the regional IDIQ(s) to support individual port visits.

(6) Utilize the standard HSP CAP in all contracts for husbanding services.

(7) Verify the nominated COR has achieved the required competencies and experience/training requirements detailed in NAVSUP COR Standards (enclosure (1)) and this enclosure specific to HSP CORs.

(8) Immediately notify the Numbered Fleet and FLC chain of command if the COR nominee or subsequently appointed COR is deficient in qualifications or training.

(9) Utilize the standard QASP for HSP contracts and ensure the HSP COR is submitting required QASP reviews at the task order level following each port visit.

(10) Ensure the HSP COR is trained and understands the Assessing Official role and responsibilities in CPARS and conducts timely assessments for all HSP contracts.

(11) Perform the role of Reviewing Official for all HSP contracts in CPARS.

(12) Periodically review completed PV Checklists deliverables.

c. CORs shall:

(1) Take ongoing actions intended to ensure that HSP contracts are adequate to meet the demand for designated logistics requirements of Fleet afloat units. Specific responsibilities include:

(a) Collaborate with Numbered Fleet staff, particularly Logistics and Operations Departments, as well as with FLC Operations Department, Fleet Logistics Support Center (LSC) (Code 430) to understand the logistics needs of fleet afloat units.

(b) Collaborate with the FLC LSC, particularly with the Logistics Support Representatives (LSR), to understand availability and limitations of logistics services at regional ports.

(c) Utilize historical records of logistics services procured from HSPs to enhance understanding of future requirements and availability of services at regional ports. Actively participate in conducting market research.

(d) Collaborate with the FLC Contracting Department and Contracting Detachments to review demand and potential demand for logistics services, availability of services, and sufficiency of contract vehicles to procure the logistics services necessary to meet the demand at various ports.

(e) Collaborate with the FLC PCO to recommend contract modifications or other administrative contract actions to improve the capacity of contract vehicles to procure required logistics services or protect the government's interests more effectively.

(f) Ensure government furnished property, if applicable, is available and utilized by the requiring activity or afloat unit when required and that proper accountability for the property is established.

(g) Provide technical advice/recommendations/clarifications of the Performance Work Statement (PWS) requirements as needed.

(h) Provide business information intelligence to the FLC PCO to enable the PCO to negotiate with potential HSPs for services not yet placed within the scope of the existing contract or not yet available at a particular port of interest.

(i) Monitor and track the frequency of afloat unit's procurement of items not pre-priced in the contract that may potentially be added to the contract as priced items.

(2) Monitor, analyze, and document HSP performance against contractual obligations and best business practices in providing logistics requirements of Numbered Fleet units. Specific responsibilities include:

(a) Assess the adequacy of each HSP contract for its QASP and propose contract modifications to improve the QASP if needed.

(b) Maintain an arms-length relationship with contractor employees with a vigilant eye toward unethical business or illegal labor practices of HSP contractor employees. Notify the PCO of any issues and the afloat unit customer if applicable.

(c) Monitor HSP performance and any services that either exceed or fall short of the quality and timeliness specified in the contract, as measured by the QASP. Inform the HSP of failures to comply with the technical requirements of the contract and inform the PCO of any such failures. Coordinate any corrective actions with the PCO at the contract and task order level.

(d) Analyze HSP performance regarding delivery of items by identifying and defining trends, including frequency of specific performance issues, and noting exceptionally strong or weak performance. Collaborate with the FLC LSC to understand the root causes for trends or problems with performance. The COR must take into account whether the afloat unit adhered to prescribed practices necessary to allow the HSP to perform to contractual standards.

(e) Document HSP performance that reflects the performance of the HSP in meeting contractual responsibilities. Coordinate with the PCO on the content of any contractually significant correspondence addressed to the contractor. Documentation includes, but is not limited to:

1. Providing information as prescribed in the QASP for port visit QASP review and annual CPARS assessments.

2. Conducting formal and informal meetings with the HSP to discuss contract performance, resolve problems, and make plans and adjustments to refine methods, processes and techniques to be used to satisfy fleet requirements.

3. Generating and providing copies of any meeting minutes to the PCO after attending meetings, conferences, seminars, or discussions with the HSP.

4. Informing the PCO and the HSP when the HSP fails to comply with the technical requirements of the contract. This notice should be coordinated with the PCO prior to submitting to HSP and may be provided via formal and informal methods, depending on the scope and nature of the failure to comply.

5. Informing the PCO and the HSP when the HSP makes or fails to make corrections for failed compliance. Failures to comply with informal notices shall immediately be followed by a formal notice to comply with a deadline for compliance identified in accordance with contract "terms & conditions." All notices to HSP must be coordinated with the PCO prior to submitting to HSP.

6. Ensuring the integrity of any database information.

(f) Evaluate port cost data on a quantitative and qualitative basis to include trends and projections.

(3) Provide both direct and indirect support to Numbered Fleet afloat unit port visits as required. The required support may include:

(a) Responding to queries from the concerning PCE issues.

(b) Reviewing the LOGREQ for compliance with fleet policy. Identify and address non-standard and out-of-scope LOGREQ requirements.

(c) Support PCO in reviewing the HSP cost estimate or quote within 48 hours of receipt to ensure there are no mistakes or misunderstanding with contract fixed prices. Ensure the estimate reflects only goods and services requested in the LOGREQ, there are no errors in quantity or pricing extensions from the fixed prices, and there are no inconsistencies between the products that are being quoted and those requested in the LOGREQ.

(d) Inform and advise the afloat unit's SUPPO of the additional costs associated with ordering items not priced in the contract.

(e) Performing final acceptance of all work required under the contract, including the review and approval of reports.

(f) Facilitating the submission of receipts and invoices for payment purposes.

(g) Tracking the extent to which the HSP provides a timely invoice in accordance with the terms of the contract.

(h) Reviewing and reconciling the HSP invoices, vouchers, and any other supplemental billing documentation after the afloat unit's departure from port. Port tariff (PT) items may take 45-60 days to be billed.

(i) Providing training as required to TAs in performing their duties effectively. Training may focus on contract updates, performance delivery information, fleet LOGREQ submission standards, and other information required to successfully support afloat unit port visit.

(j) Liaison between the afloat unit and HSP contractor when problems arise. Be careful of limitations in providing direction to the contractor. Only the PCO is authorized to make changes to the contract.

(k) Providing technical advice/recommendation/clarifications of the requirements for the afloat unit.

(l) Support contracting officer in performing port site surveys as required.

(4) Maintain a COR file with full documentation of all actions pertaining to procurement and evaluation of HSP services and make the resultant information available to the PCO. At a minimum, the COR will maintain a file for the basic contract(s) and files for each task order. Certain items must also be stored electronically as noted below.

(a) COR basic contract file shall include:

1. Copy of the original COR appointment letter, (signed by the PCO and acknowledged by the COR and the nominating official, must be processed through and maintained in the CORT tool). Documentation supporting completion of initial and annual COR training (must also be maintained in CORT).

2. Records of conversations with the HSP to include emails, records of telephone conferences, conferences, seminars, and all other correspondence as it relates to the basic contract.

3. Copy of any correspondence sent to the HSP as it relates to basic contract.

4. Copy of the Contract Administration Plan (CAP).

5. Copy of Quality Assurance Surveillance Plan (QASP) template describing when, where, and how surveillance is accomplished, and how the results will be used.

6. Listing of name, position title, phone number, email address and function of every Government person who is providing technical or administrative assistance.

7. Name, position title, phone number, email address of other CORs assigned to contract.

8. A tickler system showing important due dates, e.g., CPARS input.

9. Record of overall contractor performance, i.e., CPARS report.

(b) COR Task Order file shall include:

1. All HSP task order LOGREQs, PV Checklists, and invoices/vouchers. PV Checklists will document actual dates deliverables are submitted.

2. Copy of approval by Fleet Requirements Review Board of LOGREQ

3. Copy of awarded Task Order. Section G should show assignment as COR.

4. All contract correspondence records of COR review, analysis, inspections, decisions, and any other documentation of HSP performance.

5. Records of conversations with the HSP to include emails, records of telephone conferences, conferences, seminars, and all other correspondence as it relates to a specific port visit/task order.

6. Copy of any correspondence sent to the HSP as it relates to specific port visit/task order.

7. Record of contractor performance, i.e. completed QASP for port visit.

8. Metrics records for the QASP and documentation to substantiate the metrics and any market research projects.

9. Listing of name and position title of ship's personnel who is assisting with the receipt process.

10. Log books, checklists or notes of port visit, and timeline showing important dates.

(5) Perform other duties as assigned by the PCO.

d. TA/SUPPO/Ship's Officers shall:

(1) Complete and maintain any training requirements stipulated for proper performance of assigned duties.

(2) Receive appointment letter, usually, from Ship's Commanding Officer, acknowledging understanding of proper and ethical performance of assigned TA duties.

(3) Generate and complete the port visit specific PV checklist as the HSP provides services throughout the port visit. Ensure the PV checklist documents receipt of supplies and services as they occur vice completion at the end of the port visit.

(4) Understand the delivery service requirements of the task order for the port visit. Inspect and receive supplies and services on the PV Checklist and notify the HSP COR when the contractor is non-compliant with service standards.

(5) Remain vigilant for unethical business or illegal labor practices of HSP contractor employees. Immediately report any irregularities to the ship's chain of command and the HSP contract COR.

(6) Reconcile HSP delivery documentation against the PV checklist and review for propriety of charges.

(7) Assist the COR with information necessary to complete the QASP for the port visit.

**CONTRACT/DELIVERY/TASK ORDER
DELIVERABLES**



NAVAL SUPPLY SYSTEMS COMMAND

CONTRACT/DELIVERY/TASK ORDER DELIVERABLES

COR (Name/Code): _____

Contract/Order Number: _____

Month of _____

(dates From - To)

DELIVERABLE	DELIVERABLE DUE DATE	DATE DELIVERABLE SUBMITTED	MODIFICATION TO DELIVERABLES	COMMENTS

NEXCOM (NAFI) Procedures for Monitoring Contractor Performance



NAVAL SUPPLY SYSTEMS COMMAND

NEXCOM (NAFI) Procedures for Monitoring Contractor Performance

1. This enclosure establishes Non-appropriated Fund (NAF) procedures for monitoring contractor performance throughout the Navy Exchange Service Command (NEXCOM) Enterprise.

2. Procedures

a. General. Monitoring of contractor performance is crucial in assuring that contractors perform in accordance with contract requirements. The most effective way to accomplish this critical responsibility is through the appointment of Contracting Officers' Representatives (CORs) and Alternate CORs (ACORs) located where the contractors perform. Monitoring is facilitated by developing and implementing Contract Administration Plans (CAPs), routinely using Contractor Performance Evaluations to document performance, and ensuring COR/ACOR understanding of roles and responsibilities relative to contract administration.

b. Definitions and Acronyms

(1) Alternate Contracting Officer's Representative (ACOR) - The NEXCOM associate appointed in writing by the KO to perform COR duties in absence of the COR. For the purpose of this instruction, all duties, responsibilities, authority, and limitations of a COR stated herein apply to ACOR.

(2) Contract - An agreement that creates a legal obligation. The elements of a contract are a mutual agreement; between competent parties; for a legal purpose; involving the exchange of legal consideration; and that creates a mutuality of obligation to perform between the parties. The term contract, as used herein, includes without limitation, formal bilateral contracts, purchase orders, consignment sales agreements, amendments and modifications thereto, as well as other agreements entered into by an authorized Contracting Officer acting within his or her authority.

(3) Contract Administration Plan (CAP) - This identifies who is assigned what contract administration functions necessary to assure performance, without duplication of effort. It is an enclosure to the COR Letter of Appointment and establishes COR responsibilities for monitoring contractor-provided services.

(4) Contracting Officer (KO) - An individual delegated the authority to legally bind the NAFI by entering into, modifying, administering, and terminating contracts.

(5) Contracting Officer's Representative (COR) - The NEXCOM associate appointed by the KO to monitor contractor performance for compliance with contract and provide "technical" advice to the KO and the contractor within the contract scope of work or performance work statement

(6) Contractor - Any legal entity that is awarded a contract. The Contractor is the party responsible for and agrees to furnish supplies and/or services at specified prices/rates and/or to pay the NAFI mutually agreed to commissions and/or fees in conjunction with providing services to NAFI customers under this contract. Contractor may include, but is not limited to the following terms "vendor," "seller," "supplier," "manufacturer," "distributor," "concessionaire" and/or "licensee."

(7) NEXCOM Enterprise - The worldwide retailing operation within the Department of the Navy providing products and services to authorized patrons. NEXCOM, headquartered in Virginia Beach, VA overseas six business lines: Navy Exchanges (NEXs), Navy Lodges, Navy Clothing and Textile Research Facility (NCTRG), Telecommunications Program Office (TPO) Ships Stores, and Uniform Program Management Office (UPMO).

(8) NEXCOM Headquarters - The headquarters of the NEXCOM Enterprise providing management direction and oversight to its subordinate enterprise components.

(9) Nonappropriated Fund Instrumentality (NAFI) - A DoD organizational and fiscal entity supported in whole or in part by nonappropriated funds. A NAFI, as an instrumentality of the U.S. Government, enjoys the same immunities and privileges as the U.S. Government in the absence of a specific Federal statute. It is not incorporated under the law of any State, but has the legal status of an instrumentality of the United States. References to United States, the Government, and other related references will generally be implied to mean the NAFI throughout the contract.

(10) Personal Services Contract - A contract under which the contractor personnel providing the services are subject, either by the contract's terms or by the manner of its

administration, to the supervision of and/or control by NEXCOM associates. Such contracts are prohibited.

(11) Request for Proposals (RFP) - A written communication of requirements, terms and conditions to prospective contractors to solicit written proposals. Acceptance of a proposal by a contracting officer in response to a RFP creates a binding contract between the parties.

(12) Written or In Writing - Records that are documented on paper or electronically, either by hand or using a keyboard or other device to create a retrievable file. E-mails and facsimile transmissions are considered written records.

c. Contracting Officer's Representative (COR) and Alternate (ACOR)

(1) If a COR is required, the KO will appoint the COR and ACOR before contract award.

(2) For RFP contracting actions, the KO must appoint a COR and ACOR for contracted services that are expected to be performed for longer than six months. Such contract may be for support services (where the NEXCOM Enterprise pays contractor for services rendered), or revenue-generating services (where a commission or license fee is paid to the NEXCOM Enterprise). In general the COR and ACOR should be identified in RFP within the Contracting Officer's Representative (COR) and Alternate (ACOR) clause in Section G - Contract Administration Data.

(3) The KO, at their discretion, may appoint a COR for other types of contracts, e.g., short-term concessions or purchase orders for non-routine or complex services, if the complexity or nature of the services warrants formal oversight.

(4) CORs are not usually required for supply contracts; however, in appropriate cases, the KO may appoint a COR for a supply contract at their discretion.

(5) The KO should appoint an ACOR to act in the absence of the primary COR, to the maximum extent possible. The ACOR shall have the same responsibilities and functions assigned to the COR. COR and ACOR duties are not re-delegable by anyone other than the KO.

d. Appointment Procedures

(1) In general, KOs will appoint a COR based on their position within the organization, e.g., Operations Services Managers (OSMs) are usually assigned as CORs for services contracts, Food Services Managers (FSMs) for food concession/supply contracts, etc., after confirming the appointment with the associate's District Vice President (DVP), Senior Vice President (SVP), Vice President (VP), General Manager (GM), or other authorized supervisor. Otherwise, KOs will appoint a COR based on the associate identified as the most appropriate person to monitor the contractor by the appropriate NEXCOM DVP, SVP, VP, GM, authorized supervisor, or other authorized official if the COR works for another NAFI. Before an official requests that the KO appoint an individual, they must ensure that the individual appointed meets the following criteria:

(a) Has the required experience, e.g., a working knowledge of the services being provided, necessary for performance of COR functions.

(b) Holds a position with a level of responsibility commensurate with the complexity of the contract.

(2) KOs shall issue an Appointment Letter to each COR and ACOR. Each appointment letter, with a copy of the applicable contract and CAP, are to be issued as follows:

(a) For field activities where CORs are generally the same individual for all similar types of contracts, the KO may issue a single Appointment Letter upon placement of that individual into a specific position. For example, upon assuming the position of OSM, that individual may receive an Appointment Letter designating them as the COR for all service-type contracts for that activity/district. The FSM may also receive one Appointment Letter for all food supply/service contracts for the activity/district.

(b) In situations where the above is not practical, the KO will issue individual Appointment Letters for each contract.

(c) The KO shall utilize the appropriate Appointment Letter templates approved for use. One is designed for use in appointing a NEXCOM Enterprise associate, the other to appoint an employee of another NAFI.

(3) After issuing COR/ACOR Appointment Letters, the KO shall ensure that the prospective COR/ACOR returns the signed document for the contract file. The COR/ACOR's signature will be their certification they:

(a) Understand the duties and responsibilities of their role in providing assistance in administering the contract to which they are appointed.

(b) Are fully aware of the requirement to complete COR training annually.

(c) Know the limitations as described in the paragraph below entitled "COR Authority and Responsibilities."

(d) Are aware of their responsibility to submit a United States Office of Government Ethics OGE Form 450 Confidential Financial Disclosure Report and to complete annual ethics training.

(4) KOs shall appoint a new COR whenever there is a need to terminate a COR's appointment, e.g., due to termination of employment or resignation, transfer, realignment of duties, etc.

(5) KOs are to ensure that prospective offerors are notified that a COR and ACOR will be appointed by including an appropriate clause in the RFP.

d. COR Authority and Responsibilities

(1) General. The COR is responsible for understanding and enforcing contract requirements; serving as "face of the NEXCOM Enterprise" to the contractor; monitoring contractor performance; facilitating successful contract performance; notifying the contractor when performance is not compliant with the contract; advising of performance concerns not addressed after the COR has notified contractor; executing the CAP; and preparing Contractor Performance Evaluations and providing to the KO at least annually. COR duties may include providing direction, discussing meaning of contract specifications or statement of work (SOW), and monitoring progress and quality of contractor performance. In this capacity, the COR must be knowledgeable in the area of performance covered by the contract.

(2) COR monitoring duties include:

(a) Contractor Performance. The COR is to ensure contractors are performing at a NEXCOM Enterprise facility in accordance with contract requirements. When done consistently and well, this should result in contractor performance at or above expectations. For concession or license-type contracts where contractors sell goods and/or services directly to NEXCOM Enterprise customers/patrons, the COR is to ensure the patrons receive what the contractor has been retained to provide, and that the NEXCOM Enterprise receives income from sales made as agreed to in consideration for use of NEXCOM Enterprise space provided.

(b) Timely Commission/Fee Payments. The COR is to ensure that commissions, license fees, utilities and common area maintenance fees (as applicable), when paid to the local NEXCOM Enterprise activity vice NEXCOM Headquarters Corporate Accounting Center (CAC), are paid on time each month. CORs must know when payments are due and ensure that contractor payments are received by the due date established in the contract. If a contractor fails to make timely payment of commissions due to the NEXCOM Enterprise, the COR must notify the contractor and then immediately notify the KO, so that timely corrective action may be taken to protect NEXCOM Enterprise.

(c) Sales Records. The COR shall ensure gross sales are rung on a NEXCOM Enterprise point-of-sale (POS) terminal and/or are deposited at the "cash cage" every day if the contract so requires. The COR should also ensure that net sales due the contractor are remitted as set forth in the contract (typically monthly, but may be more frequent).

(d) Documenting Performance Issues. The COR should spot-check or survey contractor performance regularly, or at least as frequently as called for in the contract. If the contractor's performance is deficient, the COR should conduct more frequent, random spot-checks or surveys. If performance is marginal or worsens, the COR must document the deficiencies in writing, including performance issues, attempts made to seek contractor compliance with contract terms and conditions, and the results of these efforts. Use of e-mail is strongly encouraged as this is an efficient, effective way to document issues and to ensure timely delivery to the KO. Monitoring a contractor with known performance issues is especially important to ensure that timely steps are taken to implement corrective action or to take other contracting actions including termination if necessary. The COR may also audit the Contractors' financial records and reports if determined

appropriate. COR must direct such requests to the KO prior to requesting or auditing such records. In the event a contractor is terminated by the KO for default and is delinquent in commissions and/or other fees, the KO may direct the COR to take physical possession of the contractor's property, or to inform the contractor that any removal of property is prohibited. The KO shall comply with all required review and approval requirements before taking termination for default action, to include review by NEXCOM Headquarters Office of Counsel in accordance with NAVSUP Instruction 5801.1 (series) "Referral of Contractual Matters Office of Counsel" and approval by the NEXCOM Contract Review Board.

(e) Contractor Performance Evaluations. The COR shall complete a contractor performance evaluation at least annually. The KO will send the COR a copy of the Contractor Performance Evaluation Survey template at least annually to service as a reminder to the COR of this requirement.

(f) Documentation. Both the COR and the KO must maintain written documentation of contractor performance, especially when issues are encountered. In addition to providing all written communication to the KO for filing in the contract file, the COR shall retain copies of all such documents in a COR file for that contract. In addition to copies of initial and annual COR training certificates, the COR file should also include the COR's appointment letter, a copy of the contract, and CAP.

e. Training and Financial Disclosure. COR/ACORs are required to complete the following annually:

(1) COR training, and maintain a copy of the certificate on file for audit purposes. NEXCOM Enterprise associates that will be required to perform COR duties must complete the NEXCOM Enterprise mandatory on-line COR training before being appointed. This training may be accessed at <https://intranet.nexad.nexweb.us/K/Pages/COR-Training.aspx>. *

* NOTE: For any solicitation indicating that a COR will be appointed to monitor contract performance, the individual(s) that are to be appointed must have completed training within twelve months of the intended award date and must be appointed PRIOR to contract award. Award SHALL BE WITHHELD until a trained COR has been appointed.

(3) Confidential Financial Disclosure Report (OGE Form 450).

f. COR/ACOR Limitations

(1) As assigned in writing by the KO, authority is limited to providing direction/clarification within the scope of the contract.

(2) Only the KO may re-delegate COR authority.

(3) Only the KO is authorized to request proposals, negotiate prices or obligate the NEXCOM Enterprise. Any obligation a contractor accepts based on the COR's actions is an unauthorized commitment.

(4) The COR must maintain an "arms-length" relationship with the contractor to help ensure services remain non-personal. CORs shall never supervise contractor employees and must avoid actions that could be interpreted as being supervisory in nature. Failure to do so may result in an improper and prohibited Personal Services contract.

(5) The COR does not have the authority to take any action, either directly or indirectly, that could change the contract with regard to: prices or costs; commissions, license fees, or common area maintenance (CAM) charges; quantities; quality; scope of work; delivery schedule; labor mix/contractor employees assigned; delivery or task orders against contract; or any other contract term or condition. Only the KO has the authority to make contract changes to the extent specifically authorized. Any changes required to an existing contract may only be negotiated by the KO based on requirements submitted by a NEXCOM Enterprise associate with authority to do so.

g. Coordination of KO and COR Meeting. The COR shall coordinate/attend meetings/conferences when scheduled or requested by the KO.

(1) The KO shall request such meeting to discuss status and performance under the applicable contracts and to identify and coordinate resolution of problems which arise in contract performance.

(2) Effective communication and a dialogue on essential issues between the KO and COR/ACOR will ensure consistent application of the COR/ACOR function.

h. Contract Administration Plan (CAP)

(1) The KO shall develop a CAP which highlights certain areas of the contract, to assist the COR in properly monitoring the contractor's performance.

(2) The KO shall issue the CAP to the COR along with the Appointment Letter. The CAP will include a summary of the responsibilities of all parties involved in the contract. In the event of a conflict with the contract, the contract requirements will govern.

(3) The KO will tailor each CAP to the particular contract and set forth the extent and method of contract monitoring appropriate for the particular contract. The plan is to address key contract administration functions (quality assurance, contractor performance monitoring, ordering, etc.) and specifically identify which are being assigned to the COR and associates/departments identified.

(4) Several sample CAPs to facilitate preparation by the KO are available. A KO should select the type of CAP that best assures all crucial monitoring functions are assigned and that best meets the specific circumstances of the contract. A CAP should be crafted to give due consideration to the type of contract, the place of performance, the period of performance, and inspection acceptance criteria.

i. Contractor Performance Evaluations

(1) As required by the KO, the COR shall prepare a written Contractor Performance Evaluation Survey, annually or more frequently if required.

(2) The COR shall utilize information from the COR file documentation to complete the Contractor Performance Evaluation Survey to ensure all aspects of contractor performance are addressed.

(3) The COR should pay particular attention to a contractor with known performance problems by monitoring more frequently, thereby ensuring prompt corrective action will be taken in a timely manner.

(4) Where appropriate, the COR may also use the Contractor Performance Evaluation Survey as a convenient tool to facilitate the evaluation process, however, the COR shall

prepare a more detailed report for contractors with poor performance histories.

(5) The COR is to ensure copies of all reports are retained in the applicable COR file.

j. DVP/GM/SVP Oversight. DVPs, GMs and Single Digit Codes (SDCs) are reminded that proper oversight of CORs/ACORs is a critical responsibility and shall ensure full compliance with these procedures.