

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
OFFICE OF THE INSPECTOR GENERAL**

**AUDIT OF CONTRACTING OFFICER  
QUALIFICATIONS**



**CHARLES J. WILLOUGHBY  
INSPECTOR GENERAL**

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**Office of the Inspector General**

**Inspector General**



September 22, 2011

James D. Staton, Jr.  
Chief Procurement Officer  
Office of Contracting and Procurement  
441 4<sup>th</sup> Street, N.W., Suite 700S  
Washington, D.C. 20001

Dear Mr. Staton:

Enclosed is our final report summarizing the results of the Office of the Inspector General's (OIG) Audit of Contracting Officer Qualifications (OIG No. 09-2-20PO). The audit was conducted as part of our continuing audit coverage of procurement and contract administration in the District.

Our audit disclosed that the Office of Contracting and Procurement (OCP) neither had formal training for its professional contracting personnel nor required its contracting officers to obtain professional certification or enhance and maintain their proficiency through continuing education. These weaknesses were addressed in at least three prior reviews of OCP procurement operations.

We recommended that the Chief Procurement Officer establish a formal training program for OCP's contracting staff to include certification and continuing education requirements, continue the initiative with the University of the District of Columbia (UDC) to establish the Institute of Procurement and Public Contracting, and formalize the agreement with UDC through a memorandum of understanding (MOU) that defines the roles and responsibilities of both OCP and UDC.

OCP did not provide us with a response to a draft of this report. However, discussions and meetings were held with OCP officials throughout the audit. During these meetings, officials generally agreed with the report's finding and conclusions.

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We appreciate the cooperation and courtesies extended to our staff during this audit. If you have any questions, please contact me or Ronald W. King, Assistant Inspector General for Audits, at (202) 727-2540.

Sincerely,

  
Charles J. Willoughby  
Inspector General

Enclosure

CJW/sw

cc: See Distribution List

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The Honorable Susan Collins, Ranking Member, Senate Committee on Homeland Security  
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The Honorable Ron Johnson, Ranking Member, Senate Subcommittee on Oversight of  
Government Management, the Federal Workforce, and the District of Columbia  
The Honorable Harold Rogers, Chairman, House Committee on Appropriations,  
Attention: Cornell Teague (via email)  
The Honorable Norman D. Dicks, Ranking Member, House Committee on Appropriations,  
Attention: Laura Hogshead (via email)  
The Honorable Jo Ann Emerson, Chairman, House Subcommittee on Financial Services and  
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The Honorable José E. Serrano, Ranking Member, House Subcommittee on Financial Services and General Government, Attention: Laura Hogshead (via email)

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The Honorable Richard Durbin, Chairman, Senate Subcommittee on Financial Services and General Government, Attention: Marianne Upton (via email)

The Honorable Jerry Moran, Ranking Member, Senate Subcommittee on Financial Services and General Government, Attention: Dale Cabaniss (via email)

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## AUDIT OF CONTRACTING OFFICER QUALIFICATIONS

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### ACRONYMS

ACO	Agency Contracting Officer
CO	Contracting Officer
CPPB	Certified Professional Public Buyer
CPPO	Certified Public Purchasing Officer
CPO	Chief Procurement Officer
DCHR	District of Columbia Department of Human Resources
FY	Fiscal Year
GAO	Government Accountability Office
IDP	Individual Development Plan
IPPC	Institute of Procurement and Public Contracting
MIR	Management Information Report
MOU	Memorandum of Understanding
OCP	Office of Contracting and Procurement
OIG	Office of the Inspector General
PPRA	Procurement Practices Reform Act
UDC	University of the District of Columbia
UPPCC	Universal Public Procurement Certification Council

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# AUDIT OF CONTRACTING OFFICER QUALIFICATIONS

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## EXECUTIVE DIGEST

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### OVERVIEW

The District of Columbia Office of the Inspector General (OIG) has completed its Audit of Contracting Officer Qualifications. This audit was performed as part of our continuing audit coverage of procurement and contract administration, and as part of our oversight role relative to the American Recovery and Reinvestment Act of 2009.

The audit objectives were to determine whether the Office of Contracting and Procurement (OCP) established controls to ensure that its contracting officials were: 1) qualified to hold such positions; 2) properly trained to perform in such positions; and 3) subjected to adequate background checks to provide a measure of assurance that selected individuals do not abuse any position of trust.

We addressed the third objective in a Management Implication Report (MIR 11-A-01) issued on June 30, 2011, to the Mayor and other district officials. In that report, we recommended the issuance of a Mayor's directive to District subordinate agency heads that requires each to identify sensitive and high risk positions and to consult with the D.C. Department of Human Resources (DCHR) to implement mandatory criminal background checks for those positions.

OCP was established in 1997 as an independent agency to consolidate the District's procurement and contracting in one central agency. The Chief Procurement Officer (CPO) has exclusive contracting authority for procurements covered by the procurement chapter of the D.C. Code.<sup>1</sup> The law further authorizes the CPO to delegate procurement authority to employees of OCP and other agencies. The delegation is subject to limitations specified in writing. As of November 30, 2010, there were 36 individuals that had delegated contracting authority from the CPO.

As of July 20, 2010, OCP supported 55 District agencies by providing direct procurement support or by delegating contracting authority to agency employees. According to budget documentation obtained from the Office of the Chief Financial Officer's Intranet site, OCP procures goods and services of about \$1.2 billion annually, and had an approved budget of \$12.6 million for FY 2010.

Effective April 8, 2011, the Procurement Practices Reform Act of 2010 (PPRA)<sup>2</sup> (D.C. Law 18-371), provides *inter alia* that: (1) the CPO establish and administer a procurement training institute; (2) contracting personnel be certified; and (3) contracting employees maintain their certification and proficiency through continuing education.

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<sup>1</sup> District law exempts several agencies from the CPO's authority. See Procurement Practices Reform (PPRA) of 2010, D.C. Law 18-371, § 201 (2011).

<sup>2</sup> The PPRA will be codified at D. C. Code §§ 2-351.01 – 2-362.03.

## **EXECUTIVE DIGEST**

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### **CONCLUSIONS**

OCP neither had a formal training for its professional contracting personnel nor required its contracting officers to obtain professional certification or enhance and maintain their proficiency through continuing education. These weaknesses were addressed in at least three prior reviews of OCP's procurement operations. As of November 30, 2010, there were 36 individuals with delegated procurement authority, and 13 of these were part of the Agency Contracting Officer (ACO) program. These 13 employees had limited procurement authority to make small purchases for their respective agencies. We eliminated these 13 individuals from our review and concentrated on the 23 contracting officers (COs) who were full-time procurement professionals.

We determined that only 10 of 23 COs (43 percent) had professional certifications. We reviewed the training records of the 17 COs with delegated procurement authority of \$1 million or more and found that only 7 (41 percent) had completed at least 1 training course during fiscal year (FY) 2011; 7 (41 percent) had completed their last course during FY 2010; and the remaining 3 (18 percent) had their last recorded training during FY 2008.

### **MANAGEMENT ACTION**

OCP has taken initial steps to satisfy the requirements of the PPRA by entering into an informal agreement with the University of the District of Columbia (UDC) to establish a training institute. The mission of the institute will be to provide training to satisfy educational requirements for certification and continuing education requirements to maintain certification; and, through its affiliation with UDC, provide students with the opportunity to earn baccalaureate and graduate degrees in procurement and public contracting.

### **SUMMARY OF RECOMMENDATIONS**

We recommended that the CPO establish a formal training program for OCP's contracting staff to include certification and continuing education requirements, continue the initiative with UDC to establish the Institute of Procurement and Public Contracting, and formalize the agreement with UDC through a memorandum of understanding (MOU) that defines the roles and responsibilities of both OCP and UDC. A summary of potential benefits resulting from the audit is shown at Exhibit A.

### **MANAGEMENT RESPONSES AND OIG COMMENTS**

OCP did not provide us with a response to a draft of this report. However, discussions and meetings were held with OCP officials throughout the audit. During these meetings, officials generally agreed with the report's finding and conclusions.

## INTRODUCTION

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### BACKGROUND

In 1997, the District's procurement law was amended to establish the Office of Contracting and Procurement (OCP) and centralize procurement under one contracting office to serve as the exclusive authority for the District's procurements.<sup>3</sup> OCP is administered by a Chief Procurement Officer (CPO), who has exclusive contracting authority for all procurements covered by Title 2, Chapter 3 (Procurement) of the D.C. Code. The CPO may delegate contracting authority to employees of a department or agency of the District, and is responsible for developing guidelines for the recruitment, training, career development, and performance evaluation of procurement personnel. As of July 20, 2010, OCP supported 55 District agencies either by providing direct procurement support or by delegating contracting authority to agency employees.

### OBJECTIVES, SCOPE, AND METHODOLOGY

The audit objectives were to determine whether OCP established controls to ensure that its contracting officials were: (1) qualified to hold such positions; (2) properly trained to perform in such positions; and (3) subjected to adequate background checks to provide a measure of assurance that the selected individuals do not abuse any position of trust. We did not address the third objective because we were told by the D.C. Department of Human Resources (DCHR) that applicants for procurement positions were not subjected to background checks.

We addressed the third objective in a Management Implication Report (MIR 11-A-01) issued on June 30, 2011, to the Mayor and other District officials. In that report, we recommended the issuance of a Mayor's directive to District subordinate agency heads that requires each to identify sensitive and high risk positions and to consult with the D.C. Department of Human Resources (DCHR) to implement mandatory criminal background checks for those positions.

To accomplish our objectives, we conducted interviews with responsible officials from OCP, DCHR, and selected COs. We also reviewed training records, personnel files and resumes, and criteria applicable to the audit objectives. Our review focused on COs that had delegated procurement authority as of November 30, 2010.

We relied on data from the OCP training database to determine the training backgrounds of contracting officers, and the Universal Public Procurement Certification Council's (UPPCC) database of individuals that had a Certified Professional Public Buyer (CPPB) or Certified Public Purchasing Officer (CPPO) certification to determine whether OCP's contracting officers had either of these certifications. We used the UPPCC program because it is the most widely recognized certification program in public procurement.

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<sup>3</sup> D.C. Law 11-259, effective April 15, 1997.

## INTRODUCTION

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This performance audit was conducted in accordance with generally accepted government auditing standards. These standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

### PRIOR REVIEWS

Over the last several years, the Government Accountability Office (GAO), the Office of the Inspector General (OIG), and a special Contracting and Procurement Task Force all conducted reviews and concluded that OCP needed to improve its training program.

**Government Accountability Office.** On January 19, 2007, GAO issued Report No. GAO-07-159, “DISTRICT OF COLUMBIA - Procurement System Needs Major Reform.” This report evaluated the District’s procurement system and made numerous recommendations for improvement. One of the areas GAO identified as needing improvement was training and certification of procurement personnel. GAO recommended that the CPO establish a professional development plan and certification program for contracting staff, and implement a system to track all staff training. GAO also recommended that the CPO develop a procurement manual reflecting current laws, policies, and procedures to provide a tool for the procurement staff to use in performing their duties.

**Contracting and Procurement Task Force.** This task force was established to evaluate the District’s procurement operations. The task force was comprised of seven private citizens appointed by the D.C. Council and considered experts in government procurement, with government and private sector experience in both federal and District contracting. In addition, there were two representatives from the CPO and one representative from the Office of the Chief Financial Officer. On December 4, 2006, the task force issued its final report, which concluded that the problems in the procurement system were due to the lack of commitment by the District government to train its acquisition personnel, and a failure to comply with existing rules and generally recognized best practices. The task force made numerous recommendations to improve the District’s procurement operations, including establishing a training and certification program and requiring that all personnel who perform acquisition functions (including acquisition planning) be appropriately certified.

**District of Columbia Office of the Inspector General (OIG).** On June 28, 2002, the OIG issued audit report OIG No. 01-1-04MA, *Audit of the Office of Contracting and Procurement Training Program*. The report concluded that OCP did not: fully implement an effective training program; validate the training profiles of its work force; have an adequate training budget; or design effective Individual Development Plans (IDP) that identified training requirements based on needs of specific employees. As a result, OCP employees were not assured of receiving adequate training to fulfill their responsibilities of awarding millions of dollars in procurement actions each year.

## INTRODUCTION

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The report made six recommendations that addressed verification of educational and training backgrounds; implementation of an IDP program to identify training needs; skill assessment of OCP employees; exploration of the use of outside training sources to strengthen the existing training program; establishment of an automated training database; and finalization of the draft Procurement Training and Career Development handbook, which identified specific training requirements to be met for specific grade levels.

### **PROCUREMENT PRACTICES REFORM ACT OF 2010**

The Procurement Practices Reform Act of 2010 (PPRA) (D.C. Law 18-371) became effective on April 8, 2011. Section 206 (a) of this law states: “The CPO shall establish and administer a procurement training institute to facilitate a system of training, continuing education, and certification for District contracting personnel...” According to the PPRA, the procurement institute may:

- conduct or participate in procurement training for District employees;
- establish a certification program to provide certificates of proficiency for successful participants;
- conduct research into existing and new methods of procurement;
- establish and maintain a District procurement library; and
- establish a tiered core curriculum to develop procurement competency; and provide a uniform training approach for entry level staff through contracting officers.

Under the provisions of the PPRA, the CPO shall require contracting personnel to be certified and maintain certification by attending a reasonable number of hours of continuing education, which may be achieved at a recognized institute.

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## FINDING AND RECOMMENDATIONS

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<b>FINDING: PROCUREMENT TRAINING PROGRAM</b>
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### SYNOPSIS

OCP did not implement a formal training program for its contracting professionals. This occurred because OCP did not require its contracting officers to obtain professional certification, maintain or improve their professional competency through continuing education, and did not require its contracting personnel to complete Individual Training Plans (IDP). As a result, there was no assurance that contracting officers had the necessary training and tools to effectively perform their contracting duties. However, during our audit, OCP began to take action to improve its training program, and plans to implement a certification program for its contract specialists.

### DISCUSSION

OCP has not implemented a formal, standardized training program for its contracting officers, nor has it required that they obtain professional certification. Over the past years, several studies and audit reports have identified the need for OCP to establish training opportunities for the District's workforce to stay abreast of changes in the procurement profession and to correct skills and knowledge gaps in key areas required for effective performance.

Training policies should afford the District's procurement professionals access to education and training needed to achieve and maintain professional competence. In doing so, procurement personnel will be better equipped to satisfy their customers' requirements for goods and services. In addition, under the PPRA provisions, District contracting personnel will be required to be certified and maintain a reasonable number of hours of continuing education to maintain their certification credentials.

**Certification Program.** OCP did not require its contracting personnel to be professionally certified. As of November 30, 2010, OCP had delegated contracting authority to 36 individuals, 13 of whom were part of the Agency Contracting Officer (ACO) program. The ACO program is designed to provide District agencies with contracting authority for small purchases.

The agency director nominates an employee for the program who undergoes both formal classroom training as well as on the job training with OCP contract specialists. If the employee successfully completes the training and passes the final examination, he or she is awarded contracting authority in the amount of \$25,000. We excluded the 13 ACOs from our review due to their limited contracting authority. However, to comply with D.C. Law 18-371, OCP

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## FINDING AND RECOMMENDATIONS

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needs to determine whether the PPRA’s certification and continuing education requirements are applicable to the ACOs.

We used the UPPCC database of CPPO and CPPB certificate recipients to determine how many of the 23 current COs (36 less the 13 ACOs) had one of these certifications. Based on our review, we found that 10 of the 23 (43 percent) COs were certified. We also asked OCP to provide us with a listing of COs that had professional certifications. The OCP list showed 7 of the 23 (30 percent) COs as being certified. The results by certification are shown below.

TYPE OF CERTIFICATION	UPPCC DATABASE	OCP LIST
CPPB	7	4
CPPO	2	2
CFCM <sup>4</sup>	1	1

Six of the 17 COs with procurement authority of \$1 million or more had unlimited authority, and only 3 of the 6 (50 percent) had professional certification. Professional certification of COs should be a priority to OCP because certification demonstrates that an individual has met a standard level of training and experience, and provides assurance of competency. In addition, D.C. Law 18-371 requires District contracting personnel to be certified.

**Formal Training Program.** OCP did not have a formal CO training program that identified specific training requirements commensurate with the level of procurement responsibility. OCP also did not have continuing education requirements that each CO must meet in order to stay current. In addition, OCP’s procurement personnel were not required to complete an Individual Development Plan (IDPs) to fulfill training needs and improve professional competency.

During our interviews with selected COs, several stated that IDPs were not mandatory and it was left to the discretion of the supervisory contract specialists as to whether they would require their staff to complete IDPs. Working with a supervisor, OCP’s contracting personnel could establish individual career goals and develop a detailed plan designed to assist the employee to achieve those goals. This approach can customize the IDP and identify specific training needs, taking into account such factors as the individual’s work experience, formal education, and certifications. D.C. Law 18-371 requires continuing education for OCP’s contracting professionals to maintain proficiency and keep certifications current.

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<sup>4</sup> CFCM (Certified Federal Contract Manager). We contacted this individual and obtained verification of this certification.

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## FINDING AND RECOMMENDATIONS

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In Report No. 01-1-04MA, the OIG also addressed the need for minimum training requirements, as well as development and implementation of an IDP. This report recommended that OCP design an IDP for each employee, taking into consideration individual training needs, minimum training requirements, and career development. OCP, in its response to the report, stated that the recommendation was implemented starting October 1, 2001, and that training conducted under IDPs is carefully monitored to ensure employee skills are kept current and to address any deficits. During our audit, we found no evidence of the training required under IDP being monitored at OCP.

**Training Records.** We reviewed the OCP training database to determine when COs with procurement authority of \$1 million or more had completed their last training course. We found that as of November 30, 2010, there were 17 COs that had contracting authority of \$1 million or more, and according to the OCP training database, 7 COs completed at least 1 training session during FY 2011, 7 in FY 2010, and 3 completed their last recorded training in FY 2008.

Six of these 17 COs had unlimited procurement authority and only 1 of the 6 had completed a training course in FY 2011. Three of the six had completed a course in 2010, and two had their last training in FY 2008. One of the 6 employees completed only 10 courses since May of 2000.

We also noted that the training taken by the 7 COs during FY 2011 consisted of 1 or more of the following courses provided by OCP in-house. The courses were: 1) D.C. Supply Schedule/Life Cycle Techniques; 2) Procurement Law – How Law is Made in the District/Procurement Project Management; 3) How to Develop an RFP for IT Services/Contract Negotiation Process; and 4) Construction Procurement Basics/Price Reasonableness and Competitive Range. Each of these courses was only 1½ hours in length, and considering the complexity of these topics, may not have been sufficiently comprehensive.

**Training Database.** We attempted to verify the reliability and completeness of the OCP training database by reviewing the 13 ACOs' training records. OCP had developed and instituted a special training program to provide these individuals with the necessary skills to make small purchases for their respective agencies. We found that ACO training was not recorded in the OCP training database, which could be an indication that the training records maintained for the professional COs may also be incomplete.

We therefore requested the training coordinator to provide us with training records for the COs with procurement authority in excess of \$1 million in order to compare those reports with the records we independently extracted from the OCP training database. When we compared the reports, we found that the reports OCP provided to us contained courses taken in FY 2011 that were not included in the reports we independently extracted from the training database.

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## FINDING AND RECOMMENDATIONS

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We questioned the OCP training coordinator as to why these courses were not included in the OCP database, and why none of the ACO training was included in the training database. The training coordinator stated that beginning in FY 2011, OCP decided to discontinue using its training database. The OCP system was designed primarily to track in-house courses and, because of the evolving need to track and report accurate statistics, OCP decided to use the training module of PeopleSoft. Using PeopleSoft, which is a District-wide software system, will make it easier to track and verify training, especially with regard to ACOs who are located at various agencies throughout the District.

This is a positive initiative on the part of OCP, as the PPRA requires a continuing education program, and tracking this training will require an accurate and complete training database. However, OCP will have to ensure that the training module of the PeopleSoft system can effectively track all training courses taken, and that controls exist to ensure the accuracy and completeness of the training data.

**Actions Taken.** OCP has entered into an informal agreement with the University of the District of Columbia (UDC) to establish the Institute of Procurement and Public Contracting (IPPC). The planned mission of the IPPC is to provide continuing education and training for public procurement professionals and provide students the opportunity to earn professional certification. In addition, through its association with UDC, the IPPC will provide students the opportunity to earn baccalaureate and graduate degrees in procurement and public contracting.

OCP envisions the IPPC having several locations in the D.C. area, and, in November 2010, with the assistance of the Council of Governments, OCP surveyed procurement training programs in local governments and jurisdictions to obtain input. The information requested in the survey included the type of training their procurement staff receives, whether there is a continuing education and/or certification requirement, and how the overall training program could be more effective.

When we contacted the UDC point-of-contact for the IPPC to obtain an overall understanding of how the program is progressing, UDC stated that the institution is currently coordinating with the UPPCC to determine if the UPPCC will accept UDC courses for certification and continuing education recertification. UDC also presented a symposium about construction contracting on March 15, 2010. Based on the results of the OCP survey sent to local governments, construction contracting was identified as an area where training could be improved. Although the symposium did not offer any credit toward satisfying continuing education requirements, UDC presented the symposium to give exposure and generate interest in the institute.

Creation of the IPPC is a positive step in achieving a formal training and certification program. However, in order to keep the effort focused, we believe that a more formal approach is required, such as a memorandum of understanding (MOU) between UDC and OCP, which specifically defines the roles and responsibilities of each party.

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## FINDING AND RECOMMENDATIONS

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### CONCLUSION

Our 2002 audit and other reviews of OCP procurement operations identified the absence of a formal training program as a key deficiency in District procurement operations. This condition still exists because OCP did not: (1) require its COs to be certified; (2) develop required training commensurate with a particular position's level of responsibility; and (3) require procurement staff to maintain proficiency through continuing education. As a result, there is no assurance that COs possess the necessary skills and knowledge to effectively carry out their professional responsibilities.

The PPRA (D.C. Law 18-371) requires that the District's procurement staff be certified, and maintain proficiency through continuing education. OCP has taken preliminary steps to meet these requirements through its initiative with UDC to establish the IPPC. The Institute is planned to provide students: (1) an opportunity to earn professional certifications; (2) a continuing education program to maintain and improve proficiency; and (3) the opportunity to earn baccalaureate and graduate degrees in procurement and public contracting through the Institute's association with UDC. These initiatives need to ensure that OCP's contracting professionals receive the necessary training to stay abreast of the latest developments in public procurement.

### RECOMMENDATIONS:

We recommend that the Chief Procurement Officer, OCP:

1. Establish a formal training program that requires certification and continuing education for all contracting staff.
2. Continue the initiative with the University of the District of Columbia to establish the Institute of Procurement and Public Contracting.
3. Initiate a formal memorandum of understanding (MOU) between the Office of Contracting and Procurement and the University of the District of Columbia, which defines roles and responsibilities of each party in training and certifying the District's procurement personnel.

### OIG COMMENT

OCP did not provide us with a response to a draft of this report. However, discussions and meetings were held with OCP officials throughout the audit. During these meetings, officials generally agreed with the report's finding and conclusions.

**EXHIBIT A. SUMMARY OF POTENTIAL BENEFITS  
RESULTING FROM AUDIT**

<b>RECOMMENDATIONS</b>	<b>DESCRIPTION OF BENEFIT</b>	<b>AMOUNT AND TYPE OF BENEFIT</b>	<b>AGENCY REPORTED ESTIMATED COMPLETION DATE</b>	<b>STATUS<sup>5</sup></b>
1	<b>Compliance and Economy and Efficiency.</b> Complies with the requirements of the PPRA and establishes standards that COs will have to meet.	Non-Monetary	TBD	Open
2	<b>Compliance and Economy and Efficiency.</b> Complies with the requirements of the PPRA and establishes a training institute for contracting staff to maintain and/or improve their proficiency.	Non-Monetary	TBD	Open
3	<b>Compliance.</b> Formalizes the agreement between OCP and UDC to establish the IPPC.	Non-Monetary	TBD	Open

<sup>5</sup> This column provides the status of a recommendation as of the report date. For final reports, “**Open**” means management and the OIG are in agreement on the action to be taken, but action is not complete. “**Closed**” means management has advised that the action necessary to correct the condition is complete. If a completion date was not provided, the date of management’s response is used. “**Unresolved**” means that management has neither agreed to take the recommended action nor proposed satisfactory alternative actions to correct the condition.