

The Role of The Contracting Officer's Representative

Excerpt from, *Service Contract Management, No Place for Amateurs*, By Susan J. Harvey, Program Manager, January-February 2002, p. 58.

The Federal Acquisition Regulation (FAR) 37.103 offers general guidelines on the responsibilities of a Contracting Officer on service contracts. The DoD FAR Supplement (DFARS) 201.602 authorizes Contracting Officers on DoD contracts to designate qualified personnel as their authorized representative to assist in the technical monitoring in the administration of a contract. This individual—the Contracting Officer's Representative (COR)—exercises authority specifically delegated in writing by the Contracting Officer.

A typical letter to a COR from a Contracting Officer may authorize the following actions:

"Assure that the contractor performs the technical requirements of the contract in accordance with the contract terms, funding, conditions, and specifications.

Perform, or cause to be performed, inspections...and to require the contractor to correct all deficiencies.

Maintain liaison and direct communications with both the contractor and the contracting officer."

Usually, a limitations clause in the delegation letter prohibits the COR from taking any action that may be construed as changing any contract provisions such as modifying contract or delivery order schedules, funds, or scope of work. Another provision routinely included makes it clear that the Contracting Officer is the only authorized individual that can modify any contractual agreement, commitment, or modification that involves price, quantity, quality, or delivery schedule and makes the COR liable for any deviation from the delegated authorizations.

In actual practice, the COR is the primary functional representative of the government in the execution of the service contract, exercises authority over the performance evaluation of the contractor, and is the primary day-to-day point of contact for the contractor's program manager. On service contracts, the COR routinely is the originator of the contract requirement, shapes the contract through the competitive process to award, is responsible for funding the contract, evaluates the performance of the contractor for the chain of command and Contracting Officer, and influences decisions on the continuation or non-continuation of the contract. These are not insignificant responsibilities because

collectively they add up to the fact that the COR is ultimately the key to the success or failure of a contract.

Despite this, the typically ambitious government employee does not aspire to become a COR. Why? Well, for a variety of reasons. No established career track for a COR exists within the Federal Civil Service; no standards are set for performance; and obtaining training—which is often an item managers fail to budget for—is very much dependent on the employee's own initiative. In practice, one often becomes a COR by happenstance. This has to change, and it should change quickly because contract management is becoming an essential function for the military.