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Operational Contract Support (OCS)

Planning and Management for Leaders



Smartcard



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Disclaimer: This guide does not substitute for any laws, the Federal Acquisition Regulation (FAR), or any applicable DoD or Army regulations, directives, and regulations.

Center for Army Lessons Learned

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OCS: A Leadership Responsibility

“Commanders and other senior leaders must understand that they have a key role in identifying requirements, assuring that the contractor works in a cost effective manner, and evaluating contractor performance.”

(GAO Report, GAO-04-854, 08/2004)

OCS planning and management are a commander’s responsibility. Battle Command Staff Task 71-8-4150, Coordinate Contracting Support, recognizes OCS as a common battle command staff requirement performed at battalion level and above.

“While OCS provides a commercial means to fulfill Army requirements, the overall responsibility for mission accomplishment remains with the commander: not with the contracting support organization.”

(ATTP 4-10: Operational Contract Support Tactics, Techniques and Procedures)

Key OCS Considerations

Your main threat: Procurement integrity, conflict of interest, and ethics. Commanders and supporting contracting activities are collectively responsible to ensure the appropriate command climate and training exist regarding procurement integrity, conflict-of-interest, and ethics to mitigate fraud, waste, and abuse of government resources.

I’m in charge: Command authority does not equal contracting authority. Command authority is the operational commander’s legal authority to organize and employ forces. However, command authority does not include the authority to make binding contracts for the U.S. government nor direct command authority over contractor personnel.

It takes teamwork: Operational Contract Support Process and Team. The OCS process is a team effort that synchronizes the military decisionmaking process with the contracting process. OCS planning and mission oversight for the Army start at the Army Service Component Command (ASCC) level. Requiring activities at all levels have an important role to play in developing actual requirements and contract management assistance.

Hearts and minds: Contracting can have a direct strategic impact on civil aspects of the operation. While the most important factor of contracted support is meeting the requirements of the deployed force, in certain operations, the supported commander may desire to utilize theater support and some external support contracts to maximize positive economic and social impact on the local populace.

Get all staff members involved: OCS planning involves more than just logistics planning. While a significant amount of contracted support is for logistics-related services, the scope of OCS extends well beyond logistics including such critical support services as interpreter, signal, general staff support, security, etc.

Remember the other support options: Contracted support is only one source of support. Planners must consider all potential sources of support, including military organic support, support from sister Services, support from multinational partners, and host nation support (HNS) when considering contract support.

The OCS process is based in law. Contracted support must be administered IAW U.S. public law along with the Federal Acquisition Regulation (FAR), the Defense Federal Acquisition Regulation Supplement (DFARS), and the Army Federal Acquisition Regulation Supplement (AFARS).

The importance of OCS planning, integration, and contractor management cannot be overemphasized!

OCS Planning and Management

Operational contract support (OCS) is a new term codified in Joint Doctrine (JP 4-10) to encompass the entire process of planning and executing contract support in contingencies. OCS begins when a need from a requiring activity is first identified and concludes with contract close out. The act of contracting by an authorized contracting officer is only one part of OCS. Both acquisition (contracting officers) and non-acquisition personnel and activities have OCS roles and responsibilities in this process.

(AR 715-9, OCS Planning and Management)

OCS Risks, Challenges, and Warnings

Risks

- Risk to mission accomplishment from contractor non-performance due to force protection/security issues.
- Contract support has an inherently high risk for corruption in a contingency operation.
- Increased security and force health protection risk to the force when utilizing non-U.S. citizen contractor employees.

Challenges

- General lack of knowledge on how to plan and integrate contractor support into military operations.
- Commanders and contracting officers have limited legal authority over contractor personnel.
- Restrictions on arming contractors/use of private security firms to protect U.S. forces, facilities, and supplies.
- Different procedures and automated systems used to establish and maintain contractor personnel accountability.
- Enforcing contractor management policies and procedures through multiple tiers of subcontractors.

Warnings

- Only warranted contracting officers (KOs) have the authority to award or change a contract.
- Commanders should never ask, nor direct, their supporting contracting officers to circumvent or violate law (statute), FAR/DFARS, and other contracting regulations and policies.
- Contracting officer’s representatives (CORs) have no authority to direct contractor performance—CORs monitor contractor compliance to contract terms and conditions.
- Commanders must ensure they comply with existing HQDA COR predeployment training requirements.
- Commanders and leaders at all levels must be on the lookout for contractor-related unscrupulous labor practices to include trafficking-in-persons violations.
- Color of money restrictions apply. Know them and heed them.

OCS Planning and Management Checklists, References, and Assistance

Contract Support Integration Checklist

- Who is our staff focal point for contract support integration planning?
- Do we have 3C ASI trained personnel?
- Are other primary and special staff members properly integrated into and supporting the OCS planning effort?
- Do we have the latest OCS doctrine and policy guidance?
- What operational guidance have we provided for our supporting contracting activities?
- Do we have sufficient technical expertise to plan for and develop contract support requirements for complex services such as construction, facilities maintenance, etc.?
- Are we considering the possible strategic effects of contract support actions on the operation?
- How does our plan consider the economic impact of contracting in achieving the commander's objectives?
- Have we provided specific guidance stressing the importance of OCS integration?
- Are my staff and subordinate commanders prepared to enforce high ethical standards and guard against possible contract support related fraud, waste, and abuse?
- Do we have a plan to develop and/or support OCS related boards and centers?

Essential References

- AR 715-9: *OCS Planning & Management* (approved April 2010/publication pending)
- ATTP 4-10: *Operational Contract Support Tactics, Techniques and Procedures* (approved 7 July 2010/publication pending)
- FM 4-0, *Sustainment*, 30 April 2009
- FM 4-92, *Contracting Support Brigade*, 2 February 2010
- CJCSM 3122.02: *Joint Operation Planning and Execution*
- DODI 3020.41, *Contractor Personnel Authorized to Accompany U.S. Armed Forces*, 3 October 2005
- JP 4-10, *Operational Contract Support*, 17 October 2008
- Synchronized predeployment and operational tracker (SPOT): <https://spot.altess.army.mil/default.aspx>

Background

Contractors have supported the Army in every war or contingency since the Revolutionary War. It is imperative Army commanders and staffs have a working knowledge of key OCS-related processes and terms, as well as understand and take seriously their roles and responsibilities in affecting OCS planning and integration. Without the basic understanding of OCS terms and processes laid out in new policy and doctrine, effective planning and execution of this complex source of support is simply not possible.

Provided are two checklists: command story and questions for OCS integration and contractor management. They are intended to both help familiarize mid-grade to senior officers with the OCS process, as well as provide initial questions to aid them in gauging their unit's readiness to execute and integrate OCS. More detailed checklists are contained in AR 715-9: *OCS Planning & Management* and ATTP 4-10: *Operational Contract Support Tactics, Techniques and Procedures*.

Command Story

Does my command's OCS story line up with HQDA and the Joint Force Commander's guidance? (This helps to understand the OCS process; gain insight into how things are getting done and being done; and ensure your preparedness for operations, media engagements, and testimony.)

- Who within our AO is the:
 - ➔ Contracting authority?
 - ➔ Resource manager?
 - ➔ Finance manager?
 - ➔ Contract law authority?
- What was/is our general plan for contract support (e.g., will contractors be a major source of support)?
- What are our processes to ensure discipline in utilizing contract support (e.g., contract only what we need, ensure requirements are properly defined, etc.)?
- What other partnerships ensure discipline and integrity in the OCS process (e.g., AAA, CID, special inspectors, GAO, etc.)?
- What is our process to ensure proper contract oversight and to make sure I get what was contracted?
- What are our responses for current "hot topics" in OCS (e.g., waste, fraud, and abuse; use of LOGCAP and private security contractors; international law considerations, etc.)?

Are staffs properly orchestrating the OCS process and ensuring proper contractor management?

- Who is our staff focal point for contractor management plan (CMP) development?
- Do we have a CMP working group?
- Do we have the support infrastructure and resources available for contractors who will be residing with the force?
- Do we have established partnerships with investigative organizations to set proper command climate as well as get the bad news early (e.g., CID and GAO)? Special investigators make great resources when properly used by commanders.
- Has the legal staff made us aware of our authorities over contractors? Do we have an implementing plan in place for host nation laws, UCMJ, Military Extraterritorial Jurisdiction Act (MEJA)?
- Are we providing required contract oversight to safeguard government interests and resources? How is this monitored?
- How are we addressing the challenges in providing adequate oversight due to a lack of functional expertise (e.g., construction, electric, infrastructure repair, etc.)?
- Do we have the right number of trained and technically qualified CORs? Has their role been stressed at all levels of command?
- Do we have in place proper operational guidance and procedures for the approval of private security requirements and provisions for adequate reporting of rules for the use of force (RUF)?

For assistance, go to the Expeditionary Contracting Command homepage:

<https://www.us.army.mil/suite/page/607169>

A "one-stop" source for current doctrine and training material relative to roles and responsibilities in obtaining and maintaining OCS is provided at:

<https://www.us.army.mil/suite/page/599837>