



*A quality assurance noncommissioned officer conducts a maintenance spot check on Army Pre-positioned Stocks 5 equipment. (Photo by Annette McDonald)*

# The Role of Administrative Contracting Officers

■ By Maj. Robert J. Yates III, USAF

ACCO

**Being the administrative contracting officer for the largest Army pre-positioned stocks contracts requires more than just contracting knowledge.**

**B**etween January and June 2013, the administrative contracting officer (ACO) for Army Pre-positioned Stocks 5 (APS-5) was responsible for administering three contracts involving over 1,800 contractor personnel. To successfully accomplish this, the ACO was required to serve as an integrator for the 402nd Army Field Support Brigade (the requirements owner), the contractor, the Army Sustainment Command (ASC), and the Army Contracting Command-Rock Island. This article captures the observations, insights, and lessons of the ACO of the largest APS contracts administered during the first half of 2013.

### **Initial Requirements**

Prior to arriving in theater and assuming their duties, ACOs attend a four-day course called Basic Contingency Operations Training (BCOT). The purpose of BCOT is to familiarize deploying Defense Contract Management Agency (DCMA) civilians and military members with the roles and responsibilities of an ACO. During BCOT, DCMA provides the students with in-class instruction, scenarios, and practical exercises to prepare the ACOs for their deployments.

Individual augmentees assigned to DCMA-Kuwait, are selected for their assignments by the DCMA-Kuwait commander and theater ACO. Contracting officers typically are selected for positions based on their backgrounds and experiences. In most cases, contracting officers assigned to ACO duties must be Defense Acquisition Workforce Improvement Act (DAWIA) level II certified.

### **Contracting Authority**

The ACO receives contracting authority from the DCMA headquarters or a designated official through the issuance of a Standard Form 1402, Certificate of Appointment, also known as a warrant. The warrant is set at a specific dollar limit and for a specific purpose.

In the case of individual augmentees supporting DCMA, ACOs are

granted the authority to administer contracts in a contingency environment. Most people dealing with U.S. government contracts know that only contracting officers can legally bind the government. However, contracting officers may only legally bind the government to the extent of the authority delegated to them (in accordance with Federal Acquisition Regulation 1.602-1). In addition, the procuring contracting officer (PCO) must delegate the authority to administer a specific contract to the ACO.

### **Ensuring Effective Oversight**

The ACO for the APS-5 contracts is responsible for ensuring they are executed in accordance with the performance work statements (PWSs) and applicable contract clauses. The APS-5 contracts are primarily for maintenance and supply and require an ACO with extensive knowledge and the ability to monitor the performance of 1,800 contractors.

To accomplish effective oversight, the ACO relies on personnel more qualified in supply and maintenance activities to assist in managing the contracts. Contracting officers routinely appoint contracting officer's representatives (CORs), nominated by the requiring activity commander, to assist in contract administration.

The CORs and the extent of their authority to act on the behalf for the contracting officer are designated in writing. A service contract as large as the one for APS-5 requires many eyes to ensure that the government receives what it pays for. For this reason, over 30 CORs helped to support the contract. Because of the number of CORs, lead CORs were used to structure the flow of communication.

With CORs spread throughout multiple locations, the ACO primarily communicated through meetings with the lead CORs who, in turn, distributed the information down to the CORs. If an urgent matter required direct communication to all CORs, the ACO contacted them directly.

For the APS-5 contracts, CORs provided oversight of the contrac-

tor's daily performance. The CORs also performed audits and submitted reports to DCMA quality assurance representatives (QARs).

### Ensuring Compliance

Although CORs were appointed by the contracting officer, their daily interactions were typically with QARs. The QARs mentored and guided CORs to help ensure contractor compliance with the PWS and applicable contract clauses. CORs also submitted their reports to the DCMA QARs for noncompliance matters.

The DCMA QARs then determined whether a corrective action request should be issued by them (level I or II) or if they needed to elevate the matter to the contracting officer (level III or IV). A corrective action request could be issued for contract noncompliance, deficiencies, or matters requiring immediate corrective action.

Together, the QAR and COR could then monitor the contractor's corrective action response, which included determining the root cause of the noncompliance and a plan to prevent the noncompliance from occurring again.

### Preparing CORs for the Mission

Successfully administering a program of this magnitude requires trained CORs who know what they are doing. Although many CORs are functional experts, they may not be thoroughly familiar with the requirements to provide oversight of contracts and contractors. CORs receive a lot of computer-based training before deploying and then local, contract-specific training when they arrive in theater.

For the APS support contract, the ACO took on the major task of ensuring the CORs had the tools needed to succeed. The ACO teamed up with the brigade contract management support office to offer biweekly training to CORs. This training built upon the required predeployment COR training and focused on deficiencies identified during daily interactions with CORs. Tailored training provided lessons learned and highlighted specific tools to help CORs administer contracts.



*Soldiers from the receiving unit conduct a joint basic issue item inventory with personnel assigned to Army Pre-positioned Stocks 5. (Photo by Master Sgt. Betheny Jones)*

### Additional ACO Requirements

The APS-5 ACO had many responsibilities not typical for DCMA Contingency Contract Administration Services positions in Kuwait. Since the APS-5 program was based out of the ASC, the daily management of this contract required constant communication with the battalion, brigade, ASC, and Army Contracting Command—Rock Island.

The ACO attended multiple weekly meetings with the contractor, the CORs, and the battalion commander to assist in the flow of communication between the on-the-ground user and the contractor and to mitigate issues on the spot. This eliminated delays and problems that could have transpired because of misinterpretation of PWS language or inconsistencies in government communication.

When issues could not be resolved immediately, the ACO communicated them back to the PCO or program management team at ASC. Sometimes unresolved questions required a formal response or change to the PWS or the contract. PCOs made the contract modifications. However, the ACO's task was to assess the contract to determine if a contract modification was warranted. If the correct wording was already contained in the PWS and only required clarification, a letter of techni-

cal direction (LOTD) was issued.

Because of the broad scope of the APS-5 contracts, many actions required further definition during performance. This is where the LOTD process assisted in effectively administering the contracts. Once the LOTD was drafted, it was coordinated with the PCO and program management team for release. The clarification language from the LOTD was later included in a contract modification.

Working as the ACO for the APS-5 contracts provided many lessons learned for future contracting operations. Above all, large, technical contracts especially need additional expertise from sustainers to ensure they are being administered correctly.

---

Maj. Robert J. Yates III is the chief of contract policy in the Office of the Secretary of the Air Force and Chief of Staff of the Air Force Executive Action Group. He is a Defense Acquisition Workforce Improvement Act level III certified contracting officer and a level II life cycle logistician who has served as a staff officer for the deputy assistant secretary for contracting in the Office of the Assistant Secretary of the Air Force for Acquisition. He has a master's degree in business administration from Endicott College.