

OFFICE OF PERSONNEL MANAGEMENT
MERIT SYSTEMS OVERSIGHT AND EFFECTIVENESS
DALLAS OVERSIGHT DIVISION
CLASSIFICATION APPEAL DECISION

Under section 5112(b) of title 5, United States Code

Appellant: [appellant's name]

Position: Contract Administrator, GS-1102-12
Position Number: Z2318N001

Organization: [identifying name] Team
[state name] Operations Group
Defense Contract Management Command [location]
Defense Contract Management District [location]
Defense Logistics Agency
[location]

Decision: Contract Administrator, GS-1102-12
(Appeal Denied)

OPM Decision Number: C-1102-12-01

Approved by:

/s/ Bonnie J. Brandon
Bonnie J. Brandon

7/8/97
Date

Copy of decision sent to:

[appellant's name and address]

[name]

Director, Human Resources
Defense Contract Management District [location]
Defense Logistics Agency
[location and address]

Executive Director, Human Resources
Defense Logistics Agency
Cameron Station
Alexandria, VA 22304-6025

Chief, Classification Branch (CPMS-ASFP)
Field Advisory Services Division
Civilian Personnel Management Service
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INTRODUCTION

The appealed position is assigned to the [identifying name] Team, [state name] Operations Group, Defense Contract Management Command (DCMC) [location], Defense Contract Management District [location], DCMC, Defense Logistics Agency, in [location/address]. The position is classified as Contract Administrator, GS-1102-12. The appellant agrees that the current position description adequately describes the duties he performs but believes the correct grade of the position should be GS-13. Specifically, he contends that the present classification of his position fails to properly credit the knowledge required by the position, the supervisory controls over the position, and the scope and effect of the position.

POSITION INFORMATION

The [state name] Operations Group conducts contract administration activities to support Government contracts with private industry. The Group consists of four multifunctional teams. Each team comprises 18 to 28 members of various occupational specialties, including Administrative Contracting Officers (ACO), engineers, quality assurance specialists, contract administrators, and price analysts. Each team is supervised by a GS-1101-13. The appellant is assigned to the [identifying name] Team which has 18 members, including two ACO's. He is a warranted ACO and is designated as a Divisional Administrative Contracting Officer. The appellant plans and conducts postaward conferences, negotiates forward pricing rate proposals, evaluates adequacy of contractors' business management systems, and assures contractors' compliance with Cost Accounting Standards and other applicable laws and regulations. The appellant's position description and other material of record provide much more information about his duties and responsibilities and how they are performed.

SERIES AND TITLE DETERMINATION

The GS-1102 contracting series includes positions that manage, perform, or develop policies and procedures for professional work involving the procurement of supplies, services, construction, or research and development using formal advertising or negotiation procedures; the evaluation of contract price proposals; and the administration or termination and close out of contracts. The work requires knowledge of the legislation, regulations, and methods used in contracting; and knowledge of business and industry practices, sources of supply, cost factors, and requirements characteristics.

Contract Administrator is the title established for positions in this series which require a specialized knowledge of postaward contracting procedures to oversee and ensure compliance with the terms of the contracts, to determine the reasonableness of and to negotiate claims, to resolve disputes and other problems concerning obligations of either the Government or the contractor, and to negotiate contract modifications.

The appellant does not disagree with the agency's classification of the position as Contract Administrator, GS-1102. We concur with the title and series.

GRADE LEVEL DETERMINATION

The classification standard for the GS-1102 contracting series is written in the Factor Evaluation System (FES) which consists of nine evaluation factors. Under the FES, each factor level description in a standard describes the minimum characteristics needed to receive credit for the described level. Therefore, if a position fails to meet the criteria in a factor level description in any significant aspect, it must be credited at a lower level. Conversely, the position may exceed those criteria in some aspects and still not be credited at a higher level. A point value is assigned to each factor level, and the total points assigned are converted to a grade by use of the grade conversion table in the standard.

The appellant agrees with the agency's evaluation of Factors 3, 4, 6, 7, 8, and 9. We concur with the agency's evaluation of these factors. Therefore, the following analysis addresses only those factors that are contested by the appellant, i.e., Factors 1, 2, and 5.

Factor 1 - Knowledge Required by the Position

This factor measures the nature and extent of information or facts required to do acceptable work and the nature and extent of skill necessary to apply this knowledge. To be used as a basis for selecting a level under this factor, a knowledge must be required and applied.

In addition to the knowledge and skill described at the lower levels, Level 1-7 requires knowledge of a wide range of contracting methods and contract types to plan and carry out preaward and/or postaward procurement actions; or, indepth knowledge of a specialized area to analyze difficult contracting issues and identify alternative courses of action, modify standard contracting procedures and terms to satisfy specialized requirements, and solve a variety of contracting problems, including those requiring significant departures from previous approaches. This level also requires familiarity with business practices and market conditions applicable to program and technical requirements sufficient to evaluate bid responsiveness, contractor responsibility, and/or contractor performance.

At Level 1-8, assignments require mastery of contracting methods and contract types to plan and carry out long-term preaward and/or postaward procurement actions; or, mastery of the procurement functional area sufficient to apply experimental theories and new developments to problems not susceptible to treatment by accepted methods, to extend existing contracting techniques, and to develop procurement policies for use

by other contracting personnel in solving procurement problems; or mastery of procurement principles and technical or program requirements to plan and manage or make decisions or recommendations that significantly affect the content, interpretation, or development of complex, long-range, or interrelated agency policies or programs concerning the management of procurement matters. This level also requires familiarity with business strategy and program or technical requirements sufficient to perform or direct indepth evaluations of the financial and technical capabilities, or the performance, of the contractor.

The appellant's work requires knowledge of a wide variety of contracting methods and contracting types. The appellant analyzes difficult contracting issues, identifies alternative courses of action, modifies standard contracting procedures and terms, solves a variety of contracting problems, and monitors a group of contracts. He evaluates contractor responsibility and performance; reviews and analyzes settlement proposals, audit reports, technical evaluations, and subcontractor claims; recommends or determines allowable costs, profit to be allowed, disposal of Government property, and similar issues; and negotiates settlement with contractors. This knowledge matches the description and illustrations given for Level 1-7.

The knowledge required in this position falls short of the requirements for Level 1-8. The description of Level 1-8 clearly denotes a requirement for mastery of knowledge in order to plan and carry out long-term procurement actions; apply experimental theories and new developments to problems; develop procurement policies for use by others in the contracting field; or plan, manage, or make decisions that significantly affect the content, interpretation, or development of complex, long-range, or interrelated agency procurement policies or programs.

The examples given for Level 1-8 further illustrate that the knowledge required should be of an exceptional nature for monitoring systems contracts that extend over several years, and cover research, development, testing, and/or production of complex equipment systems. At this level, contracts require monitoring the performance of the prime contractor and a large number of subcontractors, negotiating forward pricing rates and claims, complex changes, and terminations or contract close out. While the appellant monitors contracts over several years, these projects are not so large and complex as to require the monitoring of the prime contractor and a large number of subcontractors, nor do they involve the research, development, testing, and/or production of complex equipment systems illustrated in the standard. The knowledge required in administration of contracts in the appellant's position does not reach the level of mastery envisioned for Level 1-8.

This factor is evaluated at Level 1-7 with 1250 points credited.

Factor 2 - Supervisory Controls

Supervisory controls cover the nature and extent of direct or indirect controls exercised by the supervisor, the employee's responsibility, and the review of completed work. Controls are exercised by the supervisor in the way assignments are made, instructions are given to the employee, priorities and deadlines are set, and objectives and boundaries are defined. The responsibility of the employee depends upon the extent to which the employee is expected to develop the sequence and timing of various aspects of the work, to modify or recommend modification of instructions, and to participate in establishing priorities and defining objectives. The degree of review of completed work depends upon the nature and extent of the review, e. g., close and detailed review of each phase of the assignment, detailed review of the finished assignment, spot check of finished work for accuracy, review performed by a contracting officer prior to signature, or review only for adherence to policy.

At Level 2-4, the supervisor sets the overall objectives and resources available. The employee and supervisor, in consultation, develop the deadlines, projects, and work to be done. The employee plans and carries out the assignment, such as determining the approach to be taken or methodology to be used, developing a factfinding plan, determining the depth of analysis or review required, or performing the initial planning necessary to conduct management evaluations of procurement programs for compliance with procurement policies and regulations. The employee initiates necessary coordination with technical representatives, accountants or auditors, financial staff, attorneys, other contract specialists, or field activities, both in the Government and in the contractors' organizations. The employee obtains necessary information and supporting documentation and resolves most conflicts, such as disagreements over technical descriptions, elements of cost, economic indices used, and similar matters which arise. The employee may negotiate alone, but keeps the supervisor informed of progress, potentially controversial conflicts or issues which arise, or matters which affect policy or have other far-reaching implications.

Completed work at Level 2-4 is reviewed from an overall standpoint in terms of feasibility, compatibility with other work, or effectiveness in meeting requirements or expected results. In some positions, reviews are minimal with employees being delegated contracting officer authority with prescribed limited dollar amounts. As the dollar thresholds increase, requirements for formal reviews by higher authority or boards of experts are generally prescribed by agency regulations rather than by a supervisor. Such reviews are to assure compliance with all legal and regulatory requirements, as well as for effectiveness of procurement strategy.

At Level 2-5, the supervisor provides administrative direction and makes assignments in terms of broadly defined programs or functions, or long-range acquisition and

agency objectives. Requirements frequently stem from mission or program goals and objectives, or from national, departmental, or agency policy.

The employee at Level 2-5 determines the approaches and methods necessary to carry out the assignment, including the design of overall plans and strategies for the projects, in order to meet mission or program goals, requirements, and time frames. The employee independently carries out the work, including continual coordination of the various elements involved, and independently negotiates.

At Level 2-5, work products or advisory services provided to management or to field activities are considered to be technically authoritative. In some cases the employee's work is reviewed by formal review boards. Review focuses on compatibility with overall management objectives, fulfillment of program objectives, attainment of goals established in the acquisition or review plan, appropriateness of the business arrangements, and contribution to the success of the mission on both a short- and long-term basis. Recommendations for new procurement approaches or policies, or for modifications of contractual arrangements, are usually reviewed for compatibility with broad program and agency objectives, impact on agency procurement activities, economies achieved, and/or improvement in effectiveness or performance of procurement programs including those at subordinate echelons throughout the agency.

The appellant independently plans and carries out his work within established program goals, objectives, and milestones. He coordinates with and seeks advice from other specialists, including other ACO's and the Corporate ACO, who is co-located at the contractor's headquarters. The appellant independently resolves and negotiates most technical issues, keeping his supervisor informed of progress, potentially controversial issues, and matters with policy implications. Completed work is reviewed in terms of feasibility, compatibility with other work, or effectiveness in meeting requirements or expected results. This degree of supervision is consistent with that described for Level 2-4.

The appellant does not operate with the independence of supervision described for Level 2-5. For example, an employee at this level would have been delegated unlimited authority for planning and carrying out the contractual activities required, including interpreting, extending, originating, or devising new contractual provisions, incentives, clauses, terms, and conditions. This degree of independence is not found in the appealed position which is at the operating level, four levels below the headquarters. While the appellant functions with a high degree of technical independence, it is within prescribed operating parameters and he does not independently establish objectives and overall goals of the work. His supervisor is still accountable for the technical accuracy and timeliness of work which the appellant completes.

This factor is evaluated at Level 2-4 and credited with 450 points.

Factor 5 - Scope and Effect

Scope and Effect covers the relationship between the nature of the work and the effect of work products or services both within and outside the organization. The nature of the work describes such end objectives as the number of contracts awarded and administered, decisions and recommendations made, and policy and regulatory documents written.

Effect measures such things as whether the work output facilitates the work of others, provides timely services, affects agency programs or missions, or affects other agencies, private industry, or the general public. The concept of effect alone does not provide sufficient information to properly understand and evaluate the impact of the position. The scope of the work completes the picture, allowing consistent evaluations. Only the effect of properly performed work is to be considered.

At Level 5-4, the purpose of the work is to provide expertise as a specialist in a functional area of contracting by furnishing advisory, planning, or reviewing services on specific problems, projects, or programs. Assignments involving contract negotiation, award, administration, or termination frequently carry contracting officer authority within prescribed money limits for all or most contractual actions. Examples include: (1) planning, coordinating, and/or leading negotiations for a variety of complex contracts, contract modifications, or termination actions, e.g., those which accommodate possible changes in program requirements, involve subcontractors, require accounting for Government equipment, or involve consolidated requirements for several agencies or departments; (2) formulating approaches to procurement problems or issues when the problems require extensive analysis of a variety of unusual conditions, questions, or issues; (3) establishing procedures for implementing procurement policies or regulations; (4) conducting indepth analyses of contractors' financial and management systems and facilities for ability to perform or for compliance with Government or contractual requirements; or (5) planning and conducting program evaluations of subordinate procurement activities. Further, the work product affects a wide range of procurement activities, such as the operation of procurement programs in various offices or locations, or the accomplishment of significant procurement or technical program goals; affects the timely support of other departments or agencies; affects contractor's operations or management systems; has a significant economic impact on contractors or on their respective geographic areas; or similar impact.

At Level 5-5, the purpose of the work is to resolve critical problems, or develop new approaches for use by other contract specialists, or for use in planning, negotiating, awarding, administering, and/or settling the termination of major procurements. Recommendations or commitments are accepted as authoritative, and frequently carry

contracting officer authority for transactions involving sizeable expenditures of staff, funds, and material. The work typically requires: (1) planning and negotiating procurements for long-term systems, programs, or projects (i.e., five years); (2) administering long-term contracts, with delegated final authority to obligate funds in connection with most transactions and, as required, serving as team leader over a group of specialists whose services and advice are used in order to arrive at a decision; (3) negotiating termination settlements and approving contractor's proposed settlements with subcontractors for contracts in which several years of work have been expended, or which involve extensive proposals and/or claims of prime and subcontractors and large amounts of inventory and Government property; (4) developing innovative contractual arrangements to resolve critical procurement problems and satisfy unusual procurement situations; (5) establishing and advocating positions for the region, command, administration, agency or department on major procurement issues; (6) developing procurement regulations, extending techniques, interpreting policy for use by other contracting specialists; or (7) performing comparable work.

The work product at Level 5-5 affects the work of other experts within or outside the agency, e.g., the development of guides or procedures for use by subordinate contracting activities; the operation and evaluation of subordinate contracting programs; the accomplishment of major procurements which contribute to the achievement of mission objectives; the decisions of senior procurement, technical, or program officials in terms of the authoritative procurement advice provided; the economic well-being of a large corporation or subsidiary; or the well-being of substantial numbers of people, such as those employed in a major industry, or those served by a broad social, economic, health, or environmental program.

The scope of the appellant's work includes a wide range of procurement activities in support of several departments or agencies. The appellant resolves critical problems, administers long-term contracts, exercises delegated authority to obligate funds in connection with most transactions, and resolves critical problems in administering a group of contracts. This work compares favorably with the scope described for Level 5-5.

The appellant's work affects the timely support of other departments or agencies and has a significant impact on contractors or on their respective geographic areas. This compares favorably with the description for Level 5-4. The appellant's work does not meet the requirements for Level 5-5 in that his work products do not affect the work of other experts within or outside the agency; the operation and evaluation of subordinate contracting programs; the decisions of senior procurement, technical, or program officials; the economic well-being of substantial numbers of people, such as those employed in a major industry, or those served by a broad social, economic, health, or environmental program.

Since Level 5-5 is not fully met in terms of both scope and effect, this factor is appropriately rated at Level 5-4 and credited with 225 points.

Summary of Factor Levels

The following table summarizes the factor levels credited to the appellant's position.

SUMMARY OF FACTOR LEVELS		
FACTOR	LEVEL	POINTS
1. Knowledge Required by the Position	1-7	1250
2. Supervisory Controls	2-4	450
3. Guidelines	3-4	450
4. Complexity	4-5	325
5. Scope and Effect	5-4	225
6. Personal Contacts	6-3	60
7. Purpose of Contacts	7-3	120
8. Physical Demands	8-1	5
9. Work Environment	9-1	5
Total		2890

The point total for the nine factors is 2890. According to the grade conversion table in the GS-1102 standard, this point value falls within the range of 2755 to 3150 points and converts to a grade of GS-12.

DECISION

This position is appropriately classified as Contract Administrator, GS-1102-12.