

COMSCINST <b>4205.6</b>	COG CODE <b>N10</b>	DATE <b>27 NOV 95</b>
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**DEPARTMENT OF THE NAVY**  
COMMANDER MILITARY SEALIFT COMMAND  
WASHINGTON NAVY YARD BLDG 210  
901 M STREET SE  
WASHINGTON DC 20398-5540

COMSCINST 4205.6  
N10  
27 November 1995

## COMSC INSTRUCTION 4205.6

Subj: SELECTION, APPOINTMENT AND TERMINATION OF APPOINTMENT OF CONTRACTING OFFICERS AND ORDERING OFFICERS

Ref: (a) Federal Acquisition Regulation (*FAR*) 1.602-1  
(b) Defense Federal Acquisition Regulation Supplement (*DFARS*) 201.603-2  
(c) Navy Acquisition Procedures Supplement (*NAPS*) 5201.601  
(d) *DFARS* 202.101  
(e) *NAPS* 5203.101-1  
(f) *FAR* 1.601 and 2.101  
(g) *NAVSUPINST* 4200.85C

Encl: (1) Format for Qualification and Documentation of Contracting Officer Appointment  
(2) Career Path Purchasing  
(3) Sample Ordering Officer Letter

1. Purpose. To establish procedures for the selection, appointment and termination of appointment of contracting officers and ordering officers.

2. Cancellation. *COMSCINST* 4330.34A.

3. Applicability. This instruction applies to the delegation of contracting officer and ordering officer authority throughout Military Sealift Command (*MSC*).

4. Authority

a. A contracting officer, subject to the limitations set forth in references (a) and (b) and the Certificate of Appointment, may execute any contract necessary and proper to perform duties in the name of the United States of America, and to administer such

27 November 1995

contracts, including the making of required determinations, findings, justifications and decisions. The Commander, Military Sealift Command (*COMSC N00*), is the only contracting officer within MSC appointed by virtue of position in accordance with references (c) and (d).

b. An ordering officer is subject to the limitations set forth in a particular indefinite delivery type contract, the ordering officer's letter of appointment and reference (e).

5. Delegation of Authority. The Commanding Officer of MSC Central Technical Activity and the Director of the Contracts and Business Management Directorate are authorized to select, appoint and terminate appointments of contracting officers.

6. Procedures For Selection, Appointment, Monitoring and Review and Termination of Appointments of Contracting Officers. The Commanding Officer of MSC Central Technical Activity and the Director of the Contracts and Business Management Directorate shall appoint only qualified individuals, both military and civilian, as contracting officers.

a. Selection

(1) Individuals shall meet the following qualifications prior to appointment. Enclosure (1) shall be used to document individuals' qualifications of education, experience and training.

(a) Individuals making purchases using the simplified purchase procedures in accordance with FAR Part 13, or placing orders for supplies or services against an established contract or with government sources of supply in accordance with FAR Part 8, shall, as a minimum, complete the Simplified Acquisition Fundamentals (*PUR 101*) course and any other required course as directed by reference (g). Additionally, individuals shall meet the training and experience requirements in DoD 5000.52M as summarized in enclosure (2).

(b) Individuals authorized to make purchases up to twenty-five hundred dollars with the use of a purchase card shall have completed the required training as directed by reference (g).

(c) Individuals making acquisitions, other than those in paragraphs (a) and (b) above, are required to meet the specific education, experience and training requirements for contracting officers cited in reference (b). Other factors such as the individual's capability, character and judgment shall also be considered in determining limitations on the individual's contracting authority.

27 November 1995

(2) The Director of Procurement Plans and Policy (*COMSC N101*) is responsible for verifying the qualifications of candidates for contracting officers to COMSC N10 and the Commanding Officer of MSCCENTACT. Recommendations for appointment as contracting officers shall be forwarded through the Contracts and Business Management reporting chain.

b. Appointment. Contracting officers shall be appointed by using a Certificate of Appointment, *Standard Form 1402*, which shall set forth the nature and limits of the individual's contracting authority.

c. Termination. Termination of a Certificate of Appointment shall be made by letter signed by the cognizant MSCCENTACT Division Director or Head of the Area Command N10 office unless the certificate provides for automatic termination. Termination may be made for such reasons as reassignment, termination of employment or unsatisfactory performance. Termination for unsatisfactory performance will be coordinated with COMSC N101.

#### 7. Procedures For Selection, Appointment and Termination of Appointment of Ordering Officers

a. Selection. Because indefinite delivery type contracts using ordering officers vary in dollar value and complexity, the qualifications, skills, and training needed by ordering officers may also vary and shall be determined by the contracting officer. However, such selections must consider the restrictions in reference (e) and the type of ordering to be performed. Ordering officers should demonstrate to the contracting officer the ability to exercise good judgment and proper ethical behavior.

b. Appointment. Contracting Officers shall appoint ordering officers by letter for specific indefinite delivery type contracts, including Defense Fuel Supply Center (*DFSC*) and Navy supply contracts which permit MSC to designate ordering officers. A sample letter of appointment is provided as enclosure (3). Placing orders under indefinite delivery contracts does not require contracting officer authority or a warrant.

c. Termination. Termination of an ordering officer shall be made by letter signed by the cognizant Director of Contracts and Business Management (*N10*). Terminations may be made for such reasons as reassignment, termination of employment, unsatisfactory performance or conflict of responsibility as stated in reference (e).

COMSCINST 4205.6

27 November 1995

8. Documentation

a. COMSC N10 shall maintain central files containing qualifications, appointments and terminations of appointments of contracting officers and ordering officers. These files will be reviewed as part of the Procurement Management Review Program.

b. COMSC N101 shall maintain an automated list of contracting officer and ordering officer appointments via the Contracting Information Bulletin Board on the MSC Local Area Network (*LAN*). Contracting officers shall maintain copies of ordering officer appointments and terminations. Upon issuance, a copy of the ordering officer appointment and termination shall be provided to COMSC N101 for input into the automated list.

c. For information or questions regarding this instruction, please contact COMSC N101 at (202) 685-5550 or DSN 325-5550.

Distribution:

COMSCINST 5000.19

List I (Case A, B)

SNDL 41B (*MSC Area Commanders*)

41C (*MSC Subarea Commanders*)

41F (*MSCCENTACT*)

27 November 1995

**FORMAT FOR QUALIFICATION AND DOCUMENTATION  
OF CONTRACTING OFFICER APPOINTMENT**

**I. IDENTIFICATION**

- a. Office Code:
- b. Name of Appointee:
- c. Grade or Rank:
- d. Organizational Position Title:
- e. Brief Description of Duties:

**II. EDUCATION** *Identify in particular any education or special training in accounting, business finance, law, contracts, purchasing, economics, organization and management.*

- a. High School Graduate \_\_\_\_\_ Yes \_\_\_\_\_ No
- b. Number of Years of Successfully Completed College  
Undergraduate Work \_\_\_\_\_  
Major \_\_\_\_\_ Minor \_\_\_\_\_  
Degree Conferred \_\_\_\_\_ Date \_\_\_\_\_
- c. Number of Years of Successfully Completed College  
Post Graduate Work \_\_\_\_\_ Major \_\_\_\_\_  
Degree Conferred \_\_\_\_\_ Date \_\_\_\_\_

**III. EXPERIENCE** *Identify in particular any experience in Government contracting and administration, commercial purchasing or related fields.*

- a. Number of Years as Full-Time Contract Negotiator/Administrator \_\_\_\_\_  

Date	Position	Grade	Duties
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- b. Number of Years as Supervisory Contract Negotiator/Administrator \_\_\_\_\_
- c. Number of years as Contracting Officer \_\_\_\_\_  

Date	Position	Grade	Duties
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- d. Number of Years of Other Directly Pertinent Experience

27 November 1995

IV. TRAINING *Identify satisfactory completion of acquisition requirements reflected in DFARS 201.603-2 and implemented by the Defense Acquisition Workforce Improvement Act.*

a. Approved Certification Level: \_\_\_\_\_

b. Pre-Award \_\_\_\_\_ Post-Award \_\_\_\_\_

c. Contracting Courses Successfully Completed:

<u>Course Title</u>	<u>Date Completed</u>
(1) Contracting Fundamentals (CON 101)	_____
(2) Contract Pricing (CON 104)	_____
(3) Government Contract Law (CON 201)	_____
(4) Intermediate Contract Pricing (CON 231)	_____
(5) Intermediate Contracting (CON 211)	_____
(6) Intermediate Contract Admin (CON 221)	_____
(7) Executive Contracting (CON 301)	_____
(8) Executive Pre-Award Contracting (CON 311)	_____
(9) Executive Post-Award Contracting (CON 321)	_____
(10) Executive Cost and Price Analysis (CON 331)	_____
(11) Management for Contracting Executives (CON 333)	_____
(12) Simplified Acquisition Fundamentals (PUR 101)	_____
(13) Intermediate Simplified Acquisition Procedures (PUR 201)	_____

d. DAWIA Recognized Equivalent Courses/Date Completed/Sponsor

e. Other Directly Pertinent Courses /Date Completed

V. NECESSITY FOR APPOINTMENT

VI. LIMITATIONS OF CONTRACTING OFFICER AUTHORITY

VII. a. \_\_\_\_\_  
*Name of Applicant*

\_\_\_\_\_  
*Signature of Applicant* *Date*

b. \_\_\_\_\_  
*Name of Recommending Official*

\_\_\_\_\_  
*Signature of Recommending Official* *Date*

## CAREER PATH PURCHASING

Level/Typical Grade	Assignments	Experience Mandatory = (M)	Education Desired = (D)	Training
<b>Level I</b>		<b>(D) One year in the Purchasing Career Field</b>	<b>(D) Sixty-four semester hours of undergraduate work</b>	<b>(M) PUR 101 * Simplified Acquisition Fundamentals</b>
<b>GS 5</b>				
<b>E-4/5</b>				
<b>Level II</b>		<b>(M) One year current and progressively responsible experience</b>	<b>(D) Sixty-four semester hours of under graduate work, with emphasis in business</b>	<b>(M) None</b>
<b>GS 6-8</b>				
<b>E- 6/8</b>				
<b>Level III</b>		<b>(M) Three years of progressively responsible experience</b>	<b>(D) Sixty-four semester hours of undergraduate work, with emphasis in business</b>	<b>(M) PUR 201 Intermediate Simplified Acquisition Procedures</b>
<b>GS 9</b>				
<b>E-9</b>				

\* PUR 101 may be taken on-site at the Army Logistics Management College (ALMC), Fort Lee, VA or through ALMC's correspondence course coordinated through the Army Institute of Professional Development, U.S. Army Training Center, Newport News VA 23628. The only equivalent to PUR 101 is through the Equivalency Test Program offered by the Defense Acquisition University. NAVSUP's Small Purchase course is not an equivalent.

**Note:** Chart is excerpted from DOD 5000.52M

**SAMPLE ORDERING OFFICER LETTER**

From: *(PCO or ACO of Contract)*

To: *(Appointed Ordering Officer)*

Subj: APPOINTMENT AS ORDERING OFFICER UNDER CONTRACT (*CONTRACT #*)

Ref: (a) Federal Acquisition Regulations (*FAR*) 16.506

(b) Defense Federal Acquisition Regulation Supplement (*DFARS*) 216.506

(c) Naval Acquisition Procedure Supplement (*NAPS*) 5203.101-1

(d) FAR 8.408

(e) SECNAVINST 5370.2J

Encl: (1) Copy of Contract (*Contract #*)

1. You are hereby appointed as an Ordering Officer under the enclosed contract. As such, your duties are to place orders under the subject contract for items listed in the contract schedule. In this capacity, you are responsible to and under the supervision of the undersigned Contracting Officer. Your duties and responsibilities may not be redelegated on a temporary or permanent basis.

2. You are responsible for providing prompt notification to the contracting officer if for any reason it becomes necessary to terminate your appointment as Ordering Officer.

3. In accomplishing your duties as an Ordering Officer, you must ensure that services ordered under the contract remain non-personal i.e, the tasks performed by the contractor are performed independently and without direction, supervision or guidance from any Government employee.

4. As Ordering Officer, you shall:

a. Issue orders for services and supplies provided under the subject contract; such orders shall be in accordance with the subject contract and references (a), (b) and (c).

b. Process deficiencies or discrepancies in shipments in accordance with reference (d).

c. Notify the contracting officer immediately of any suspected procurement fraud, bribery, conflict of interest or other improper conduct.

d. Avoid improper business practices and personal conflicts of interest.

Enclosure (3)

COMSCINST 4205.6

27 November 1995

e. Comply with reference (e) regarding standards of conduct.

f. Provide the undersigned Contracting Officer with a copy of the monthly status report or copies of orders that you forward to the PCO under subject contract. If there are no reporting requirements under the contract, the Ordering Officer shall provide a written report tailored to the contract requirements to the undersigned Contracting Officer addressing items of interest such as: description, total price, total qualify, RDD and actual DD.

g. Additional duties include:

5. The duties and responsibilities set forth therein are not intended to be inclusive. The Contracting Officer should be advised as specific situations arise that have not been covered or that have created a question to determine how to proceed in the best interest of the Government.

6. This appointment shall be effective through the term of the contract, unless revoked by the Contracting Officer. Failure to comply with the above instructions will result in termination as an Ordering Officer under the enclosed contract.

Contracting Officer \_\_\_\_\_ Date \_\_\_\_\_

Acceptance of Appointment:

Ordering Officer \_\_\_\_\_ Date \_\_\_\_\_

The Ordering Officer shall retain one copy of this letter, signed by both parties, and shall return one copy to the Contracting Officer.

cc:

COMSC N10

*(Payment Office)*

*(Area Command) N10*