

Date: October 1, 2019

From: Executive Director, Office of Acquisition and Logistics (003A) and
Senior Procurement Executive (SPE)

Subj: VA Procurement Policy Memorandum (PPM) 2020-01, Contracting Officer Warrant Program
(VIEWS # 01452004)

To: Heads of Contracting Activity (HCA)

1. **Purpose.** Delegates HCAs authority to issue and terminate contracting officer warrants, clarifies roles and responsibilities for warrant management, reduces the number of warrant thresholds, and documents procedures for requesting and terminating warrants. Updates VA compliance with title 41 United States Code (U.S.C.) § 414(b)(4). Replaces PPM 2018-01, Procedures for Nominating Candidates and Obtaining a Warrant, dated May 10, 2018.

2. **Authority.** [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.

3. **Applicability.** Applies to HCAs and others who are involved with requesting, issuing, terminating and managing various aspects of the Department of Veterans Affairs (VA) Warrant Management Program.

4. **Effective Date:** October 1, 2019

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 **Expiration Date:** This PPM expires when rescinded or when incorporated into the VA Acquisition Manual (VAAM).

6. **Warrant Management Program Responsibilities.**

a. **Procurement Policy Services (PPS) Warrant Management Team:** The day-to-day management of the program is delegated to the Director, PPS. The Warrant Management team will:

- 1) Monitor the VA Warrant Management Program by conducting periodic audits of contracting officer appointment documents to ensure compliance with Federal Acquisition Regulation (FAR) and VA Acquisition Regulation (VAAR), VA Acquisition Manual (VAAM), and other policy requirements.
- 2) Conduct an annual random sampling review of warrants issued or rescinded by the HCAs to ensure warrant applications were properly prepared and applicants met all qualification requirements at the time of warrant issuance, and that

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rescissions were appropriately made in accordance with VAAR Part 801.690-7(a).

- 3) Collaborate with the Director, Acquisition Human Capital Management Services (AHCMS), and HCAs to make changes to warrant management templates and workflows.
- 4) Provide training to new bureau managers, as required.
- 5) Collaborate with the HCAs and their staff, as required.
- 6) Collaborate with HCAs and their representatives on the format, collection method(s), and systems used to prepare and provide a quarterly report of the number of warrants by organization and warrant levels to the SPE via the PPS Director.

b. **Acquisition Human Capital Management Services (AHCMS) Team:** The Director, AHCMS, is responsible for notifying the Director, PPS, and HCAs when a Federal Acquisition Certification-Contracting (FAC-C)/FAC-C-Digital Services (FAC-C-DS) expires for individuals who have been granted a contracting officer warrant.

c. **Head of Contracting Activity (HCA) Responsibilities:**

1) HCAs will be responsible for managing all warrants, to include ensuring only qualified individuals are granted and retain a contracting officer warrant.

2) HCAs will obtain and maintain an account in the Federal Acquisition Institute Training Application System (FAITAS). HCAs will review all warrant application packages and approve or disapprove the request, as appropriate, in FAITAS. **This task is not delegable.** The approval of the request shall be based on several factors, such as whether the candidate meets eligibility requirements outlined in FAR 1.603 and OMB authorities in paragraph 2 above. A "Request for Contracting Officer Appointment" (see Attachment A) must include verification of the appropriate FAC-C or FAC-C-DS. The memorandum describes the organizational need and the candidate's qualifications.

3) Each HCA will establish a Contracting Officer Warrant Board (COWB) and procedures for conducting the COWB for Level II and Level III warrants. The HCA will ensure the integrity of the COWB is held to the highest standard.

A. **Composition of the COWB.** The HCA appoints the Board members and the Chair. The COWB will consist of a minimum of three individuals.

(i) COWB Chair. The COWB Chair evaluates the contracting officer candidate's nomination package prior to submission to the COWB. The nomination package will include verification of candidate's experience, training, education, business acumen, judgment, character, and reputation using Attachment A.

(ii) COWB members in the 1102 series will hold a warrant equal to or higher than the candidate's requested warrant level.

(iii) Other specialized representation, such as legal counsel, engineers, or program managers, may serve on the board when appropriate.

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B. The COWB will ensure all the qualification requirements are met prior to recommending HCA approval of a contracting officer's warrant.

C. Evaluation of candidates for contracting officer warrant application. The COWB is responsible for evaluating a candidate's experience, training and education requirements and confirming the successful completion of the COWB prior to recommending issuance of a contracting officer warrant.

7. **Appointment.** An appointment as a contracting officer establishes the level of authority and trust vested in the candidate to legally bind VA for the procurement of goods and services. The HCA's signature on the electronically generated SF-1402 certifies the candidate is appointed as a Level I, II, or III contracting officer (see Attachment B).

8. **Unique Warrant Authority within VA.**

Office of the Inspector General (OIG): The [Inspector General Act of 1978](#) paragraph (b)(3)(B)(vi) grants the OIG contracting authority: "To the extent and in such amounts as may be provided in advance by appropriations Acts, the Inspector General may enter into contracts and other arrangements for audits, studies, analyses, and other services with public agencies and with private persons and make such payments as may be necessary to carry out the duties of the Inspector General."

9. **Transfer.** Transfer of a contracting officer warrant requires close collaboration between the HCAs (losing and gaining) involved along with the Directors for PPS and ACHMS. When there are issues that cannot be resolved, elevation to the SPE is required.

10. **Termination of Contracting Officer Authority.** HCAs have the authority to revoke or rescind the contracting officer's warrants. Under special circumstances, the SPE or the HCA may revoke or rescind a contracting officer's warrant for cause or decide based on documented justification(s) provided. Attachment C will assist organizations in rescinding specific warrants due to administrative or adverse actions. Only the SPE or HCA is authorized to rescind the warrant, if the warrant is being rescinded as a result of an adverse or derogatory action. A copy of the memorandum rescinding a warrant as a result of an adverse or derogatory action will be forwarded to the Director, PPS, and provided to the SPE for a final decision. All other warrant rescission requests must be signed by the HCA. The HCA is responsible for making sure FAITAS is updated and notifying the Director, Enterprise Acquisition Systems (EAS) Service, or the local Electronic Contract Management System (eCMS) Coordinator to terminate the contracting officer's authority in eCMS.

The HCA may suspend warrant authority for various reasons such as extended training, detail, or temporary assignment that does not require warrant authority. The HCA will collaborate with the Directors for PPS, AHCMS, and EAS to assure all systems internal and external to VA (eCMS, FAITAS, etc.) reflect the current status of the warrants.

11. **Name Changes.** When a warranted employee's name is legally changed, the

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employee must update their profile in FAITAS to reflect their new legal name. FAITAS profile changes will automatically change the legal name on the warrant certificate (SF-1402).

12. Limitations of Warrant Authority. Although the FAR does not address the limitation of a contracting officer's warrant as per action or cumulative/aggregate, a VA 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. If an individual transaction includes both additions and deductions, the aggregate of the 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).

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 Contracts, 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.

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

/s/
Angela Billups, Ph.D.

Attachments

ATTACHMENT A

Department of
Veterans Affairs

Memorandum

Date:

From:

Subj: Request for Contracting Officer Appointment

To: Head of Contracting Activity

1. In support of the mission and in accordance with FAR 1.603 and OMB guidance in VA PPM 2020-01, paragraph 2 - Organization/ NCO (e.g., Construction and Facilities Management, Network Contracting Office 1, Strategic Acquisition Center) has a requirement for a contracting officer (CO) appointment as indicated below.

2. I have nominated the candidate named below based on the complexity and dollar value of the acquisition(s) currently assigned or to be assigned, as well as the nominee's experience, training, education, business acumen, judgment, character, and reputation, and certify the warrant dollar threshold requested is limited to the amount the candidate requires to perform their assigned duties. I further certify the candidate possesses the required contracting experience to successfully execute the responsibilities of a CO as defined by FAR 1.602-2.

Candidate's Legal Name:

Job Series:

Grade:

Years of Contracting and/or Contracting Related Experience:

Current FAC-C:

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

Warrant Level requested:

Warrant Dollar Threshold requested:

3. I certify the candidate's last annual performance rating was fully successful/satisfactory or higher.

4. I certify the candidate's working knowledge of the Federal Acquisition Regulation (FAR), Veterans Affairs Acquisition Regulation (VAAR), VA Acquisition Manual (VAAM), and other applicable laws and regulations is adequate for the level of authority requested and this individual will be responsible for executing contract actions at or below the requested dollar threshold.

ATTACHMENT A

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Subj: Request for Contracting Officer Appointment

5. I certify 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 Printed Full Name

Date

Signature

Title:

Email address:

Phone number:

ATTACHMENT B

The SPE's or HCA'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) /FAC-C-Digital Services (FAC-C-DS) and Warrant Thresholds		
Warrant and/or FAC-C/FAC-C-DS Level	Expenditure Level	Experience*
Level I Limited	Simplified Acquisition Threshold (SAT) Warrant level includes open market awards up to the SAT and expenditures up to the maximum order limitation (MOL) threshold of FSS contracts	A minimum of one (1) year contracting experience
Level I Limited (Resident Engineer)	\$150,000 – For designated 0800 series Resident Engineers without FAC-C certification. Warrant authorizes the resident engineer to modify existing construction contracts, tasks or delivery orders \$250,000 – For designated 0800 series Resident Engineers with FAC-C certification. Warrant authorizes the resident engineer to modify existing construction contracts, tasks or delivery orders	The minimum of one (1) year contracting experience is waived for one year only
Level II Limited	\$5,000,000 and \$10,000,000 Warrant level includes expenditures at or below the dollar threshold and within the limits specified on the contracting officer's warrant.	A minimum of 2 years contracting experience
Level III Limited	\$50,000,000, \$100,000,000 and \$500,000,000 Warrant level includes expenditures at or below the dollar threshold and within the limits specified on the contracting officer's warrant.	A minimum of 4 years contracting experience
Level III Unlimited	No dollar limitation	A minimum of 6 years contracting experience

NOTE: The above thresholds will be the only thresholds available in FAITAS. HCAs are permitted to impose additional threshold limits in eCMS, but HCAs are not authorized to change the thresholds in FAITAS.

*OFPP defines "contracting" experience as: The requirements for experience are generally based upon the Contract Specialist (GS-1102) Qualification Standard. Experience may be time spent on the job in a contracting-related job assignment, either in the private or public sector, which reflects the accumulation of knowledge, skills and abilities during years of progressively responsible work assignments.

ATTACHMENT C

Department of
Veterans Affairs

Memorandum

Date:

From:

Subj: Warrant Rescission

To: Head of Contracting Activity

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 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 (cite the specific action);*
 - 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 or resides in FAITAS. The individual's authority to make award in all Department of Veterans Affairs contract writing systems has been revoked or restricted.

ATTACHMENT C

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Subj: Warrant Rescission

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 Director of Contracting (DOC) or Service Director Date Signature

Approved/Disapproved:

*

Full Name of the HCA Date Signature Printed

*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.