

**SUBJECT: LIMITED CHANGE TO DOE O 361.1C, *ACQUISITION CAREER MANAGEMENT PROGRAM***

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1. **EXPLANATION OF CHANGES.** On August 15, 2022, the Chief of Staff, Christopher Davis, issued a memorandum to Ingrid Kolb, Director, Office of Management, and Samuel Walsh, General Counsel, directing them to establish a Working Group (WG) on Innovative Funding Mechanisms in support of BIL and IRA. The WG was to have two sub-WGs—one on Other Transaction (OT) Authority and the second on Partnership Intermediary Agreements (PIA).

The OT sub-WG was charged with examining how, beyond Technology Investment Agreements (TIA), the Department can utilize the flexibilities provided by statute. The OT sub-WG was also charged with reviewing the capacity of and training needs for contracting officers.

The OT sub-WG determined that the current training and warrant requirements for contracting officers need to be updated. These updates to DOE O 361.1C, Acquisition Career Management Program, and DOE O 541.1C, Appointment of Contracting Officers and Contracting Officer Representatives, are necessary to ensure that DOE’s contracting officers have knowledge of OT agreements and that contracting officers with training, experience, and good business judgement are available to make OT awards.

2. **LOCATIONS OF CHANGES:** Changes made throughout the document can be noted at the beginning of the chart.

Page	Paragraph	Changed	To
5	(5)	Added subparagraph	(5) 1102/1109 Certification in Other Transaction Authority
5	e(3)	Add subparagraph	(3) Agreements Technical Representatives.
10	H(1)	Added text	Added System after Learning Management
14	h	Added text	h. Agreements Officer. (AO) A person with the authority to enter into, administer, and/or terminate other transactions, and make related determinations and findings. The term includes certain authorized representatives of the AO acting within the limits of their

Page	Paragraph	Changed	To
			authority as delegated by the AO.
15	i	Added text	i. Agreements Technical Representative (ATR). An individual assigned by the Program Office and appointed by the AO/CO to coordinate DOE's substantial involvement in the award and administration of OT agreements to ensure Federal technical presence and oversight. ATR responsibilities include developing the programmatic aspects of a proposed announcement, participating in the technical review and evaluation of applications, participating in the development of recommendations for selection, and monitoring the programmatic aspects of project performance.
15	p	Added text	p. Certification in Other Transaction Authority. The Certification in Other Transaction Authority (COTA) is targeted at gaining competency counterparts to contract planning, preparing solicitation documents, proposal analysis, cost analysis, negotiation, selection of award instrument, financing performance, audits, preparing award documents, debriefing, administration, monitoring, terminations, and closeout.
17	jj	Deleted text	Technology Investment Agreements
18	oo	Added text	oo. Grants Officer (GO). A person with the authority to enter into, administer, and/or terminate financial assistance, and make related determinations and findings. The term includes certain authorized representatives of the GO acting

Page	Paragraph	Changed	To
			within the limits of their authority as delegated by the GO.
18	tt	Added text	tt. Other Transaction (OT) Authority. OT Authority provides DOE the ability to enter into a legal agreement other than a contract (awarded under the FAR) or Federal Financial Assistance awards to fund a requirement in support of a DOE mission.
23	Chapter IX	Added to TOC	CHAPTER IX. OTHER TRANSACTION AUTHORITY CAREER DEVELOPMENT PROGRAM 1. INTRODUCTION IX-1 2. ROLES AND RESPONSIBILITIES IX-1 3. CAREER PATH CURRICULUM IX-1 4. RELATION TO OTHER ACQUISITION WORKFORCE PROGRAMS IX-1
27	1	Revised text in 4 <sup>th</sup> sentence	The term includes grants, cooperative agreements and sub-awards. The term “Other Transaction” (OT) includes agreements and sub-awards that are legal agreements that are not contracts, grants or cooperative agreements. OT includes Technology Investment Agreements and Partnership Intermediary Agreements.
31	1	Added text	Added “/Grants Officers” after Contracting Officers at beginning of paragraph.
49	Chapter IX	Add chapter IX	See attached

## CHAPTER IX. OTHER TRANSACTION (OT) AUTHORITY CAREER DEVELOPMENT PROGRAM

1. INTRODUCTION. Agreements Officers (AOs) award and administer Other Transaction (OT) agreements, including Technology Investment Agreements (TIAs) and Partnership Intermediary Agreements (PIAs)(includes orders under the PIA). The Federal standards that cover acquisition do not address OT careers or offer a training curriculum. To ensure that its workforce is as qualified in the award and administration of OT agreements instruments as they are in contracting and financial assistance, DOE offers its employees training resources. The application of OFPP's policy letter concepts to OT responsibilities improves the effectiveness and efficiency of DOE's workforce. Implementation of a DOE OT training and career development certification program helps in meeting the career development objectives of E.O. 12931, "Federal Procurement Reform," dated October 13, 1994. This program provides the information and guidelines to plan career development programs for procurement professionals performing OT duties.
  
2. ROLES AND RESPONSIBILITIES. Each individual performing OT work, in conjunction with his or her supervisor's career guidance and the opportunities presented for career growth, is ultimately responsible for his or her career progression and development in DOE/NNSA. However, overall responsibility for DOE Certification in Other Transaction Authority (COTA) Program implementation rests with the SPE. In DOE, the Director, Office of Policy, serves as the OT subject matter expert, and is responsible for the following: COTA policy, design and content of the recommended curriculum, and identification of the critical OT related duties and tasks. Employees in the OT career path must be competent to perform at full performance grade levels. Within NNSA, overall responsibility for NNSA Financial Assistance Career Development (FACD) Program implementation rests with the NNSA SPE. Functional management has been delegated to the Director, Office of Acquisition Management, or their designee.  
  
In planning their careers, individuals should pursue the training and growth opportunities offered them, request increasingly difficult and challenging assignments, enter a mentoring relationship, become involved with professional societies, seek education and training outside the COTA curriculum, and other DOE/NNSA course offerings.
  
3. CAREER PATH CURRICULUM. The COTA Program curriculum is designed to provide students with the necessary skills and with experience in a wide range of thinking, approaches, and practices. Detailed course descriptions are provided in the DOE ACP Handbook.
  
4. RELATION TO OTHER ACQUISITION WORKFORCE PROGRAMS. The COTA Program complements the Contracting/Purchasing Career Development Program required of all GS-1102 and GS-1109 Federal personnel. The COTA Program is directed primarily at contract specialist/financial assistance career employees; however, other members of the acquisition workforce may benefit from OT training.