



## PROCUREMENT AND CONTRACT SPECIALIST 3

0438

### GENERAL DESCRIPTION OF CLASS

The PROCUREMENT AND CONTRACT SPECIALIST 3 develops, negotiates, enters into and administers complex or high-risk contracts, agreements and leases. Being highly visible, politically sensitive or having multiple funding sources that add to the complexity of the contract typically characterizes these as high-risk contracts. For some contracts or agreements, employees work in cooperation with or on behalf of local governmental agencies. Contract requirements typically contain a number of different elements such as program, project or technical services. Procurements require new or modified contract terms and conditions, funding arrangements or policy interpretation throughout the pre-award and post-award phases.

The Procurement and Contract Specialist 3 decides the appropriate contracting method and evaluates the risks associated with the contract, writes specialized requirements, negotiates contract or leasing language, does cost or price analysis and approves or rejects changes. They may also write guidelines, policies and procedures and train staff or act as project coordinator or facilitator for significant procurements and agreements. Some employees do program review of a wide-range of agency contract or procurement functions. Alternatively, employees develop complex contracts or agreements for architectural and engineering services related to planning, design, engineering or oversight of public improvement projects. Some positions develop statutorily defined emergency contracts. Other positions specialize in leasing facilities and land for state agencies.

### DISTINGUISHING FEATURES

This is the fourth level of a four level classification series. It is also the advanced professional level. At this level work requires in-depth analysis such as the use of economic forecasting techniques, or analysis of subcontracts in addition to the prime contractor proposal. Decisions involve responsiveness to continuing changes in programs or technological developments. Employees assess and address program and technical needs, the interests of the contractors or parties to the agreement, or regulatory requirements to make decisions in the best interest of the agency. Agreements typically involve multiple government agencies or organizations and multiple funding sources.

Several features distinguish this class from the lower levels: a) independently negotiating and administering legally binding contracts or agreements without procedures and precedents; b) developing contracts or agreements that contain a variety of different and complex elements; and c) the responsibility for agreements or contracts that require a wide breadth of planning, coordination and problem identification due to conflicts inherent in the contract and agreement process.

### DUTIES AND RESPONSIBILITIES

The duties listed below are not inclusive, but characteristic of the type and level of work associated with this class. Individual positions may do all or some combination of the duties as well as other related duties:

#### 1. Contract and Agreement Planning and Development

Advise managers and staff on procedures for developing contracts or parts of contracts. Collaborate with technical resource staff to develop specifications. Establish criteria for requests for proposals. Solicit and evaluate build to suit proposals. Analyze consultative or program service needs and

develop solicitation documents and contract specifications. Research and analyze products and market trends. Translate program requirements into contract terms. Evaluate contracts for potential performance risk. Develop strategies to minimize potential risk. Analyze reasonableness of sole source requests. Develop sole source fixed-price contracts or cost and performance incentive provisions. Measure contract bidders against selection criteria. Manage contractor selection process. Decide validity of protests, terminations and breach actions. Develop generic and template agreements for use by other staff. Identify when legal review is needed. Develop master agreements and formats for staff use.

## **2. Contract and Agreement Negotiation**

Devise negotiating strategies with goals and alternatives. Negotiate contract or agreement terms to minimize performance risk. Negotiate price agreements for services. Negotiate contract or agreement renewals, amendments, and plan changes. Develop new financial arrangements and accelerated delivery schedules to support program needs. Consult with Attorney General's office to facilitate their clarification of legal issues and the approval of contract language. Provide liaison between private attorneys and Attorney General's office. Negotiate agreement terms and solve conflicts between local government representatives and agency staff.

## **3. Contract and Agreement Administration**

Advise management on contract administration. Evaluate contractor performance or quality of services. Approve contractor or vendor invoices for payment. Write contract or agreement amendments or extensions. Evaluate appropriateness of contract or agreement remedies in light of a specific situation. Compile contract status reports. Develop contract tracking or reporting procedures. Evaluate contractor performance or quality of services. Research alleged contract violations and assist with their resolution. Act as liaison between contractor and staff. Audit and substantiate contractor's cost data. Identify cost items for proper charging to the contract. Settle claims of a variety of primary contractors. Settle contracts involving work over several years. Ensure contract records are maintained in accordance with retention schedules.

## **4. Technical Assistance**

Explain department purchasing, contract, or agreement policies to agency program staff. Explain and advise staff on state contracting laws, rules, regulations, operating policies, procedures, and ethics. Explain contract process or terms to contractors. Prepare and deliver training to agency staff on procedures, requirements and related issues. Analyze data to formulate policy criteria or develop new acquisition techniques. Participate in statewide committees to establish and improve specifications, standards, procedures and policies. Develop and implement agency policies and procedures for the effective administration of agency contracting or agreement activities. Audit contracts to identify process strengths and weaknesses and areas of noncompliance with regulations and policies. Review agency procurement, contract, or agreement practices for compliance with rules, statutes, policies and practices. Collaborate with management and customers to decide corrective action. Some positions provide advice to agency management on market rate and site evaluations.

## **5. Leasing Agreements**

Meet with agencies to decide space requirements. Analyze owned and available space. Analyze comparative costs of alternatives. Develop strategies and action plans for obtaining needed space through purchase, lease or construction. Develop lease terms to achieve strategic capital construction plan. Search real estate market for available sites. Develop site selection process. Manage remodeling projects of leased spaces. Collaborate with architects and contractors to verify design meets agency needs. Monitor the installation of major building systems and completion of construction projects included in lease. Draft lease contract documents and negotiate specific

provisions on terms such as building quality, compliance with building codes and land use regulations, extension options, insurance provisions, property taxes, utility costs and maintenance.

Negotiate new leases for office space, extensions, or renewals of existing space. Process documents for purchase of land and buildings for state agencies. Review appraisals for accuracy and completeness, recommend negotiation strategy and purchase amounts. Prepare and recommend executing documents such as deeds, releases and closing transactions. Coordinate space needs and geographical location requests with local government officials; negotiate and resolve zoning, land use or tax assessment issues.

**RELATIONSHIPS WITH OTHERS**

The Procurement and Contract Specialist 3 has daily in-person, telephone, or written contact with agency staff to provide advice and guidance on contracting or agreement issues. Employees regularly communicate with unhappy or angry individuals or groups regarding agency decisions. They have occasional contact with agency staff to provide training. They have frequent telephone or written contact with contractors or representative from governmental agencies to explain contract or agreement processes or terms. They have frequent telephone or written contact with the Attorney General's office to seek advice or for law interpretation. Some employees have occasional contact with DAS contracts staff to obtain interpretation or clarification of rules.

**SUPERVISION RECEIVED**

The Procurement and Contract Specialist 3 works under general supervision of a supervisor or manager and consults with a supervisor as necessary to clarify expected results, report progress toward completing assignments, confirm interpretation of regulations and policies or seek guidance in complicated or unclearly defined areas. Work is reviewed through evaluation of work products and periodic progress reports. Employees follow broad agency and program related statutes, regulations and other guidelines and interpretations.

**KNOWLEDGE AND SKILLS (KS)****All Positions Require****Extensive knowledge of:**

Personal and professional service contracting or public sector agreement methods, rules and procedures.
Principles, theories and processes of governmental contracting including contract administration.
Principles and processes in business and organizational planning, coordination and execution such as resource allocation and production methods.
Contract performance standards.
Contracting rules and principles typical to a public jurisdiction.

**General knowledge of:**

Economic and accounting practices and the analysis and reporting of financial data.
Techniques used to negotiate or gain agreement with others.
Communications and dissemination techniques including alternative ways to inform others via written, oral and visual media.
Methods and principles of numbers, their operations and interrelationships including arithmetic, algebra, statistics and business mathematics typical to a large organization.
Structure and content of the English language including the meaning and spelling of words, rules of composition and grammar.
Methods of computer operation including software applications used to process, store and tabulate information or data.

**Skill to:**

Use logic and analysis to identify the strengths and weaknesses of different available options.
Weigh the relative risks, costs and benefits of a potential action.
Manage and prioritize one's time to efficiently complete tasks and manage multiple projects simultaneously.
Enter, record, store and maintain information in written and electronic formats.
Produce electronic reports of tabulated data.
Develop constructive and cooperative working relationships with others.
Communicate information and ideas in writing so others can understand.
Accurately add, subtract, multiply, divide, compute percentages and analyze statistical data.
Tell when something is wrong or is likely to go wrong.
Effectively organize, lead and participate in meetings.
Evaluate and review contracts for compliance to specifications and requirements.
Analyze and translate program needs into contract or agreement terms.
Write contracting documents and specifications and develop agreement or contractual terms and conditions.
Analyze, interpret, and apply contracting laws, rules, regulations and policies.
Identify, analyze, and develop primary and alternate sources of goods or services.
Synthesize information to formulate agreements or procurement contracts.
Communicate orally and in writing with a variety of people to elicit and provide information, answer questions, gain agreement, persuade others to action, explain regulations, program operations and requirements.
Develop concise and easy to follow rules or policies.

**Some Positions Require****Extensive knowledge of:**

Real estate law and regulations.
Methods and processes of goods and trade services, cost and price analysis, and vendor relations.
Methods of general buying operations, marketing strategies and sales control systems.

**General knowledge of:**

Land use law and regulations.
Real estate documents.
Methods of moving goods by air, rail, or road including their relative cost, advantages and limitations.

NOTE: The KNOWLEDGE and SKILLS are required for initial consideration. Some duties performed by positions in this class may require different KS's. No attempt is made to describe every KS required for all positions in this class. Additional KS requirements will be explained on the recruiting announcement.

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Revised

STATE OF OREGON  
Dept. of Administrative Services  
Human Resource Services Division