



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Office of Inspector General

September 23, 2022

MEMORANDUM

FROM: Andrew Katsaros
Inspector General

TO: David B Robbins
Executive Director

SUBJECT: OIG Survey of FTC Contracting Officer's Representatives

Introduction and Background

On July 20, 2022, we issued a survey to contracting officer's representatives (CORs) as a follow-up to our December 2, 2021, audit report (A-22-03) on the FTC's COR program.¹ Our aim was to gain further insights from the agency's contracting staff who ensure performance of all necessary actions; ensure compliance with contract terms; and safeguard the interests of the Commission's mission specifically, and the United States generally, in the FTC's contractual relationships. The survey consisted of the following:

- *Background.* We posed 6 questions to gauge the performance and assessment of COR duties. First, we asked 4 questions confirming respondents' current performance of COR duties, years of COR experience, number of contracts currently monitoring, and approximate annual value of monitored contracts. We then asked respondents to estimate what percentage of their time was spent on COR activities—and to characterize whether and how their COR duties factored into their annual performance plans and assessments.
- *Survey Statements.* In the next section, we asked whether respondents AGREE, SOMEWHAT AGREE, NEITHER AGREE NOR DISAGREE, SOMEWHAT DISAGREE, or DISAGREE with a series of 8 statements about their COR work—more specifically, about understanding expectations, availability of training, reasonableness of workload, accessibility of support from pertinent web resources, effectiveness of processes, and sense of recognition for their efforts.
- *Further Information.* Lastly, we included 1 open-ended section, to provide respondents the opportunity to offer additional comments.

¹ See https://www.ftc.gov/system/files/documents/reports/audit-ftcs-cor-program-oig-report-no-22-03/ftc_oig_report_on_cor_program_final_2021-12-02.pdf.

Of the 124 FTC employees² who received our invitation to participate in the survey, 74 (or almost 60%) responded to our survey. Not all respondents provided an answer to every question.

This report compiles the survey responses—and conveys our observations based on the resulting data—but does not contain recommendations for agency leadership.

We include the survey that we issued as appendix I.

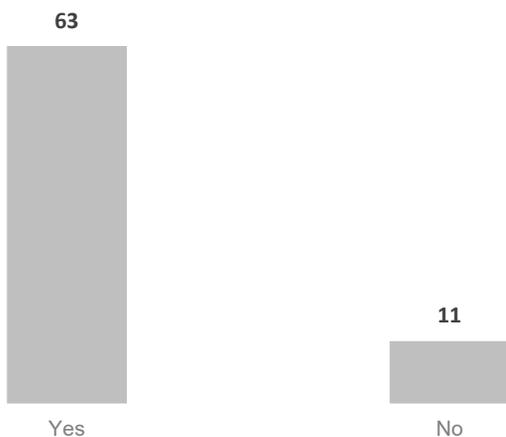
Results

Background

1. I am currently performing COR duties.

We began by asking whether or not respondents currently work on merger acquisitions; 85% responded affirmatively (see figure A, below).

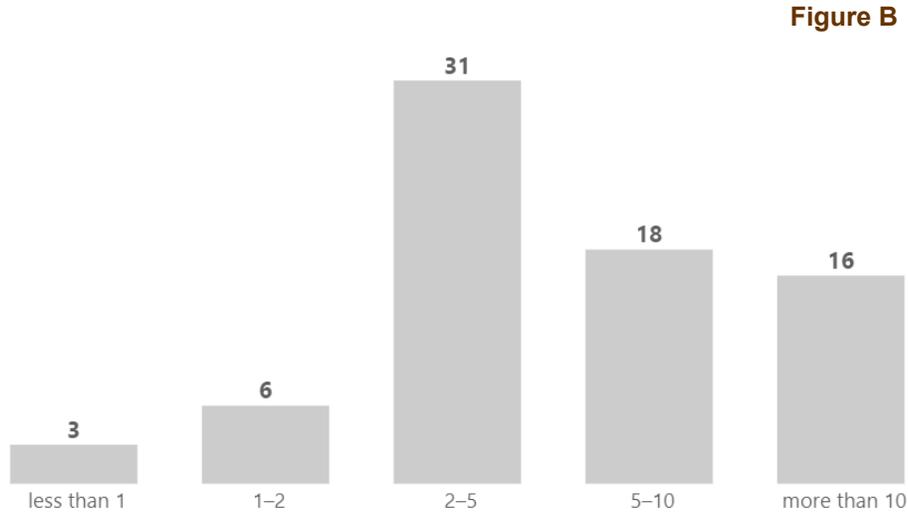
Figure A



² As provided to the OIG by the FTC Office of Acquisitions on July 14, 2022.

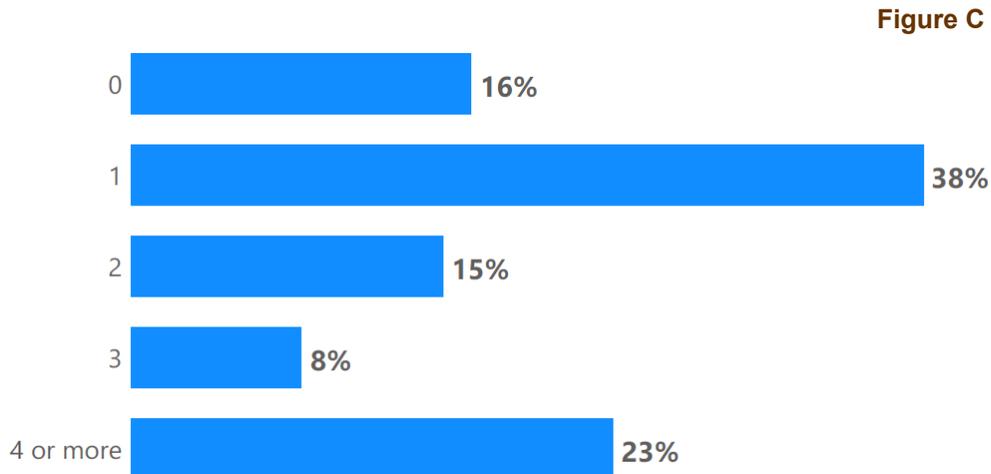
2. I have ___ year(s) of COR experience.

Next, a significant majority of the 74 respondents reported at least 2 years of COR experience—over half of that majority reported 5 or more years of experience (see figure B, below).



3. I have COR responsibilities over ___ contracts.

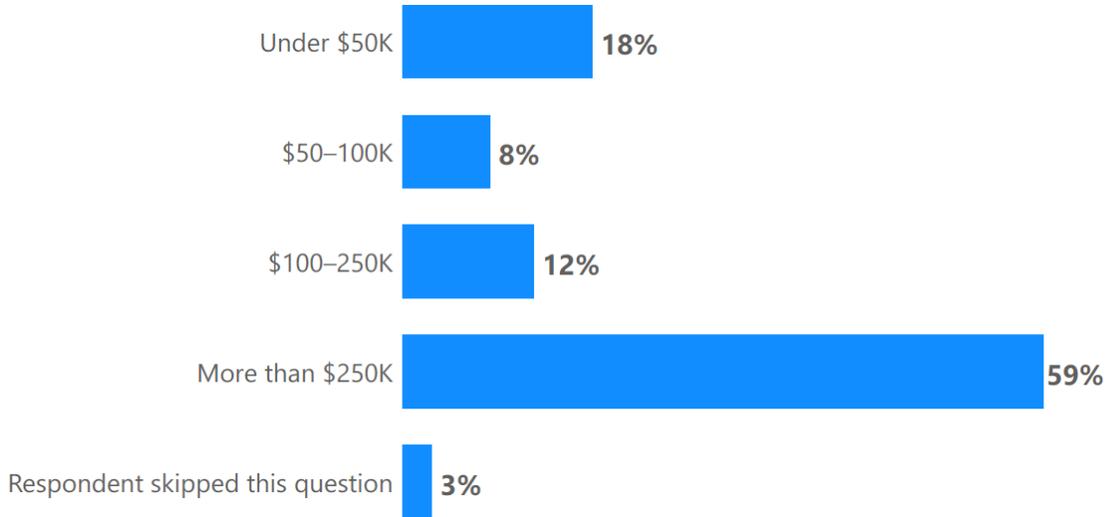
In response to this question, almost a quarter (17 out of 74, or 23%) indicated that their portfolio consisted of 4 or more contracts. The greatest share, more than one-third (28 out of 74, or 38%), reported responsibility over 1 contract (see figure C, below).



4. I have COR responsibilities over contracts with a current annual value of approximately __.

In response to this question, more than half (44 out of 74, or almost 60%) indicated responsibility over more than \$250,000 in contracts. The next highest share, nearly one-fifth (13 out of 74, or 18%), reported responsibility for contracts valued at under \$50,000 annually (see figure D, below). There were 2 survey participants who did not respond to this question.

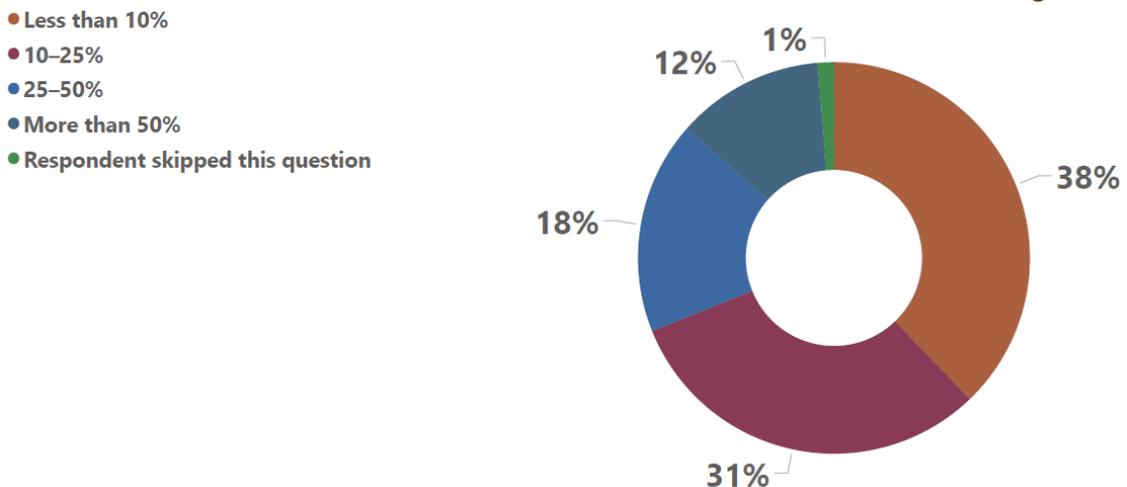
Figure D



5. In the past year, I spent approximately __ of my time on COR duties.

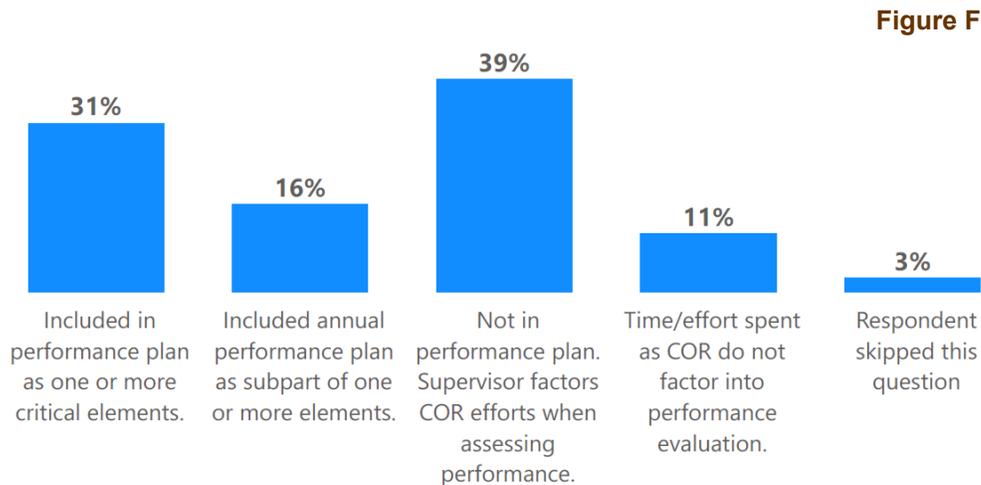
Slightly more than one-third of participants (28 out of 74, or 38%) reported spending less than 10% of their time on work related to their COR responsibilities. Nearly another one-third (23 out of 74, or 31%), reported that COR duties occupied 10–25% of their work year. The remaining nearly one-third reported spending 25–50% (13 out of 74, or 18%) or more than 50% (9 out of 74, or 12%) of their time on COR duties; 1 participant skipped this question (see figure E, below).

Figure E



6. How is my performance of COR responsibilities and duties assessed?

Here, we asked whether COR responsibilities and duties were written into participants' annual performance plan—and, if not, whether participants perceived their supervisors as factoring in their COR responsibilities and duties when assessing their overall annual performance. Nearly half (35 out of 74, or 47%) reported that their COR work factored into one or more critical elements or subparts of elements of their annual performance plan. Half of respondents (37 out of 74) reported that their COR work was not written into their annual performance plan; however, the majority of that share perceived that their supervisors accounted for their COR work when assessing their overall annual performance. Two participants skipped this question (see figure F, below).

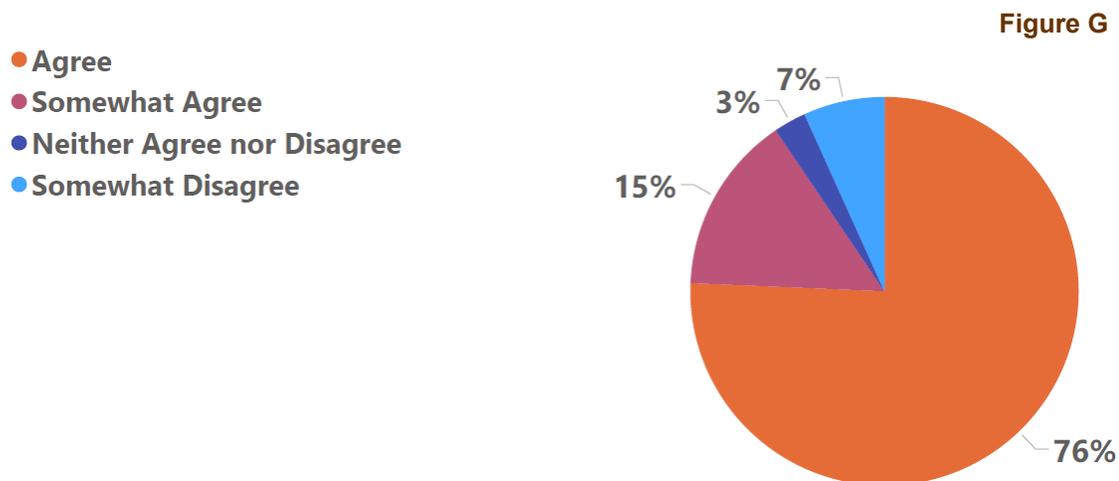


Survey Statements

7. Please provide a response for the following statements based on your personal experience.

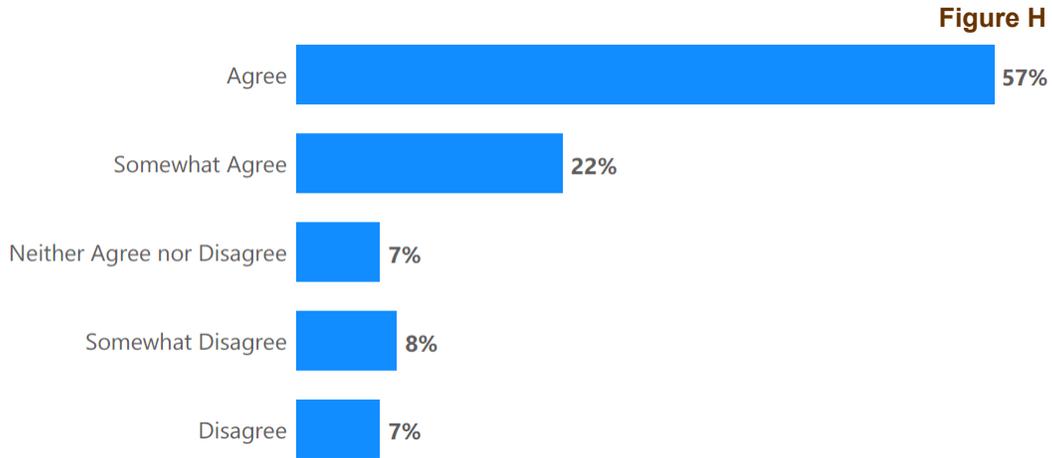
I understand what is expected of me as a COR.

A clear majority—more than three-fourths (56 out of 74)—agreed with this statement. Less than 10% (5 out of 74) expressed some disagreement (see figure G, below):



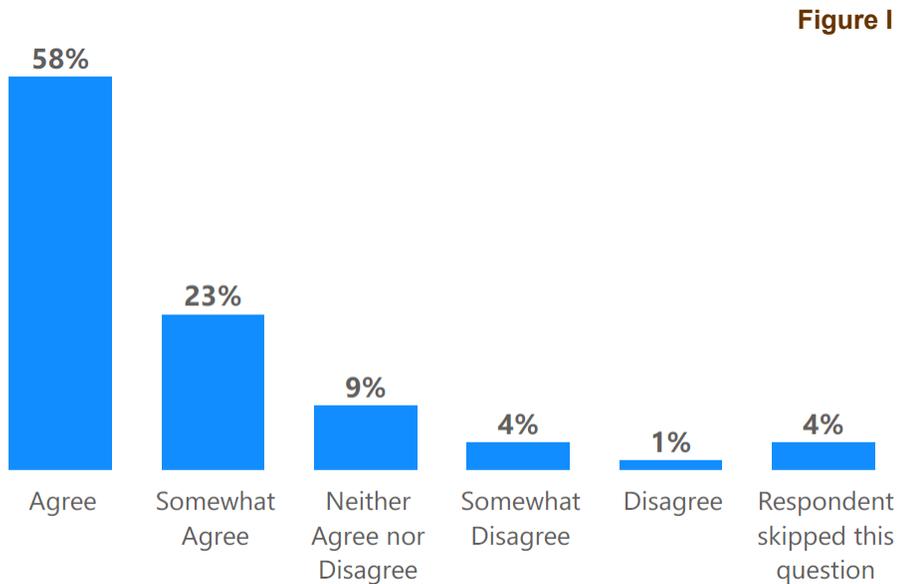
COR training is readily available.

Nearly four-fifths of respondents either agreed (42 out of 74, or 57%) or somewhat agreed (16 out of 74, or 22%) with this statement (see figure H, below):



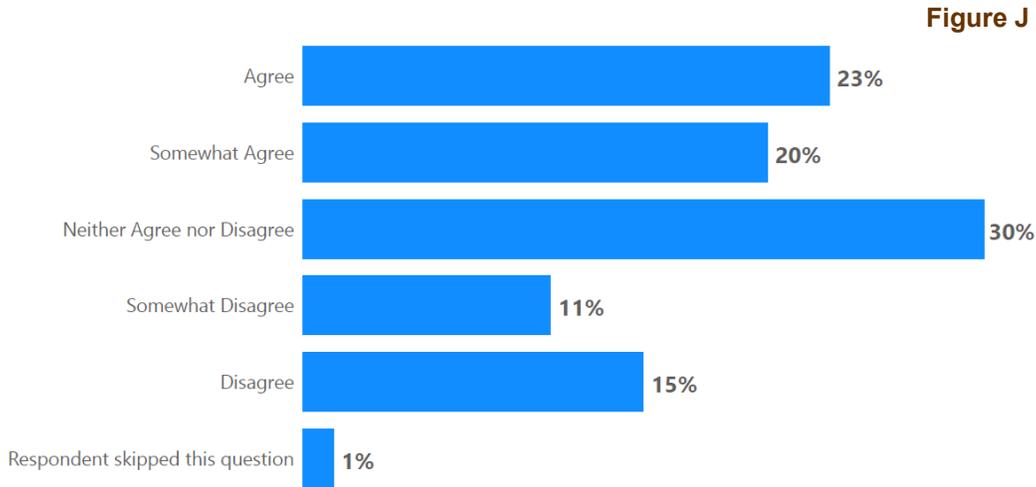
My COR workload is reasonable.

More than half of participants (43 out of 74, or 58%) agreed that their COR workload was reasonable. Nearly a quarter (17 out of 74, or 23%) somewhat agreed (see figure I, below):



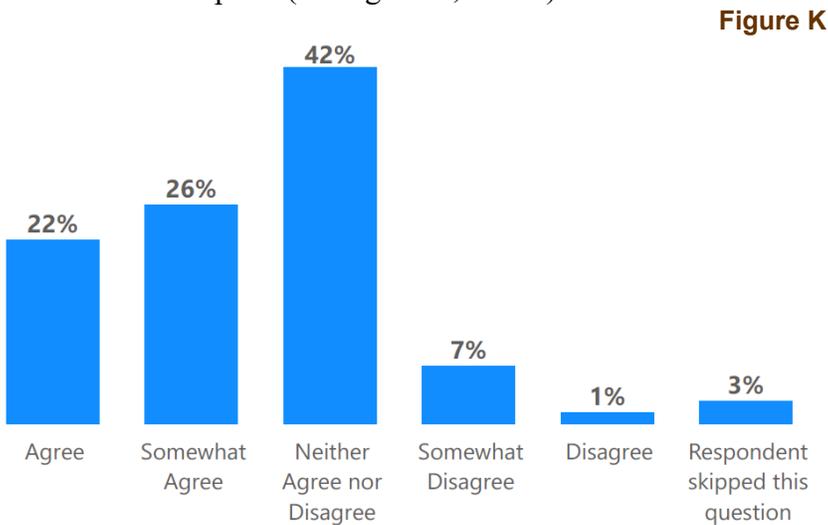
I find that all or most answers to my COR questions can be resolved with information provided on the Financial Management Office's Acquisition Division resource website.

While less than half of respondents expressed some degree of agreement with the statement (a total of 32 out of 74, or 43%), only a quarter of participants (19 out of 74, or 26%) expressed some disagreement that the Financial Management Office's Acquisition Division was providing CORs the online resources needed during this period of predominantly remote work (see figure J, below).



The process for acquiring contractor clearances is effective.

Nearly half of participants (35 out of 74, or 47%³) expressed partial or whole agreement with this statement. Fewer than 10% of participants (6 out of 74, or 8%) expressed any disagreement. A significant portion (31 out of 74, or 42%) neither agreed nor disagreed, and 2 did not respond (see figure K, below):

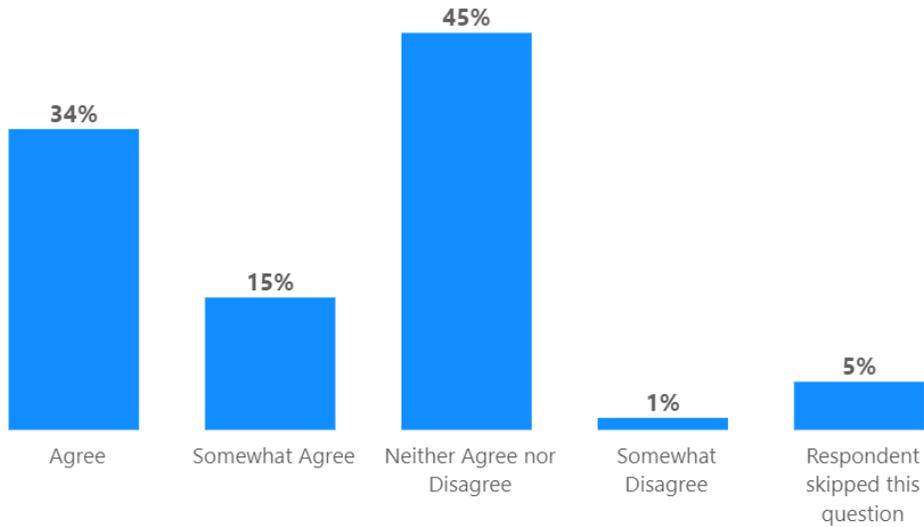


³ Figure K reports numbers of respondents who agreed (16 out of 74, or 21.62%) and somewhat agreed (19 out of 74, or 25.68%) as rounded percentages.

I am satisfied with the process for acquiring the necessary equipment for contractors.

About a third of participants (25 out of 74, or 34%) agreed with this statement; nearly half of participants (a total of 36 out of 74, or 48%) expressed at least partial agreement. While no participants entirely disagreed with the statement, nearly half (33 out of 74, or 45%) neither agreed nor disagreed. Four did not respond (see figure L, below).

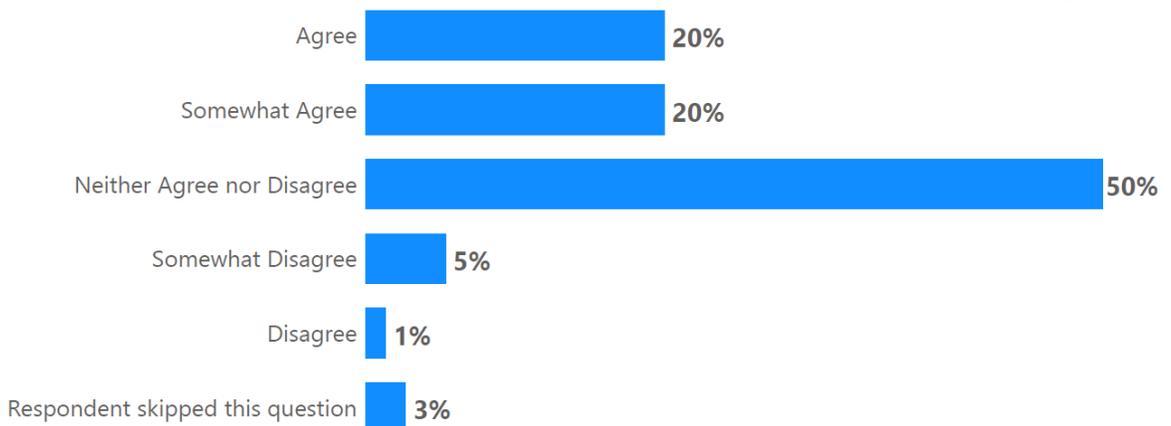
Figure L



The process for offboarding contractors is effective.

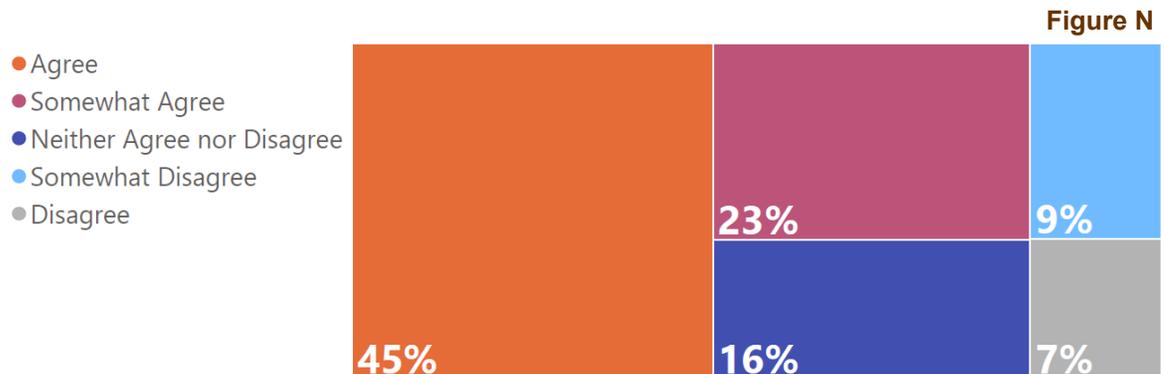
The vast majority of participants expressed some degree of agreement (a total of 30 out of 74, or 40%) or neither agreed nor disagreed (37 out of 74, or 50%) with the statement (see figure M, below):

Figure M



My performance of COR duties is properly recognized.

Nearly half of respondents (33 out of 74, or 45%) agreed that their performance of COR duties receives proper recognition. Fewer than a quarter of all respondents (a total of 12 out of 74, or 16%) expressed some level of disagreement (see figure N, below):



Further Information

8. Please share any additional information that you think will be helpful.

Among the 74 respondents who participated in our survey, more than 40% (31) included additional comments in response to our open-ended request. Many of these respondents offered comments that amplified concerns raised by some of our questions—most notably, almost half (13 out of 31, or 42%) of the comments addressed the issue of training. A handful (4 out of 31, or 13%) of respondents offered further comment on the guidance that the Acquisition Division offers CORs. Two respondents commented further on the lack of recognition for the COR function at the FTC.

Of the additional comments that addressed issues not specified by our survey questions, 4 (or 13%) addressed contracts related to securing the services of expert witnesses—an escalating agency cost that has compelled the FTC to designate these contracts as a “top risk” on the agency’s risk register since 2017.

Observations

The agency’s COR program is staffed by personnel who are clearly experienced: two-thirds (a total of 49 out of 74, or 66%) of respondents have performed COR duties for 2–10 years. An additional 16 respondents (almost one-quarter of survey participants) have served as CORs for more than 10 years. While almost half (34 of 74, or 46%) reported serving as COR over multiple contracts, the additional comments clarified that a COR on a single contract can be asked to assist with or perform services for other CORs’ contracts. As a result, it is likely that more than 46% are currently serving COR functions on multiple contracts.

No concerns appeared to emerge when our survey asked CORs directly about workload, organizational expectations or recognition of them, or how their COR duties affect their annual performance evaluations. When asked directly about the availability of COR training, the vast majority of respondents agreed that training was readily available.

Some concerns arose when the survey allowed respondents to comment further: most notably, these touched upon issues with training and COR activities related to expert witness service contracts. Regarding the issue of COR training (unrelated to expert witness contracts), we noted multiple commenters discussing issues such as the following:

- internal training for new CORs not being sufficiently geared to FTC-specific issues
- issues with the availability and cost of external COR training
- FTC communications directing CORs to available COR training

Regarding the issue of expert witness contracts, CORs offered additional comments that coalesced around a number of key ideas:

- the CORs' lack of role in assessing expert witnesses' performance
- the disconnect between the agency's general COR training and its specific expectations for managing expert witness contracts
- mitigating the time-consuming expert witness contract COR duties with centralized processes and non-attorney personnel more experienced at managing such projects

Most of the FTC's CORs report feeling reasonably assigned, trained, evaluated, and recognized. Generally, most survey respondents appear reasonably utilized. The most prominent issue to emerge, when respondents were allowed to comment, concerns the notion that (regarding several issues, but most notably training) one size does NOT fit all. That concern becomes even more amplified when applied to the concerns of CORs on expert witness service contracts: the training, as well as scope of duties and other expectations placed on them, could benefit from more specific consideration on the part of agency management.

Conclusion

As a compilation and summarization of COR responses to our survey, this report does not contain recommendations for FTC management. Nonetheless, we are available to discuss these results and observations with Office of Executive Director and agency leadership at your request.

We thank Office of Executive Director leadership for their assistance in the development of this survey, as well as all respondents for their observations.

FTC COR Survey

As a follow-up to our December 2021 audit report (see https://www.ftc.gov/system/files/documents/reports/audit-ftcs-cor-program-oig-report-no-22-03/ftc_oig_report_on_cor_program_final_2021-12-02.pdf), the Office of Inspector General is seeking to acquire additional insights on the specific experiences of the FTC's contracting officer's representatives (CORs) through a short survey. The survey is designed to be completed in 5 minutes or less.

1. I am currently performing COR duties.

- Yes
- No

2. I have ____ year(s) of COR experience.

- less than 1
- 1–2
- 2–5
- 5–10
- more than 10

3. I have COR responsibilities over ____ contracts.

- 0
- 1
- 2
- 3
- 4 or more

4. I have COR responsibilities over contracts with a current annual value of approximately ____.

- Under \$50K
- \$50–100K
- \$100–250K
- More than \$250K

5. In the past year, I spent approximately ____ of my time on COR duties.

- Less than 10%
- 10–25%
- 25–50%
- More than 50%

6. How is my performance of COR responsibilities and duties assessed?

- COR responsibilities and duties are included in my annual performance plan as one or more critical elements.
- COR responsibilities and duties are included in my annual performance plan as a subpart of one or more critical elements.
- COR responsibilities and duties are not written into my annual performance plan. However, I understand that my supervisor factors in the time and effort I spend as a COR when assessing my overall performance.
- COR responsibilities and duties are not written into my annual performance plan—and the time and effort I spend as a COR do not factor into my overall performance evaluation.

7. Please provide a response for the following statements based on your personal experience.

	Agree	Somewhat Agree	Neither Agree nor Disagree	Somewhat Disagree	Disagree
I understand what is expected of me as a COR.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
COR training is readily available.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
My COR workload is reasonable.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I find that all or most answers to my COR questions can be resolved with information provided on the Financial Management Office's Acquisition Division resource website.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The process for acquiring contractor clearances is effective.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I am satisfied with the process for acquiring the necessary equipment for contractors,	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The process for offboarding contractors is effective,	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
My performance of COR duties is properly recognized,	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

8. Please share any additional information that you think will be helpful.