



MILITARY SEALIFT COMMAND

Key Contracting Roles and Responsibilities

Prepared for Military Sealift Command
by Emprise Corporation

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Learning Objectives

- **The overarching objective of this module is to introduce you to the key players associated with government contracting and their respective roles and responsibilities**
- **At the conclusion of this module, you will understand and be able to describe the roles and responsibilities of :**
 - **Requiring Officials**
 - **Contracting Officials**
 - **Contracting Officer's Representative**
 - **Technical Point of Contact**
 - **Office of Counsel (N00L)**



Division of Contracting Roles and Responsibilities

- **Planning, solicitation, and execution of government contracts is subject to a strictly enforced division of roles and responsibilities**
 - **Requiring Officials are responsible for identifying the goods or services required to perform a mission and funding their procurement**
 - **Contracting Officials are responsible for procuring the goods or services required by Requiring Officials in compliance with applicable acquisition laws, regulations, and policies**



Requiring Officials

- **Responsible for:**
 - **Establishing requirements for goods or services necessary to execute their mission**
 - **Identifying required delivery date for goods or services**
 - **Requesting procurement of goods and/or services**
 - **Funding procurement of required goods or services**



Contracting Officials

- **Consist of:**
 - Contracting Officers
 - Contracting Specialists
- **Responsible for:**
 - Soliciting and entering into contracts on behalf of government to procure required goods or services
 - Ensuring procurements comply with applicable procurement laws and regulations



Contracting Officer

- **Appointed in writing (i.e., warranted) by Head of Contracting Activity**
- **Delegated authority to enter into contracts on behalf of agency for procurement of goods and services**
- **Two types of Contracting Officers:**
 - **Procuring Contracting Officer (PCO)**
 - **Administrative Contracting Officer (ACO)**



Procuring Contracting Officer (PCO)

- Responsible for all matters pertaining to contract planning, solicitation, and source selection processes through contract award



Administrative Contracting Officer (ACO)

- **Responsible for executing post-award contract administration functions delegated by PCO**



Contracting Specialists

- Responsible for providing direct support for Contracting Officers



Contracting Officer's Representative (COR)

- **COMSCINST 4205.4 (series) outlines MSC policy regarding COR appointment, limitations, and responsibilities**
- **Responsible for:**
 - Interpreting technical aspects of contract
 - Performing contract surveillance to verify contractor performance fulfills contract requirements
- **Typically located on-site at contractor's facility for MSC maintenance availability contracts**



COR Responsibilities

- **Developing and administering contractor performance quality assurance surveillance plan**
- **Ensuring only appropriate technical guidance is provided to contractor**
- **Maintaining certain correspondence, records, and files as part of official contract file**
- **Protecting contractor's proprietary information**
- **Protecting classified information**
- **Ensuring contractor receives fair and equitable treatment**
- **Ensuring contractor services are non-personal in nature**
- **Avoiding improper business practices and personal conflicts of interest**
- **Promptly notifying PCO, ACO, and N00L regarding suspected fraud, bribery, conflict of interest, or other improper conduct**



COR Constraints

- **COR does not have authority to:**
 - **Delegate his or her authority or responsibilities**
 - **Make any agreements that obligate government funds**
 - **Make any agreements that affect the price, quality, quantity, delivery, or other term or condition of contract**
 - **Order, encourage, or permit contractor to perform any work beyond scope of contract**
 - **Interfere with contractor's management of its employees or subcontractors**
 - **Allow government furnished property accountable under one contract to be used under another contract**
 - **Discuss any information that may give contractor an advantage in future procurements**
 - **Direct contractor to begin work prior to contract award date**
 - **Issue oral or written instructions to contractor to start or stop work**



Technical Point of Contact (TPOC)

- Subject matter expert advisor to COR, PCO, and ACO
- Has no contractual authority or responsibilities defined in contract or FAR



Office of Counsel (N00L)

- **Independent advisor to Head of Contracting Activity, N10, Requiring Officials, Contracting Officials, and COR**
- **Primary focus is ensuring contract solicitation and administration comply with applicable laws and regulations**



Let's Review

- Describe the distinction between the responsibilities of the PCO and ACO.
- What are some of the key responsibilities of the COR?
- What are some of the constraints that apply to the COR?
- What is the role of a TPOC?
- How should TPOCs provide guidance to contractor personnel?



Summary

- **During this module, we have discussed the roles and responsibilities of:**
 - **Requiring Officials**
 - **Contracting Officials**
 - **Contracting Officer's Representative**
 - **Technical Point of Contact**
 - **Office of Counsel (N00L)**



Additional Information

- **For additional information, please refer to:**
 - **DOD Education Activity Procurement Customer Guide**
 - **DOD Guidebook for the Acquisition of Services**
 - **DOD Source Selection Procedures**
 - **DOD Contracting Officer's Representative Handbook**
 - **COMSCINST 4205.4B, Contracting Officer's Representative**
 - **MSC Port Engineering Manual, dated January 2010 (revision pending)**



Final Questions





Revision History

Date	Version	Description	Author
5/7/19	1.0	Revised slide template.	Gary Fields
7/31/19	1.1	Verified content is consistent with COMSCINST 4205.4B	Gary Fields
7/6/20	1.2	Minor editorial and clarification revisions	Gary Fields