

**A. INTRODUCTION**

Serves as contracting officer/project leader responsible for pre-solicitation, solicitation, negotiation, award, administration, termination and close out of contracts. The primary purpose of this position is to perform, lead, direct and manage contracting work including the acquisition of construction, services, supplies, and architect-engineering (A-E) services through the use of sealed bids or negotiated method of contracting. Many contracts have limited precedent and require in-depth analysis of specifications, available markets, available sources, or the potential for claims. Contracts are normally firm fixed-price, fixed-price with escalation (or incentive), cost reimbursement involving incentives, and may also include other types such as indefinite delivery/indefinite quantity, time and materials, requirements, or labor hour. These contracts require a variety of option clauses, or extensive special provisions. The contracting work is made complex by such factors as the procurement of critical and scarce materials, subcontracting, advanced A-E design services, and/or an extended contractual period.

The function of the position is to establish contractual arrangements with a variety of commercial and public organizations for furthering the Area's research mission and goals. The incumbent is responsible for ensuring performance of all necessary actions for timely, efficient, and effective contracting, including compliance with the terms of the contract and safeguarding the integrity of the procurement process.

**B. MAJOR DUTIES**

Serves as a warranted contracting officer and has delegated authority to sign contracts totaling up to \$1 million (construction), \$100,000 (A-E services), and \$1 million (supplies/services), including any special and one-time delegations from the Head of the Contracting Activity (HCA).

Acts as project leader and coordinates activities with a team of specialists from the requisitioning office, legal counsel, finance officers, property officers, safety and health specialists, environmental specialists, and other technical personnel. Arranges and conduct conferences with prospective contractors and the Government's project team to establish a common understanding of the requirements of the proposed contract. Acts as technical advisor to the source selection panel for the acquisition and evaluates source selection reports for fairness, soundness of judgment and compliance with evaluation criteria.

Leads, directs and manages the acquisition process which involves the use of the sealed bid or negotiation method of acquisition. For negotiated procurements, the incumbent is responsible for developing and managing the acquisition through pre-negotiation, negotiation and source selection strategies. For the sealed bid method, performs all necessary tasks to identify the

Contract Specialist  
(Area Contract Specialist)  
GS-1102-12

Standard Job #1102-12

lowest cost, responsible, responsive bidder for contract award. Resolves all issues involving challenges to the terms and conditions of the solicitation, apparent mistakes in bids, and eligibility for contract award.

Provides advice and assistance in developing Statements of Work or Specifications to ensure that they comply with Federal statutes and regulations; reviews plans and specifications for restrictive, subjective, and/or ambiguous program requirements and resolves problems and conditions requiring clarification with program and contractor personnel by providing recommendations for appropriate corrective action. Analyzes the impact of the current economic climate within the supply, service, construction and A-E industries for appropriate procurement action.

Formulates guidelines, implements new developments, and interprets policy to subordinate contracting activities.

Prepares special provisions and clauses, formulates proposal preparation instructions and evaluation criteria for complex contracts; evaluates and rates the proposals of competing offers to determine which are to be included in the competitive range; and selects a source (contractor) based upon the specified criteria. Provides a full range of contract scheduling, development, negotiation, award, administration, and termination services.

Facilitates the development of an Advance Acquisition Plan, maintains current acquisition plans, milestone charts and related schedules to ensure adequate resources are available to best meet the needs of the Government. Participates in extensive pre-solicitation planning and coordinating with agency officials to develop a solicitation package including the design of special provisions and clauses which incorporates the acquisition strategy. Determines the proper and most effective type of contract for the acquisition.

Reviews and evaluates acquisition policies and procedures in support of the Procurement Assistance Officer, and as directed, conducts Procurement Management reviews of locations within the Area and recommends appropriate action(s) to ensure achievement of effectiveness, efficiency and economy in the operations along with compliance with federal and agency regulations.

Obtains necessary pre-solicitation approvals and clearances from USDA, OMB, General Services Administration, Department of Labor, Small Business Administration, and other agencies, states, and regulatory authorities.

Develops Findings and Determination as required by statute or regulations to support other than full and open competition, use and evaluation of options, and type of contracts. Ensures that all

Contract Specialist  
(Area Contract Specialist)  
GS-1102-12

Standard Job #1102-12

requirements of law, regulation, executive orders, approvals and applicable procedures have been met prior to entering into a contract.

Plans, develops and executes an acquisition strategy which includes fulfilling the objectives of socioeconomic programs as they apply to Procurement Preference, Competitiveness Demonstration, SDB Reforms and Procurement Outreach which seeks to maximize the participation of small, small disadvantaged, women-owned, Historically Underutilized Businesses (HUBZone) and small businesses owned by veterans and veterans with service connected disabilities. These programs are carried out through prime contracts and subcontracts. Each Program employs its own rules and necessitates planned activities to meet thresholds and measures achievements which impact the agency's accomplishments.

Directs, coordinates, and administers all phases of the acquisition cycle including interactions between industry representatives and the Government's planning, program and operational units and may involve procurement analysts, auditors, attorneys, engineers, and other technical specialists.

Conducts detailed research and analysis to evaluate cost and price submissions; determines the quality of the services offered with due regard to the satisfaction of technical requirements; and determines the necessity for preaward surveys or other past performance information necessary to affirm the contractor's responsibility. In the case of bid protest, documents the final decision (including rationale) for the award decision. Ensures the development of all required documentation to support all determinations of bidder's nonresponsibility, rejection of individual bids and cancellation of bids before or after bid opening.

Performs post-award activities related to contract administration, including review and approval of expenditures under cost-type contracts and the contractor's accounting, purchasing and inventory systems. Evaluates requests for progress payments; monitors contractor's compliance with contract's terms and conditions and coordinates the amount of incentive fee to be earned by the contractor. Monitors the progress of the work by regular contacts with the contractor and project officer and approves invoices after analyzing cost to ensure allowability and that payments are commensurate with the effort expended. Determines action to be taken in case of loss, damage, or destruction of government property as well as delays in delivery or completion. Prepares rates and cost adjustments, redirects effort, incorporates change orders, and issues stop work orders, "cure" notices or "show cause" letters.

Renders a decision or determination based upon a review of facts and circumstances related to contractor's claim for equitable adjustment, termination settlement, protest against solicitation terms and conditions or proposed contract award, or any subsequent claims filed by the contractor. Determines appropriate action to undertake in the event of contractor's failure to

comply with contract's terms and conditions after review of the circumstances, such as alternative dispute resolution, termination, cancellation or other extraordinary contractual action.

Ensures that acquisition (solicitations, modifications) are compliant with the FAR, AGAR, Agency policy and procedures, policy bulletins, etc.

Communicates agency requirements of the Procurement Preference Program through vendor outreach programs, networking with organizations, and other initiatives in order to eliminate areas of under-representation and to meet or exceed the program's goals and objectives.

### **C. EVALUATION FACTORS**

#### **1. Knowledge Required by the Position** (FLD 1-7, 1250 points)

Comprehensive knowledge of the legislation, regulations and methods used in contracting, e.g., the Federal Acquisition Regulations, Agriculture Acquisition Regulations, judicial rulings from the Office of General Counsel, General Accounting Office, Board of Contract Appeals, and any judicial interpretation of those regulation or decisions.

Knowledge of, and the ability to apply, the principles of federal acquisitions pertaining to contracts involving construction, A-E, nonpersonal services and performance-based service contracts and acquisitions involving supplies, equipment, and information technology.

Knowledge of business and industrial strategies (i.e., construction, A-E, and environmental industries) and their constantly occurring innovations, including: market trends and conditions; factors behind costs; relationships among costs of production, marketing, distribution, and delivery; and of concepts regarding warranties and guarantees including life-cycle costing, cost of money techniques, labor laws, sureties, subcontracting procedures, bonding and insurance programs, and contract financing.

Knowledge of, and the ability to apply, the principles and priorities relevant to socioeconomic programs involving Procurement Preference, Small Business Competitiveness Demonstration, Small Disadvantaged Business Participation, Price Evaluation Adjustment, Procurement Outreach, and including the Historically Underutilized Business Zone (HUBZone), SDB certification programs, Price Evaluation Adjustment factor and Veterans programs. Ability to

commit to actions which maximize the exposure of the targeted communities to procurement information and eliminate areas of under-representation.

In-depth knowledge of the Federal Procurement Data System (FPDS) to facilitate the tracking of procurement actions for the preference programs where accuracy of the data is an essential element to achieving Agency goals.

Knowledge and skill sufficient to plan and procure complex requirements by negotiation or sealed bids involving supplies, services (nonpersonal, A-E design, construction, remediation) for complex projects. Knowledge of agency program objectives and scheduling, and interrelationships with other programs. Knowledge and skill sufficient to monitor contracts over extended periods, containing options, and covering detailed technical requirements. These contracts may include monitoring subcontractors, negotiating forward pricing rates, complex changes or numerous special provisions, observing rigid time frames, settlement of claims, and/or terminations or closeout.

Skill to provide expert technical leadership, staff coordination, and consultation in the procurement functional area.

Skill in practicing innovative procurement streamlining methods, best value practices, and recent changes in acquisition regulations and GAO decisions with immediate impact upon agency acquisitions.

Skill in identifying, analyzing and solving unprecedented problems using a high degree of independent judgment and personal initiative.

Skill in interpreting policies, legal precedents and procedural requirements.

Ability to clearly express ideas verbally and in writing, including the ability to use and interpret language which contain a variety of legal and technical expressions; to speak effectively to groups of individuals; and to handle numerous technical projects at the same time.

Ability to communicate with professionals in any combination of the following fields: accounting, business, finance, law, contracts, purchasing, economics, industrial management, marketing, quantitative methods, or organization and management to resolve acquisition difficulties and achieve desired outcomes.

**2. Supervisory Controls** (FLD 2-4, 450 points)

The supervisor establishes the overall objectives and resources available and, in consultation with the incumbent, develops deadlines, projects and work to be done.

Within the scope of the delegated procurement authority formally issued by the Agency's Head of the Contracting Activity, the incumbent independently carries out the assignment, i.e., plans, designs, and monitors schedules and budgets, subject to occasional review. Incumbent is considered to be an authority in the field of acquisition and is expected to exercise judgment in analyzing and developing solutions and establishing priorities. Incumbent resolves most conflicts that arise and keeps the supervisor informed of progress, potentially controversial issues, or matters which affect policy or have other far-reaching implications, as appropriate.

Completed work is reviewed primarily for adherence to broad policy and stated objectives, and effectiveness in meeting project results. For highly sensitive and/or controversial situations, the supervisor may provide some technical or administrative oversight; however, there is generally limited technical review of the ongoing contracting work since incumbent is recognized as an expert in the project work assigned.

**3. Guidelines** (FLD 3-4, 450 points)

Guidelines consist of Department and Agency policies, regulations, directives, precedents and program goals; Executive Orders; OMB Circulars, GSA regulations; Federal Acquisition Regulations; Federal statutes; and decisions by the Comptroller General, Office of General Counsel, and Board of Contract Appeals and the Cost Accounting Standards. Guidelines are often general in nature and limited in use, i.e., contain gaps in specificity or are conflicting, and therefore require ingenuity and originality in interpreting, modifying, and/or extending them to fulfill the requirements of the Area's acquisition programs.

Incumbent uses significant judgment, initiative and resourcefulness in interpreting and applying the principles underlying the guidelines for contract administration, in deviating from traditional methods, and/or in researching trends and patterns to develop new approaches, criteria, or proposed policies. This often requires intensive searches of a wide range of regulations, case law, and policy applicable to the numerous and diversified procurement issues encountered.

**4. Complexity** (FLD 4-5, 325 points)

As the Contracting Officer/Project Leader, the incumbent is responsible for performing and directing a significant procurement assignment. The work is complex because of the nature of contracts procured and the diversity of the procurement procedures and regulations governing them. The contracts frequently require substantial research and analysis before decisions can be made, i.e., the scope of work is difficult to define and precedent is lacking; and extensive planning and coordination are required for planning, negotiating, awarding, administering and terminating long-term contracts. Mistakes in bid, protests against contract award, and claims and issues regarding contractual obligations of the Government to private concerns are often encountered. In-depth design, construction, modernization or alteration of high priority research facilities demands considerable research, analysis and decision-making to render a determination or final decision regarding contract awards. Complex service contracts require the development of special contract clauses and provisions dealing with security, proposal evaluation, performance monitoring, incentives, and advance and progress payments.

Contracts involve procuring unique technical and professional services including A-E services, construction, specialized scientific equipment, other non-personal services, and repair and maintenance. There may be some facility design uncertainties resulting from design and performance changes. Coordination and resolution of sensitive, and sometimes conflicting and/or controversial, issues involving separate groups, Federal/State/local governments/organizations, and labor unions may ensue and require resolution.

Decisions involving uncertainties or problems such as questionable financial responsibility, deficient performance, economic instability, allegations of negligence and/or potential liability, and complex programs require in-depth analysis and understanding of the overall agency mission, program plan, changing needs, and priorities. Incumbent interprets technical, legal, and audit decisions; analyzes their impact on requirements; and identifies trade-offs and alternative courses of action.

The work generated by the Area contracting office and its locations makes it highly subject to accurate reporting requirements and data collection required by the Agency, Department, and congressional interests. The incumbent is responsible for the accuracy and completeness of this information.

**5. Scope and Effect** (FLD 5-3, 150 points)

Within the prescribed delegations, the purpose of the work is to provide expertise as the Contracting Officer/Project Leader on a broad range of procurement activities encompassing all aspects of acquisition by furnishing advisory, planning, or reviewing services on specific problems, projects, or programs. Assignments involve contracting and procurement for specialized research programs throughout the geographic Area and for organizational units at the Area Office. Incumbent's expert advice, guidance and recommendations are accepted as authoritative and serve as the basis for committing Area funding for significant expenditures. Successful management of the acquisition function is essential to the accomplishment of the Area's research goals and mission.

The work affects the plans, goals, and effectiveness of the Area's research programs at various locations within a multi-state geographical area; it has a significant impact on the efficiency and timeliness of the research operations being serviced. There is a direct correlation between the quality of each contract and the quality of the support services necessary to support the Area's research programs. The work significantly impacts existing and projected research and operational programs of national and international importance. The achievements in socioeconomic programs directly affect Area accomplishments.

**6. Personal Contacts** (FLD 6-3, 60 points)

Personal contacts include requisition personnel, scientists, technical and administrative support personnel (safety and health, budget, property), program officials, auditors, attorneys, contractors, professional organizations, State and local governments, regulatory agencies, university representatives, the news media, public action groups, nonprofit groups, industry, and other departments or activities outside the agency. Contacts are also with senior management officials both within and outside the agency (e.g., agency HQ offices, Small Business Administration, General Services Administration, and Department of Labor).

**7. Purpose of Contacts** (FLD 7-3, 120 points)

Contacts are made for the purpose of pre-solicitation planning (including market research), obtaining agreement on previously determined goals and objectives through negotiation and persuasion, coordinating the work efforts, providing advice regarding procurement and contracting procedures, and solving problems related to contract administration. Individuals or groups are frequently

uncooperative, have different negotiation objectives, or represent divergent interests. Some contacts are controversial or sensitive in nature, particularly those that deal with a contractor's delinquent or deficient performance, or for the negotiation and settlement of claims for additional compensation. Therefore, considerable skill, tact and prudent judgment are required to carry out the contracting work; and close coordination with management and various leadership personnel, such as agency and private facilities contractors, A-E's, program staff, scientific personnel, etc., must be maintained to ensure the success of the project.

**8. Physical Demands** (FLD 8-1, 5 points)

Work is primarily sedentary requiring light lifting of material associated with files retrieval. Work requires some physical activity such as walking and bending during the inspection of end products and site surveys/reviews. Occasional travel may be required. Walking may involve considerable distances over rough terrain at construction sites or other outdoor facilities in order to view site conditions, conduct inspections, and check on work progress. Agility may be required to walk around or over building materials, excavation sites, and heavy equipment.

**9. Work Environment** (FLD 9-1, 5 points)

Work is performed primarily in an office setting; however, site visits are necessarily conducted for pre-bid conferences, site inspections, fact finding, trouble shooting and follow up of on-going construction, service or supply contracts. There is some exposure to construction site conditions with dusty, noisy and hot/cold environments, where hard hats may be required. Special safety precautions must be observed when visiting construction areas involving asbestos, lead abatement, or hazardous waste clean-up.

**TOTAL - 2815 POINTS = GS-1102-12**  
**(Grade point range for GS-12: 2755-3150 points)**

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GS-1102-12

Standard Job #1102-12

**D. OTHER CONSIDERATIONS**

1. Levels II and III Contracting Officer Certifications must be maintained.

**Check if applicable:**

- Supervisory Responsibilities (EEO Statement)
- Training Activities - Career Intern, Student Career Experience Program
- Motor Vehicle or Commercial Driver's License Required
- Pesticide Applicators License Required
- Safety/Radiological Safety Collateral Duties
- EEO Collateral Duties
- Drug Test Required
- Vaccine(s) Required
- Financial Disclosure Required
- Special Physical Requirements/Demands
- Other: