

Department of Defense (DoD)
Civilian Personnel Management Service (CPMS)
Field Advisory Services - *FAS*
Classification Appeal Decision

DoD Decision:	Contract Specialist, GS-1102-09
Initial classification:	Contract Specialist, GS-1102-09
Organization:	Army Corps of Engineers District <i>Level</i> Contracting Division
Date:	October 11, 1995

Position Information

In reaching our decision we have carefully considered all of the information submitted by the appellant and the agency, including the job description, which has been certified by management as accurate, and the evaluation prepared by the operating human resources office. We also discussed aspects of the appeal by telephone with appellant, supervisor, and with the servicing personnel specialist. The appellant alleges her positions should be graded as Contract Specialist GS-1102-11. She is not challenging the title and/or series. The appellant provides contract support for supply and services for the District. The contracts normally exceed \$25,000. She has provided examples of her work (contracts) in the appeal package.

Title and Series Determination

The Contract Series, GS-1102 includes positions that perform work involving the procurement of supplies, services, construction, or research and development using formal advertising or negotiation techniques; the evaluation of contract price proposals; and the administration or termination and close out of contracts. The appellant does not contest the title or series of the position. We find the primary purpose of the position is to handle procurement services for the District . The appellant agrees that the GS-1102 series is correct. We concur with the human resources office that Contract Specialist GS-1102 is

appropriate for this occupation.

Grade Determination

The appellant is contesting the grade of her position. This position will be evaluated by the Contracting Series GS-1102, dated April 1983. The classification standard is written in the Factor Evaluation System (FES). The standard is divided into nine (9) factors. Each factor has a factor level and corresponding point value which can be assigned based upon the duties and responsibilities. The total points accumulated under all factors are then converted to a grade by using the point-to-grade conversion table in the GS-1102 standard. A position factor must meet the full intent of a factor level to be credited with that level. If the position exceeds one factor level but fails to meet fully the intent of the next higher factor level, then the lower factor level must be credited. The appellant is challenging three factors; Factor 1, Knowledge Required by the Position; Factor 5, Scope and Effect; and Factor 7, Purpose of Contacts. Each factor is evaluated as follows.

Factor 1, Knowledge Required by the Position

This factor measures the nature and extent of the knowledge and skills needed and how they are used in doing the work. To be used as a basis for selecting a level under this factor, a knowledge must be required by and applied to the duties of the position. In her letter, dated June 28, 1995, they stated factor level 1-7 should be assigned.

At level 1-6, the employee must apply a knowledge of commonly used contracting methods and contract types relating to the performance of preaward, postaward, and/or contract price/cost analysis functions when the contract actions are well defined and well precedents. It requires a familiarization with business practices and market conditions applicable to program and technical requirements sufficient to evaluate bid responsiveness, contractor responsibility, and contractor performance. The standard provides several examples such as, procuring services from standard and specialized supplies, services, or construction; a knowledge of postaward procedures sufficient to administer fixed-price, time and materials, indefinite delivery, or other contracts of similar complexity.

The appellant position's compares favorably with level 1-6. The list of procurement actions submitted by the appellant indicate the contracts are primarily firm-fixed price. The contracts consist of typical standard supply and services such as procuring stone, custodial services, motor overhaul/replacement, wire rope, video imagery, river mat casting, and security services, or to more specialized services (dredge) which will require negotiation and/or sole source. In fact, several contracts cited in the documentation provided will be completed by follow-up delivery orders. These types of contracts require the appellant to apply business, technical, and program requirements knowledge to evaluate the contract to fit the customer.

From our discussion we have determined that these types of contracts will have several interested vendors.

In contrast, we find the position does not support factor 1-7. This level involves applying a wider variety of contracting methods and types of greater complexity than those described at level 1-6. Illustrative examples of this level of knowledge are applied in the responsibility for purchasing through formal advertising large quantities of items to meet the consolidated requirements of one or more regions, commands, or agencies such as military clothing for all defense agencies, or sealant and adhesives for all departments government-wide, or negotiating contracts for complex and/or diversified supplies and services such as design services in connection with assembling, installing, testing, modifying, or servicing specialized equipment, or architectural and engineering services to design major buildings, structures, facilities, or projects. We found nothing to support that the position requires the more extensive knowledge of factor 1-7. Factor level 1-6 is assigned for 950 points.

Factor 2, Supervisory Controls

HRO has assigned level 2-3. We concur with their evaluation. Level 2-3 is assigned for 275 points.

Factor 3, Guidelines

Again, the HRO has assigned level 3-3 for this factor. The appellant did not dispute this evaluation. We agree that level 3-3 is correct for 275 points.

Factor 4, Complexity

Level 4-4 has been assigned. We concur with this evaluation. Level 4-4 is assigned for 225 points.

Factor 5, Scope and Effect

Scope and Effect covers the relationship between the nature of the work (i.e., the purpose, breadth, and depth of the assignment) and the effect the 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, administered, decisions, recommendations made, and policy and regulatory documents written.

HRO has assigned level 5-3. Level 5-3 is to perform a variety of contracting actions encountered throughout the preaward and/or postaward phases, using established contracting procedures. Examples include a review of procurement requirements; preparation of solicitations, contracts, and supporting documentation where adequate competition exists;

review of postaward reports and requests for payment where terms and conditions are precisely defined. The work of the employee supports the operation of the installation/activity(s), such as providing equipment and facilities, and thereby contributes to the timely and economical accomplishment of the organizational objectives. Examples include custodial services, normal household goods, or repair or alternations of local equipment or facilities. We concur with the HRO evaluation. As indicated, in Factor 1 typical services include paving, equipment repair, crushed stone, security services, etc. We found nothing in the record or during the audit which would support level 5-4.

Level 5-4 is more complex than we find in the appellant's position. This level is associated with (1) planning, coordinating, and/or leading negotiations for a variety of 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 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 in-depth 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. Level 5-3 is assigned for 150 points.

Factor 6, Personal Contacts

HRO has assigned level 6-3 for 60 points. We concur.

Factor 7, Purpose of Contacts

The purpose of contacts ranges from factual exchanges of information to situations involving significant or controversial issues and differing viewpoints, goals, or objectives.

The appellant states level 7-3 should be assigned. The purpose of contacts at level 7-3 is to obtain agreement on previously determined goals and objectives through negotiation, persuasion, and advocacy. The individuals are frequently uncooperative, have different negotiation objectives, or represent divergent interests. The employee must be skillful in dealing with such persons to obtain the desired effect, such as obtaining compliance with procurement requirements through persuasion, or obtaining reasonable prices, terms, or settlements for the government through negotiation.

The appellant works with legal and program officials in obtaining supply and services. These individuals are typically very cooperative since the contractors want to be awarded the contracts. The firm fixed price contracts do not require work with project officers to plan a

procurement strategy for program objectives; influence contracting officers or other specialists to adopt contractual positions about which there are conflicting options or interests; or justify approaches to higher level reviewing officials typical of this level. We find that many of the attitudes are normally very positive which is consistent with level 7-2. The basic purpose of the legal staff and the appellant(s) is to clarify the statement of work. The appellant's position does not meet level 7-3. Level

7-2 is assigned for 50 points.

Factor 8, Physical Demands

HRO has assigned level 8-1. We concur. Level 8-1 is assigned for 5 points.

Factor 9, Work Environment

HRO has assigned level 9-1. This is correct for 5 points.

SUMMARY EVALUATION:

Factor	Level	Points
1	1-6	950
2	2-3	275
3	3-3	275
4	4-4	225
5	5-3	150
6	6-3	60
7	7-2	50
8	8-1	5
9	9-1	5
Total Points		1,995

The total points assigned for the position, 1995 fall within the GS-9 range (1855-2100).

DECISION: CONTRACT SPECIALIST GS-1102-09