

SUPPLEMENTAL DIRECTIVE

NNSA SD 541.1

Approved: 04-29-26
Certification Due: 04-29-31

NOMINATION AND APPOINTMENT OF CONTRACTING OFFICER'S REPRESENTATIVES



NATIONAL NUCLEAR SECURITY ADMINISTRATION
Office of Partnership and Acquisition Services

CONTROLLED DOCUMENT
AVAILABLE ON-LINE AT:
<https://directives.nnsa.doe.gov/directives>

OFFICE OF PRIMARY INTEREST (OPI):
Office of Partnership and Acquisition Services

PRINTED COPIES ARE UNCONTROLLED.

THIS PAGE INTENTIONALLY LEFT BLANK

NOMINATION AND APPOINTMENT OF CONTRACTING OFFICER'S REPRESENTATIVES

1. PURPOSE. To supplement Department of Energy (DOE) Order (O) 541.1C Chg. 1 (LtdChg.), *Appointment of Contracting Officers and Contracting Officer Representatives*, or successor order, by establishing the process for the nomination and appointment of Contracting Officer Representatives (CORs) on management and operating (M&O) contracts and CORs on Other than M&O contracts.
2. AUTHORITY. DOE O 541.1C Chg. 1 (LtdChg.), *Appointment of Contracting Officers and Contracting Officer Representatives*, or successor order. DOE O 361.1C Chg. 2 (LtdChg.), *Acquisition Career Management Program*, or successor order.
3. CANCELLATION. National Nuclear Security Administration (NNSA) Business Operating Policy (BOP) 541.2, *Nomination and Appointment of Contracting Officer's Representatives (COR)*, dated January 17, 2016.
4. APPLICABILITY.
 - a. Federal. This Supplemental Directive (SD) applies to all NNSA elements.
 - b. Contractor. Does not apply to contractors.
 - c. Equivalencies/Exemptions.
 - (1) Equivalency. In accordance with the responsibilities and authorities assigned by Executive Order 12344, codified at 50 United States Code (U.S.C.) sections 2406 and 2511, and to ensure consistency throughout the joint Navy/DOE Naval Nuclear Propulsion Program, the Deputy Administrator for Naval Reactors (Director) will implement and oversee requirements and practices pertaining to this Directive for activities under the Director's cognizance, as deemed appropriate.
 - (2) Exemptions. None.
5. SUMMARY OF CHANGES.
 - a. Transitioned the BOP to an SD.
 - b. Updated offices and Points of Contact.
 - c. Updated references.
6. BACKGROUND. A COR may be needed to provide technical expertise and oversight of a contractor's performance, ensuring the contract is executed according to its terms and requirements. CORs act as the Contracting Officer's (CO) eyes and ears on the ground, facilitating the development of requirements and managing the contract's technical

aspects, and communicating progress and issues to the CO. In this SD, COR also includes alternate COR; the nomination and appointment process is the same for the alternate COR.

7. REQUIREMENTS.

a. General.

- (1) The CO must designate and authorize, in writing and in accordance with agency procedures, a COR on all contracts and orders other than firm fixed price, and as appropriate on firm-fixed-price contracts and orders, unless the CO retains and executes the COR duties.
- (2) The COR must be an NNSA Federal employee, or a Federal employee assigned to support NNSA through a detail or Interagency Agreement.
- (3) CORs must be qualified by training and experience commensurate with the responsibilities to be delegated in accordance with agency procedures.
- (4) CORs must be certified and maintain certification in accordance with the most recent versions of the Office of Management and Budget memorandum on *Revisions to the Federal Acquisition Certification for Contracting Officer's Representatives* (FAC-COR); DOE O 361.1C Chg. 2 (LtdChg.); *Acquisition Career Management Program*, or successor order, and the DOE Acquisition Career Program Handbook.
- (5) Federal Acquisition Regulation (FAR) Part 1 prohibits the appointment of CORs who are not certified or who fail to maintain their COR certification for the life of the contract.
- (6) A COR for M&O contracts who is appointed from within a program element must be a representative for a major program and/or a major function performed by the M&O contractor, and be certified as a Level III FAC-COR.
- (7) The COR must comply with applicable Federal ethics standards.
- (8) The COR is responsible for overseeing the Task Monitor. If a COR designates a Task Monitor, the COR must issue a memorandum outlining Task Monitor responsibilities for the specific contract (see Appendix A).
- (9) The Task Monitor must provide technical oversight and ensure requirements are effectively monitored and funded. The Task Monitor cannot accept products and services or provide technical direction.

b. Nomination of CORs.

- (1) CORs must be nominated by a program or field office, which must

provide a written request to the cognizant CO or to the M&O Contracting Branch (NA-PAS-211).

- (2) The primary and alternate COR roles and responsibilities must be clearly defined, and their respective roles for the same functional area or scope of work must be clearly stated in the appointment memoranda.
- (3) Appointment memoranda must be reviewed and signed to verify the nominee holds a current FAC-COR certification.
- (4) The appointment memorandum must be signed by the nominee to acknowledge and accept COR responsibilities.
- (5) For M&O contracts, nominate the number of CORs required. For each functional area/scope, designate a primary and an alternate COR in separate memoranda.
- (6) Nomination of the CORs on M&O contracts must be in writing and must use the applicable M&O COR Nomination Memorandum template found in the folder titled [M&O COR Nomination Appointment Templates](#).
- (7) The M&O COR Nomination Memorandum must include:
 - (a) A narrative justifying the need for the COR appointment and a statement that the nominee meets the qualification requirements.
 - (b) A statement that the nominee has filed a financial disclosure report and, if applicable, a statement from counsel that the nominee's financial interests do not conflict with the proposed COR duties has been attached to the nomination.
 - (c) The COR's authority limitations and functional areas (e.g., work authorization, task assignment, contract line item, limited to certain programs/subprograms, limited to certain actions, etc.).
- (8) Nomination of capital projects CORs must be made to the cognizant CO for the capital project.
- (9) Nomination of the CORs on Other than M&O contracts must be in writing and must use the template found in the folder titled [Other than M&O COR Nomination Appointment Templates](#).
- (10) The Other than M&O COR Nomination Memorandum must include:
 - (a) COR's name, title, and organization.
 - (b) Contract Number.
 - (c) Terms and conditions of appointment.

(d) Term of appointment.

(11) Maintain the repository of nominations and certifications on the Federal Acquisition Institute Cornerstone on Demand (FAI CSOD) learning management system.

c. Appointment of CORs.

- (1) A COR appointment must be based on the needs of the contract.
- (2) A COR must be formally appointed to a specific contract by an appointment memorandum. The appointment memorandum must include:
 - (a) The extent of the COR's authority to act on behalf of the CO.
 - (b) The limitations of the COR's authority.
 - (c) The period covered by the designation.
 - (d) A statement that the authority is not re-delegable.
 - (e) A statement that the COR may be personally liable and financially accountable for unauthorized acts.
 - (f) Confirmation that the COR has acknowledged receipt of the appointment memorandum and accepts the terms of the appointment.
- (3) Provide copies of the fully executed appointment memorandum (signed by the COR in acceptance) to the CO, COR Program Manager, Contractor, and the M&O Contracting Branch, as applicable.

d. Appointments of CORs on M&O Contracts.

- (1) Field Office COs and cognizant Capital Project COs appoint the required number of CORs.
- (2) Appointments must be made for M&O Crosscutting CORs by the M&O Contracting Branch Manager.
- (3) Appointments must be made in writing and must use the applicable M&O COR Appointment template found in the folder titled [M&O COR Nomination Appointment Templates](#) must include:
 - (a) COR's name, title, and organization.
 - (b) Contract Number.
 - (c) Functional area(s), including the identification of specific areas of

the M&O or Capital Project Statement of Work or Services/Requirement.

- (d) Terms and conditions of appointment.
- (e) Term of appointment.

e. Appointment of CORs on Other than M&O Contracts.

- (1) Appointments must be made by the CO in writing, using the COR Nomination and Appointment/Designation Memo Template found in the folder titled Other than M&O COR Nomination Appointment Templates, and must include:
 - (a) COR's name, title, and organization.
 - (b) Contract Number.
 - (c) Terms and conditions of appointment.
 - (d) Term of appointment.

f. Rescission.

- (1) The COR must notify the applicable CO if their name, position title, responsibilities, or location changes and process a new COR appointment or terminate the existing COR appointment.
- (2) The COR's appointment must be rescinded if the COR does not maintain their COR certification.
- (3) Rescissions must be in writing using the COR Rescission Memorandum, and copies must be provided to the COR, contractor, COR Program Manager, and the M&O Contracting Branch, when applicable.

8. RESPONSIBILITIES. The responsibilities outlined in this section relate only to the nomination and appointment of CORs. The duties of the COR are contained in the COR designation memorandum that is specific to the contract.

a. NNSA COR Program Manager, Acquisition Policy and Oversight Division, Policy and Oversight Branch (NA-PAS-111).

- (1) Verifies that the COR nominee holds a current FAC-COR certification and signs the COR nomination.
- (2) Maintains a repository of COR nominations and certifications on the FAI CSOD.
- (3) Maintains a repository of written rescissions of COR appointments.

b. M&O Contracting Branch Manager (NA-PAS-211).

- (1) Reviews the M&O COR nomination and obtains a signature from the NNSA COR Program Manager.
- (2) Issues the COR designation memorandum, as applicable.
- (3) Makes nominations for M&O Crosscutting CORs.
- (4) Receives a copy of the written rescissions of COR appointments.

c. Contracting Officer.

- (1) Determines the need for all COR appointments based on the needs of the contract.
- (2) Reviews the COR nominations and obtains signature approval from the NNSA COR Program Manager.
- (3) Issues the COR designation memorandum.
- (4) Issues written rescissions of COR appointments.

9. DEFINITIONS.

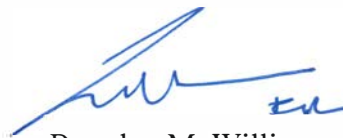
- a. Contracting Officer. A person with the authority to enter, administer, or terminate contracts and make related determinations and findings within the limits of their authority.
- b. Contracting Officer's Representative. A Federal employee designated and authorized in writing by the CO to perform specific technical or administrative functions that do not include actions that could change the scope, price, terms, or conditions of a contract (e.g., technical monitoring).
- c. Contract. A mutually binding legal agreement that obligates the seller to furnish supplies or services (including construction) and the buyer to pay for them. It includes all types of written commitments that obligate the Government to expend appropriated funds. Contracts do not include grants and cooperative agreements.
- d. M&O Contract. An agreement under which the Government contracts for the operation, maintenance, or support, on its behalf, of a government-owned or controlled research, development, special production, or testing facility established wholly or principally devoted to one or more major programs of the contracting Federal agency.
- e. Task Monitor. An individual who provides technical oversight and ensures all diverse and complex requirements are effectively monitored and funded. The COR issues a memorandum to the Task Monitor outlining their responsibilities under a specific contract.

10. REFERENCES.

- a. Federal Acquisition Regulation (FAR) Part 1, *COR Certification and Delegation*.
- b. Office of Federal Procurement Policy Memoranda, *Revisions to the Federal Acquisition Certification for Contracting Officer's Representatives (FAC-COR)*, dated September 6, 2011.
- c. DOE O 541.1, *Appointment of Contracting Officers and CORs*, current version.
- d. DOE Acquisition Certifications Handbook, dated March 8, 2024.

11. CONTACT. Office of Partnership and Acquisition Services, Acquisition Policy and Oversight Division, Policy and Oversight Branch (NA-PAS-111), (505) 845-5639.

BY ORDER OF THE ADMINISTRATOR:



Brandon M. Williams
Administrator

Appendix A: Contracting Officer's Representative Requirements, Nomination, and Appointment and Task Monitor Requirement and Responsibilities

THIS PAGE INTENTIONALLY LEFT BLANK

APPENDIX A: CONTRACTING OFFICER'S REPRESENTATIVE REQUIREMENTS, NOMINATION, AND APPOINTMENT AND TASK MONITOR REQUIREMENT AND RESPONSIBILITIES.

1. COR TYPE, REQUIREMENTS, NOMINATION, AND APPOINTMENT.

COR Type	COR Requirements	Nomination By	Appointment By
Management and Operating (M&O).	• NNSA Federal Employee. • Federal Acquisition Certification for Contracting Officer's Representatives (FAC-COR) Level III.	• Program or Field Office.	• Field Office Contracting Officer. - or • M&O Contracting Branch.
M&O Capital Project.	• NNSA Federal Employee. • FAC-COR Level III.	• Program or Field Office.	• Cognizant Contracting Officer.
M&O Crosscutting.	• NNSA Federal Employee. • FAC-COR Level III.	• Program or Field Office.	• M&O Contracting Branch Manager.
Other than M&O.	• NNSA Federal Employee. • FAC-COR Level I, II, or III.	• Program or Field Office.	• Contracting Officer.

2. TASK MONITOR REQUIREMENT.

Experience	Training
None required.	8 hours of online training from Federal Acquisition Institute/Defense Acquisition University course <i>FCR 110: COR Level I</i> .

3. TASK MONITOR RESPONSIBILITIES.

- Monitors performance and reports potential or actual problems to the COR.
- Prepares the Statement of Objective or Statement of Work, providing a list of deliverables with dates, and forwards to the COR, for use in advising the Contracting Officer (CO).
- Reviews the Contractor's Management and Staffing Plan.
- Advises the COR concerning acceptance of Contractor deliverables and performance.

- e. Monitors the cost, funding, budget, and Contractor hours expended.
- f. Reviews overtime requests and other direct charges by the Contractor and makes recommendations for approval/disapproval to the COR for use in advising the CO.
- g. Reports all contract problems and requests for changes or modifications to the COR, who will advise the CO.
- h. Monitors and evaluates the Contractor's performance to ensure the contract is executed, as required by the task assignment.
- i. Reviews monthly invoices and notifies the COR of any problems, inappropriate charges, overcharges, or other discrepancies, and forwards their recommendation whether to pay the invoice to the COR for use in advising the CO.