

Date: July 20, 2017

From: Acting Deputy Senior Procurement Executive

Subj: VA PROCUREMENT POLICY MEMORANDUM (PPM) 2017-07, Procedures for Nominating Candidates and Obtaining a Contracting Officer's Warrant (VAIQ #7690337)

To: Heads of Contracting Activities

1. **Purpose.** This PPM describes procedures for obtaining a contracting officer's warrant and clarifies the roles and responsibilities of those involved in the issuance and management of VA's contracting officer's warrants.

2. **Cancellation.** This PPM supersedes PPM 2013-09, Procedures for Nominating Candidates and Obtaining a Warrant dated August 15, 2013.

3. **Background.**

a. The Office of Federal Procurement Policy (OFPP) Letter 05-01 dated April 15, 2005, and the Office of Management and Budget (OMB) Memorandum dated January 20, 2006 mandated that all federal agencies develop and maintain an acquisition career management program to ensure the development of a competent, and professional workforce to support the agency mission. The Department of Veterans Affairs (VA) implemented these policies to comply with Title 41 U.S.C. § 414(4).

b. In 2011, VA restructured its organization to maximize the existing functionality of VA procurement operations to comply with the OFPP and OMB policies. As a result of the reorganization, both Federal Acquisition Certification – Contracting (FAC-C) and Warrant Management fall under the purview of the Deputy Assistant Secretary for Acquisition and Logistics who is also the Senior Procurement Executive (SPE). However, the two programs are managed by separate Associate Deputy Assistant Secretaries (ADAS). The ADAS for Acquisition Program Support (APS) is responsible for the FAC-C program. The ADAS for Procurement Policy, Systems, and Oversight (PPSO) is responsible for warrant management. The Deputy Senior Procurement Executive (DSPE) has signatory authority for all warrants issued in the VA.

4. **Applicability.** This PPM applies to all members of the VA Acquisition Workforce who are eligible to be granted contracting officer warrant authority.

5. **Effective Date:** August 1, 2017

6. **Expiration Date:** This PPM expires when rescinded or once incorporated into the VA Acquisition Regulation (VAAR) or the VA Acquisition Manual (VAAM).

7. ADAS Responsibilities.

a. The ADAS for APS has overall responsibility for Acquisition Career Management. The Acquisition Career Manager (ACM) reports to the ADAS for APS. The VA ACM is responsible for management of VA's FAC-C program. The VA ACM issues the FAC-C to all VA employees meeting the experience, education, and training requirements. FAC-C requirements are located on the FAI Certification and Career Development website <https://www.fai.gov/drupal/certification/contracting-fac-c#Cert>

b. The ADAS for PPSO has overall responsibility for warrant management. Day-to-day responsibility for warrant management is delegated to the Director, Procurement Policy and Warrant Management Service (PPS). These responsibilities include reviewing warrant application packages and recommending approval or disapproval of requests for warrants. The approval recommendation is based on several factors including whether the candidate meets eligibility requirements outlined in Federal Acquisition Regulation (FAR) 1.603 and OFPP Letter 05-01. A request for a contracting officer's warrant must be accompanied by an appropriate FAC-C certificate as well as a memo that describes the organizational need and candidate's qualifications (See Attachment A). Generally, the warrant management team has overall responsibility for:

- 1) Ensuring the requested warrant level does not exceed the candidate's FAC-C level;
- 2) Ensuring the applicant meets eligibility requirements for the warrant requested; and
- 3) Recommending approval or disapproval by the DSPE.

8. **Selection/Appointment Procedures.** Final approval for a contracting officer appointment is in accordance with the FAR 1.603, VA Acquisition Regulation 801.603, and OFPP Letter 05-01.

a. Requesting Organization's Responsibilities

- 1) Effective June 20, 2016, an organization that has the need for a contracting officer's warrant must process the warrant application using the Federal Acquisition Institute Training Application System (FAITAS).
- 2) The warrant application shall include the individual's legal name as reflected on the employee's most current Standard Form 50.
- 3) The requester will use the memo at Attachment A to request the warrant. The nominee's supervisor, director of contracting (if applicable) and the Head of Contracting Activity (HCA) must sign the memo which justifies the organizational need for the warrant and describes the candidate's qualifications.
- 4) The requesting organization will work with the Enterprise Acquisition System Services (EAS) to ensure the contracting officer's warrant is entered into the electronic Contract Management System (eCMS) upon issuance and ensure eCMS is updated to reflect changes to the contracting officer's warrant or status as they occur.

b. **ACM Responsibilities.** The ACM issues the FAC-C certificate and maintains the certification in FAITAS.

c. **Warrant Program Manager (WPM) Responsibilities.**

- 1) The WPM receives the request and the FAC-C certificate via FAITAS and completes the review process. The WPM will review the warrant application package to verify the candidate's information is accurate (i.e. legal name, grade, job series, and experience), determine sufficiency of the justification, and validity of the FAC-C certificate.
- 2) Training certificates, transcripts and resumes are not required in the warrant application process and will not be reviewed by the WPM.
- 3) The Director, PPS or his/her designee recommends approval or disapproval to the DSPE.

d. **DSPE Responsibilities.** The DSPE reviews the WPM recommendations and signs the warrant appointing the contracting officer, when appropriate.

9. **Appointment.** An appointment as a contracting officer establishes the level of authority and trust vested in the candidate to legally bind the VA for procurement of goods and services. The DSPE's signature on the electronically generated Standard Form 1402 certifies the candidate is appointed as a Level I, II or III contracting officer as illustrated in Attachment B. The contracting officer must prominently display his or her contracting officer warrant at his or her duty station.

10. **Transfer.** An appointment as a VA Contracting Officer is not transferable from one administration/contracting organization to another. The contracting officer's authority is limited to the administration/contracting organization (VHA, VBA, NCA, OAL, OAO, CFM) that originally requested the warrant to satisfy the organizational contracting needs of the requesting agency. Therefore, if a warranted employee leaves an administration/contracting organization the warrant is no longer valid and must be rescinded in the VA's electronic warrant management system. However, HCA's may authorize contracting officers within their organization to provide temporary support to any other contracting office within the Department of Veterans Affairs.

11. **Termination of Contracting Officer Authority.** The SPE, DSPE or a delegated appointee has the authority to revoke or rescind the contracting officer's warrant. The SPE or DSPE will revoke or rescind the appointment of a contracting officer upon receipt of the HCA's recommendation. When a contracting officer's authority has been rescinded or revoked, the WPM will rescind the warrant in FAITAS. All changes to a warrant holder's status must be reported to the DSPE within five workdays of occurrence. Attachment C will assist organizations in rescinding specific warrants due to administrative or adverse actions. The HCA or their designee can suspend warrants for employees who are on an extended training assignment, been assigned other duties which do not require a warrant, or the HCA determines the need for that warrant authority no longer exists. HCAs are authorized to suspend the use of a warrant in eCMS.

12. **Name Changes.** When a warranted employee is subject to a name change they must update their profile in FAITAS using their new legal name. The profile changes will

automatically change the legal name on the warrant certificate (SF-1402) contained in FAITAS.

13. Questions or Concerns. Please direct questions regarding this PPM to the Office of Acquisitions and Logistics (003A), Procurement Policy and Warrant Management Service (003A2A), via email at VA.Procurement.Policy@va.gov.

/s/

Sheila P. Darrell

Distribution:

Under Secretaries for Health, Benefits, and Memorial Affairs; Chief Facilities Management Officer, Office of Facilities Management; Head Contracting Activities, Directors, VHA Service Area Offices; Directors and Directors of Contracting, Veterans Integrated Service Networks; Directors, VA Medical Center Activities, Domiciliary, Outpatient Clinics, Medical and Regional Office Centers, and Regional Offices; Directors, Denver Acquisition and Logistics Center, Corporate Franchise Datacenter, Records Management Center, VBA Benefits Delivery Centers, and VA Health Administration Center; and the Executive Director and Chief Operating Officer, VA National Acquisition Center, National Cemetery Administration

ATTACHMENT A

Department of Veterans Affairs

Memorandum

Date:

From:

Subj: Request for Contracting Officer Appointment

To: Deputy Senior Procurement Executive

1. Organization/ NCO (i.e., Construction and Facilities Management, Network Contracting Office 1, Strategic Acquisition Center) has a requirement for a Level ___ contracting officer's warrant due to (explain the reason the warrant is needed).

2. Candidate's information:

Candidate's Legal Name:

Job Series:

1102 Grade:

Years of experience as an 1102: _____

Current FAC-C/Warrant Level: *(N/A, if candidate does not have a current warrant)*

Warrant Level requested:

Warrant Dollar Threshold requested:

Email address:

Phone number:

Supervisor's name:

Supervisor's email address:

Supervisor's phone number:

The types and dollar range for the contracts currently assigned to (Candidate's legal name) are between \$ (lowest amount) and \$ (highest amount). (This section should clearly demonstrate the need for the warrant level requested. If the request is based on a new acquisition, please include the estimated value and anticipated award date for the action.)

3. The candidate's FAC-C application *has been submitted for review or the FAC-C certificate is attached*. The candidate's contracting experience and training meets the established minimum qualification for the requested level.

4. The candidate's last performance rating was fully successful/satisfactory or higher.

ATTACHMENT A

Page 2

Subj: Request for Contracting Officer Appointment

5. I certify that the candidate's working knowledge of the Federal Acquisition Regulation (FAR), Veterans Affairs Acquisition Regulation (VAAR) and other applicable laws and regulations is adequate for the level of authority that I am requesting and this individual will be responsible for awarding contracts at or below the requested dollar threshold.

6. I further certify that the candidate maintains high standards of conduct and avoids apparent conflict of interest situations.

(Include the review and approvals below as appropriate)

Training Officer's Review and concurrence:

_____	_____	_____
Printed Full Name	Date	Signature

Supervisor's Concurrence:

_____	_____	_____
Printed Full Name	Date	Signature

Approved/Disapproved:

_____	_____	_____
Printed Full Name of the DOC	Date	Signature

Approved/Disapproved:

_____	_____	_____
Printed Full Name of the HCA	Date	Signature

*HCA signature is required on all requests for Contracting Officer Appointment.

ATTACHMENT - B

The DSPE's signature on the Standard Form 1402 certifies the candidate is appointed as a Level I, II or III warranted Contracting Officer as illustrated in the following matrix:

Federal Acquisition Certification – Contracting (FAC-C) and Warrant Thresholds		
Warrant and/or FAC-C Level Certified	Expenditure Level	Experience
Level I Limited	<p>Up to - \$150,000 Warrant level includes open market contracts, orders against Blanket Purchase Agreements (BPAs), Basic Ordering Agreements (BOAs), Delivery/Task Orders (DO/TO) against established contracts (except Federal Supply Schedule (FSS) contracts, and expenditures up to the maximum order limitation (MOL) threshold of the FSS contract within the specific limits of the contracting officer's warrant.</p>	A minimum of one (1) year work experience
Level I Limited	<p>Up to \$150,000 – For designated 0800 series Resident Engineers Warrant authorizes the resident engineer to modify existing construction contracts, tasks or delivery orders</p>	A minimum of one (1) year work experience is waived for one year
Level II Limited	<p>>\$150,000 - \$5,000,000 Warrant level includes open market contracts, BPAs, BOAs, DO/TO against established contracts, within the specified limits of the contracting officer's warrant.</p>	A minimum of 2 years work experience
Level III Limited	<p>>\$5,000,000 Warrant level includes expenditures at or below the dollar threshold and within the limits specified on the contracting officer's warrant.</p>	A minimum of 4 years work experience
Level III Unlimited	No dollar limitation	A minimum of 6 years work experience

ATTACHMENT C

Department of
Veterans Affairs

Memorandum

Date:

From:

Subj: Warrant Rescission

To: Deputy Senior Procurement Executive (003A2)

Thru: Director, Procurement Policy and Warrant Management Service (003A2A)

1. Organization/NCO (i.e., Construction and Facilities Management, Network Contracting Office 1, Strategic Acquisition Center) requests the following warrant(s) be rescinded pursuant to the Veterans Affairs Acquisition Regulation (VAAR), Part 801.690-7(a). The warrant is rescinded for the following reason: (*Select the appropriate reason below:*)

- a. *There is no longer a need for the appointment;*
 - b. *There has been a personnel action such as a resignation, retirement, transfer to another administration/contracting organization within VA or a transfer to another government agency;*
 - c. *Unsatisfactory performance;*
 - d. *Alleged official misconduct pending criminal or administrative investigations;*
 - e. *Failure to meet training or skills currency requirements;*
 - f. *A contracting officer taking an action that exceeds his or her authority;*
 - g. *Blatant disregard for adhering to acquisition regulations, policies and procedures; or*
 - h. *Situations similar to those identified above that may require remedial action.*
 - i. *FAC-C Certification has expired or has been revoked.*
2. Contracting Officer's information:
- a. Name: *Contracting Officer's full legal name*
 - b. GS Series:
 - c. Grade:
 - d. Warrant Level: I, II, or III
 - e. Warrant No.:
 - f. Issuance date:
 - g. Expiration date: (if applicable)
3. The original warrant is attached to this memo. The individual's authority to make award in all Veterans Affairs contract writing systems has been revoked or restricted.

ATTACHMENT C

Page 2

Subj: Warrant Rescission

4. I hereby certify this statement is accurate to the best of my knowledge.

(Revise the approvals below as appropriate to reflect your organization's approval process)

_____	_____	_____
Supervisor's Printed Full Name	Date	Signature

Approved/Disapproved:

_____	_____	_____
Printed Full Name of the DOC	Date	Signature

Approved/Disapproved:

*

_____	_____	_____
Printed Full Name of the HCA	Date	Signature

*HCA signature required only when the request to rescind the warrant is a result of adverse/derogatory action. All other requests can be signed by the Director of Contracting for VHA and the HCA designee for all other VA Administrations or contracting organizations.