Date: May 10, 2018

From: Acting Deputy Senior Procurement Executive

Subj: VA PROCUREMENT POLICY MEMORANDUM (PPM) 2018-01, Procedures for Nominating Candidates and Obtaining a Contracting Officer’s Warrant (VIEWS # 00055446)

To: Heads of Contracting Activities

1. **Purpose.** The purpose of this PPM is to describe the procedure for obtaining a contracting officer’s warrant and clarify the roles and responsibilities of those involved in the issuance and management of VA’s contracting officer’s warrants. This PPM clarifies the requirements for rescinding or revoking a contracting officer’s warrant, raises the level two warrant threshold and adds paragraph 13, Limitations of Warrant Authority.

2. **Cancellation.** This PPM supersedes PPM 2017-07, Procedures for Nominating Candidates and Obtaining a Warrant dated July 20, 2017.

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 Executive Director for Acquisition and Logistics, who is also the Senior Procurement Executive (SPE). However, the two programs are managed by separate Associate Executive Directors (AED). The AED for Acquisition Program Support (APS) is responsible for the FAC-C program. The AED for Procurement Policy, Systems and Oversight (PPSO), who is also the Deputy Senior Procurement Executive (DSPE), is responsible for warrant management and 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:** May 15, 2018

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 **Expiration Date:** This PPM expires when rescinded or once incorporated into the VA Acquisition Regulation (VAAR) or the VA Acquisition Manual (VAAM).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

   a. The AED for APS has overall responsibility for Acquisition Career Management. The Acquisition Career Manager (ACM) reports to the AED 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 at https://www.fai.gov/drupal/certification/contracting-fac-c#Cert.

   b. The AED 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 memorandum 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 candidate 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). The requesting organization shall ensure that the appropriate template is selected in FAITAS relative to the requester’s organization and threshold amount requested.
   2) The warrant application shall include the individual’s legal name as reflected on the employee’s most current Standard Form (SF) 50.
   3) The requester will use the memorandum at Attachment A to request the warrant. The nominee’s supervisor, director of contracting (DOC) (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 that the candidate’s information is accurate (i.e., legal name, grade, job series, and experience), and to 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. All Personally identifiable information (PII), such as a social security number, must be redacted from all documents. Applications containing PII will be returned without action.

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 SF 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 (Veterans Health Administration [VHA], Veterans Benefits Administration [VBA], National Cemetery Administration [NCA], Office of Procurement, Acquisition, and Logistics [OPAL], Construction and Facilities Management [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 FAITAS. However, HCAs 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 a contracting officer’s appointment upon receipt of a written request from the HCA or HCA designee. Attachment C will assist organizations in rescinding specific warrants due to administrative or adverse actions. The HCA’s signature is required when the request to rescind the warrant is the result of an adverse/derogatory action. All other warrant rescission requests can be signed by the Director of Contracting for VHA and the HCA designee for all other VA Administrations or contracting organizations.

The HCA or their designee can suspend warrants for employees who are on an extended training assignment, or have been assigned other duties which do not require a warrant, or when the HCA determines the need for that warrant authority no longer exists. HCAs are authorized to suspend the use of a warrant in eCMS. 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 (5) workdays of the occurrence.

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. **Limitations of Warrant Authority.** Although the FAR does not address the limitation of a contracting officer's warrant as per action or cumulative/aggregate, the Department of Veterans Affairs Contracting Officer's (CO) signatory authority is linked to the value of each action. The warrant level required for signing procurement actions shall be determined by the cumulative value of the individual transaction (e.g., contract, modification, supplemental agreement) rather than the aggregate value of the contract.

   a. Individual transactions include the following:

      1) The dollar value of a contract award, including the dollar value of option periods.
      2) The dollar value of a contract modification and not the aggregate contract dollar value.
      3) The dollar value of a blanket purchase agreement award, including the dollar value of option periods.
      4) The dollar value of a blanket purchase agreement modification and not the aggregate blanket purchase agreement dollar value.
      5) The dollar value of an order award against an indefinite delivery, indefinite quantity contract (e.g., Federal Supply Schedules, Governmentwide Acquisition Contracts, Multi-agency Contacts, agency-specific indefinite delivery, indefinite quantity contracts) including the dollar value of option periods, and not the aggregate contract dollar value.
      6) The dollar value of a modification to an order against an indefinite delivery, indefinite quantity contract, and not the aggregate order dollar value.
      7) The dollar value of a purchase order.
      8) The dollar value of a modification to a purchase order and not the aggregate purchase order dollar value.

If an individual transaction includes both additions and deductions, the aggregate, absolute value of the changes determines the warrant level required for award (e.g., the value of an individual action that adds $35,000 of work and deducts $80,000 is $115,000).

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

/s/
Sheila P. Darrell
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:
   Grade:
   Years of experience as a Contracting Officer/Contract Specialist:
   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:

   A description of the types and dollar range of the contracts or modifications (Candidate’s legal name) will award/obligate. (This section should clearly demonstrate the need for a warrant at the level requested. For example, a level I warrant is requested for prosthetics purchases up to $250,000; a level III warrant is requested to award/obligate information technology contracts up to $100,000,000.)

   PLEASE NOTE: The warrant application will not be approved without sufficient language to support the amount requested, i.e., a request for a $500,000,000 warrant will be disapproved unless the documents clearly indicate the individual is actually going to obligate $500,000,000 in a single obligation transaction.

3. The candidate’s contracting experience and training meets the established minimum qualification for the requested level and has been issued a FAC-C level equal to or higher than the requested warrant level.

4. The candidate’s last annual performance rating was fully successful/satisfactory or higher.
ATTACHMENT A

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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.

(Revise as appropriate the review, concurrence and approvals below to reflect your organization’s requirements.)

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.
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:

<table>
<thead>
<tr>
<th>Warrant and/or FAC-C Level Certified</th>
<th>Expenditure Level</th>
<th>Experience</th>
</tr>
</thead>
<tbody>
<tr>
<td>Level I Limited</td>
<td><strong>Up to – the Simplified Acquisition Threshold (SAT)</strong>&lt;br&gt;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).</td>
<td>A minimum of one (1) year work experience</td>
</tr>
<tr>
<td>Level I Limited</td>
<td><strong>Up to $150,000 – For designated 0800 series Resident Engineers</strong>&lt;br&gt;Warrant authorizes the resident engineer to modify existing construction contracts, tasks or delivery orders</td>
<td>A minimum of one (1) year work experience is waived for one year</td>
</tr>
<tr>
<td>Level II Limited</td>
<td><strong>&gt;SAT- $7,000,000</strong>&lt;br&gt;Warrant level includes open market contracts, BPAs, BOAs, DO/TO against established contracts, within the specified limits of the contracting officer’s warrant.</td>
<td>A minimum of 2 years work experience</td>
</tr>
<tr>
<td>Level III Limited</td>
<td><strong>&gt;$7,000,000</strong>&lt;br&gt;Warrant level includes expenditures at or below the dollar threshold and within the limits specified on the contracting officer’s warrant.</td>
<td>A minimum of 4 years work experience</td>
</tr>
<tr>
<td>Level III Unlimited</td>
<td><strong>No dollar limitation</strong></td>
<td>A minimum of 6 years work experience</td>
</tr>
</tbody>
</table>
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 (e.g., 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 memorandum. The individual’s authority to make award in all Veterans Affairs contract writing systems has been revoked or restricted.
4. I hereby certify the information contained herein is accurate to the best of my knowledge.

_________________________ __________________________
Supervisor's Printed Full Name Date Signature

FOR VHA ONLY:
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.