



# NEWS RELEASE

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## Contracting Officer Representatives receive refresher training in Afghanistan

KANDAHAR, Afghanistan -- Administering U.S. government construction contracts is challenging. To ensure that U.S. Army Corps of Engineers' administrative contracting officers, contracting officer representatives and construction representatives understand the nuances of administering contracts in Afghanistan, the Afghanistan Engineer District-South office of counsel and contracting office are visiting construction offices throughout the district to reinforce the basics and discuss key contractual elements.

"In contingency environments like Afghanistan, U.S. contract laws sometimes do not address the unique situations our contracting representatives encounter," said Dawn-Carole Harris, district counsel who deployed from USACE's Fort Worth District. "My job is to make sure that the contracts we enter into on behalf of the U.S. government comply with U.S. laws, protect the government's interests and are administered correctly."

Providing refresher training to employees directly involved with the contractors helps the district appropriately administer construction contracts.

On Nov. 3, Harris and Edward Boddie, the district contracting construction branch chief, provided refresher training at the Tarin Kowt Resident Office in Uruzgan province and have upcoming training sessions scheduled at other district area and resident offices.

"Many of the project, resident, and area engineers deploy to Afghanistan and oversee projects that are very different from those they work on in their home districts," said Boddie, who deployed from the USACE Philadelphia District.

For instance, there are several different funding sources for construction projects, each with their own set of requirements and regulations, and one is unique to Afghanistan, said Boddie.

USACE builds projects with Commanders Emergency Response Funds, Afghanistan Infrastructure Funds, Military Construction Appropriations Act funds and Department of Defense Appropriations Act funds. "It gets tricky because the rules governing each type of funding are different and we must make sure to apply the correct set of regulations to each contract," Boddie explained.



*The U.S. Army Corps of Engineers is overseeing about 260 construction, operations and maintenance and service contracts in the south and west of Afghanistan. Construction contracts for project sites like this require close oversight and management (U.S. Army Corps of Engineers photo by Karla Marshall)*

At the end of the day, the basics of construction contract administration that apply in the U.S. are equally applicable here. The district's legal and contracting offices reinforce best practices in contract administration, give district employees the tools and knowledge necessary to get the work done and help them identify and resolve contracting issues.

"Contingency environments play havoc with the duration and cost, and present situations that most of our people will never encounter in the U.S." Harris continued. "The unknowns interfere with performance on almost every project." For instance, contractors bear a lot of the risk in construction contracts. In the U.S. builders, contractors and subcontractors have access to builder's risk insurance and other safeguards to protect their interests during construction.

"That's not the case here," Harris continued. "Afghanistan does not have the kind of insurance programs that insulate small Afghan construction companies from risks beyond their control."

If storms destroy materials or on-going construction, USACE contracts permit extra time, but no additional money to repair or replace the damaged work. So, the contractor is liable for the costs of the delay and must also repurchase materials at their own expense.

"Sometimes those expenses are enough to severely impact a contractor's ability to perform," said Harris. Because risks impact project completions, it is important to be diligent in oversight and administration of the work and in encouraging the contractors to maintain good construction practices.

Since USACE works with many foreign contractors who, in turn, hire foreign subcontractors, district contracting officers and contracting officer representatives must be alert and diligent to monitor work progress, site safety and ensure accurate submittals for work completed.

"We can't assume that our contractors or their subs understand USACE contracts or their obligations," said Harris. "Our CORs do much more than just oversee work. They mentor contractors and help them learn to apply international standards and business processes to their work."

When contractors fall behind on their schedule or perform poorly, it is up to engineers who oversee their work and the CORs to utilize the contract tools available to get projects back on track.

"The CORs are the eyes and ears of the district's contracting officers," said Boddie. "They are in direct contact with the contractors and they provide me and the other contracting officers with the information we need to enforce the contracts."

That's no small task for a USACE district with more than \$1.65 billion worth of construction occurring across the south and west of Afghanistan.

"We have about 260 construction, operations and maintenance and service contracts on-going with another 36 to award by the end of December," said Gale Ross, the district's chief of contracting. "Every one of our CORs benefits from this refresher training and every project benefits from the professionalism and knowledge of our CORs."

*USACE's Afghanistan Engineer District-South provides design and construction services throughout southern Afghanistan to support the International Security Assistance Force and U.S. Forces-Afghanistan. The work is carried out in Regional Commands South, Southwest and West with the goal of creating the environment for Afghanistan's government to transition to full responsibility for the safety and security of Afghanistan.*

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