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**The Yoder Three-tier Model for Optimal Planning and
Execution of Contingency Contracting**

5 December 2004

by

**Elliott Cory Yoder, Lecturer,
Graduate School of Business & Public Policy**

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Readers are encouraged to provide both written and oral feedback to working-paper authors. Through rigorous discussion and discourse, it is anticipated that underlying assumptions, concepts, conventional wisdom, theories and principles will be challenged, examined and articulated.



Abstract

Contingency efforts in Iraq, Afghanistan, and several other countries in the last few years have been subjected to close scrutiny and critique. Contingency Contracting operations are increasingly the major source of support and provisioning in forward theaters, especially in light of reductions in organic (non-contracted) support capabilities. Recently, theater combatant commanders have come to rely on contingency contracting officers to support coalition forces, and concurrently, to achieve a transformation of the economic landscape essential for achieving theater objectives. But, critics of recent operations cite deficiencies in DoD's ability to effectively and efficiently conduct a coordinated contracting support effort that integrates the combatant commander's theater objectives with the myriad stakeholders deemed essential for success. Can we, the military, achieve better results? The author contends that with proper understanding of integrated planning and execution, contingency contracting operations can, and will, provide significant leverage for achieving the combatant commander's objectives.

The author formally presented, on August 7th, 2003, a Yoder three-tier model for contingency contracting operations to the faculty of the Naval Postgraduate School.¹ Subsequent to the NPS faculty presentation, the author published a synoptic "interest" article in the *Army AL&T Magazine's* January-February 2004 edition, entitled, "Contingency Contracting Operations—Achieving Better Results."²

Because of continued interest in the Yoder three-tier model expressed by academics, force planners, and contracting offices from several agencies, the author believes a more comprehensive write-up of the Yoder three-tier model is appropriate. The NPS working paper series provides the in-depth coverage, broad dissemination and recognized avenue for open dialogue of the model and its potential efficacy.

¹ E. Cory Yoder, "Contingency Contracting—Achieving Better Results." NPS slide show, 2003.

² E. Cory Yoder, "Contingency Contracting Operations—Achieving Better Results," *Army AL&T Magazine* PB 70-04-01, (January-February 2004): 95-97.



As such, this working paper proposes the Yoder three-tier contingency contracting officer model structure for Army, Navy, Marine Corps, and Air Force support of theater contingency contracting operations. The creation of this Yoder three-tier model and its employment will allow for better planning and coordination; likewise, it will allow for better tactical, operational, and theater objective support.



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The author thanks Dr. Keith Snider, Associate Professor, Naval Postgraduate School, for his encouragement and professional mentorship. Dr. Keith Snider has been instrumental in my development as a lecturer, and in challenging me to develop critical thinking in areas of interest to the broader community. His mentoring has inspired me to create this working paper version of the Yoder Three-tier model which I originally presented to the NPS faculty in August 2003.

I also wish to thank my wife Nicoline and daughter Olivia for putting-up with my “enthusiastic” dinner-table banter about creating a model for contingency contracting planning and execution. It’s nice to come home to a rock-solid and supportive family. I am blessed.

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About the Author

Commander (Ret) Cory Yoder is a faculty member of the Naval Postgraduate School's Graduate School of Business and Public Policy (GSBPP). Assigned to NPS in July 2000, he accepted an appointment as Academic Associate (Program Manager) for the 815 (MBA) and 835 (MSCM) programs in December 2002. Commander Yoder has accepted a civilian position at NPS/GSBPP as Lecturer and Academic Associate (Program Manager). Cory has strong acquisition and contracting experience, combined with several challenging acquisition, logistics, industrial, headquarter, and combat support operations assignments.

Commander (Ret) Yoder entered the United States Naval Service in 1984. Since his commission, he has performed in numerous assignments, including, but not limited to:

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- Post Commander and Support Group Commander, Kosovo Verification Coordination Center (KVCC), Kumanovo (Skopje), Macedonia
- Officer-in-Charge, Fleet and Industrial Supply Detachment, Long Beach, California
- Stock Control Officer, USS TARAWA (LHA-1)
- Aviation and Surface Stores Officer, USS TARAWA (LHA-1)
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- M.S. in Management, Naval Postgraduate School, Monterey, CA, 1993
- B.S. in Business Management, Indiana University "Kelly" School of Business, 1983



CDR (Ret) Yoder is professionally certified and/or a member of:

- DAWIA Contract Level III certified
- Institute for Supply Management (ISM), Direct National Member
- Beta Gamma Sigma international honor society for graduate degree holders

CDR (Ret) Yoder has published several articles in acquisition and contracting, including, but not limited to:

- “Contingency Contracting Operations—Achieving Better Results,” *Army AL&T Magazine* PB 70-04-01, (January-February 2004): 95-97.
- “The Naval Postgraduate School’s Defense-Focused Master’s Programs in Acquisition and Contracting,” *Navy Supply Corps Newsletter* 67, no. 2 (March-April 2004): 8-10.
- “Lessons for Contingency Contracting, Humanitarian Operations in Uzbekistan,” *Army AL&T Magazine* PB 70-02-5, (September-October 2002): 38-41.
- “Creating Something from Nothing,” *Navy Supply Corps Newsletter*, (July-August 1999).
- “Engagement versus Disengagement: How Structural & Commercially-Based Regulatory Changes have Increased Government Risks in Federal Acquisitions,” *Acquisition Research Working Paper Series*. Monterey: Naval Postgraduate School, November 2004.



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Introduction

I. Backdrop and Purpose:

Contingency efforts in Iraq, Afghanistan, and several other countries in the last few years have been subjected to close scrutiny and critique. Contingency Contracting operations are increasingly the major source of support and provisioning in forward theaters, especially in light of reductions in organic (non-contracted) support capabilities. Recently, theater combatant commanders have come to rely on contingency contracting officers to support coalition forces, and concurrently, to achieve a transformation of the economic landscape essential for achieving theater objectives. But, critics of recent operations cite deficiencies in DoD's ability to effectively and efficiently conduct a coordinated contracting support effort that integrates the combatant commander's theater objectives with the myriad stakeholders deemed essential for success. Can we, the military, achieve better results? The author contends that with proper understanding of integrated planning and execution, contingency contracting operations can, and will, provide significant leverage for achieving the combatant commander's objectives.

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As such, this working paper proposes the Yoder three-tier contingency contracting officer model structure for Army, Navy, Marine Corps, and Air Force support of theater contingency contracting operations. The creation of this Yoder three-tier model and its employment will allow for better planning and coordination; likewise, it will allow for better tactical, operational, and theater objective support.

II. Areas of Focus:

This working paper is divided into two major sections. The first section provides an overview of the unique contingency contracting requirement. It covers several topics vital to understanding why the Yoder three-tier model is appropriate. The second section then defines and presents the Yoder three-tier model. This portion provides in-depth coverage of the three contingency-contracting models proposed by the author.

As the successful creation and utilization of this conceptual model entails contracting, acquisition, personnel planners, and logisticians, the broadest dissemination and integration of this Yoder three-tier model is proposed.

III. Major topical areas addressed include:

Section One: The unique contingency contracting requirement:

- I. "Contract" definition
- II. Functions of a contract
- III. "Contingency contract" definition
- IV-VII. Real-world examples



Section Two: The Contingency Contracting Officer Yoder three-tier Model:

- I. Calls for better planning and coordination
- II. The Yoder three-tier model for contingency contacting:
 - A. Ordering Officer model
 - B. Leveraging Contracting Officer model
 - C. Integrated Planner and Executor model
- III. Moving from theory to practice—the “who cares” test
- IV. Recommendations and conclusion



Section One: The Unique Contingency Contracting Requirement

I. Definition of Contract:

A contract is nothing more, or less, than a mutually binding legal relationship. To be binding, a contract must have six elements:

- Offer,
- Acceptance,
- Consideration,
- Execution by Competent Parties,
- Legality of Purpose, and
- Clear Terms and Conditions.⁵

In the United States, these six elements are derived from the Uniform Commercial Code (UCC), State and Federal Law. For DoD Agencies, the concepts are manifest through the Federal Acquisition Regulation (FAR) and implementing regulations and guidance, such as the Defense Federal Acquisition Regulation (DFAR).

While operating within the United States, and, to a large degree, with other international systems, contracting officers will find the six elements are nearly universally recognized. However, the contingency contracting officer may also find that these universal parameters are subject to varied interpretation; therefore, they may be valued as tenets in a significantly different manner than what may be considered customary by domestic and developed international standards.

⁵ John Cibinic, Jr. and Ralph C. Nash, Jr., *Formation of Government Contracts*, 3rd ed. (Washington, D.C.: The George Washington University Press, 1998), 203-260.



II. Contract Functions:

Contracts perform a variety of functions. These functions include, but may not be limited to, five areas:

- Evidentiary—a record of the binding agreement,
- Administrative—delineating terms and conditions, payment processes, management, etc.,
- Risk allocation—contract type, monetary and non-monetary incentives, unique conditions,
- Payment—payment criteria and administration, and
- Motivation—positive and negative.⁶

The importance of these functions, especially in the context of the contingency contracting environment, cannot be over-emphasized.

III. “Contingency Operations” defined (statutorily and operationally):

A contingency is an event which requires the deployment of military forces in response to natural disasters, terrorist or subversive activities, collapse of law and order, political instability, or other military operations. Contingencies, by nature, require plans for rapid response and procedures to ensure the safety and readiness of personnel, installations, and equipment.

There are three types of “disasters” to which the international community (including the military) may be called to respond: natural disasters, technological disasters, and complex humanitarian emergencies. According to the United Nations Department of Humanitarian Affairs, complex humanitarian emergencies are defined as, “a humanitarian crisis in a country or region where there is total or considerable

⁶ Ibid. 203-260



breakdown of authority resulting from internal and/or external conflict which requires an additional response that goes beyond the mandate or capacity of any single agency.”⁷

Contingencies may exist across the full spectrum of war and during military operations other than war (MOOTW). These could include, but are not limited to: major theater wars, small scale contingencies, domestic and international disaster relief, peace-keeping operations, nation building, stability operations, and other humanitarian operations.

IV. Declared Contingencies—Effects of Declaration:

Contingencies may be officially “declared” in accordance with statute.⁸ In accordance with Title 10USC(a)(13), a declared contingency may be:

- designated by the Secretary of Defense when members of the armed forces may become involved in military actions against an enemy of the United States, and/or
- designated by the President or Congress when members of the uniformed services are called on active duty under Title 10 USC, or any provision of law during a declared war or national emergency.

A “non-declared” contingency includes all operations of the Department of Defense other than those described under the aforementioned Title 10. Normally, in the international arena, the State Department declares emergencies which may or may not require official declaration.

The distinction between officially-declared and non-declared contingencies is significant in its impact on contingency-contracting operations. Under officially-declared contingencies, many provisions of the Federal Acquisition Regulations (FAR) and most service regulations and policies are relaxed, streamlined, or even eliminated, making the contracting processes of supporting operations in contingent environments potentially more efficient and effective.

⁷ United Nations Dept of Humanitarian Affairs, extracted from the United Nations web-site July 2003.

⁸ 10 USC (a) (13).



Examples of this streamlining include, but are not limited to:

- Invoking the Defense Production Act/Defense Prioritization and Allocation System (DPPS) which requires U.S.-contracted suppliers to place Government contracts at a priority over all others,
- Possible waiver of the unique provisions of the Competition in Contracting Act (CICA),
- Allowance for “extra-ordinary” contract actions under FAR Part 50 (adjustments, etc.), and special expediting actions to include the following:
 - Exclusion of synopsis (advertisement) if outside the United States,
 - Utilization of Simplified Acquisition Procedures (SAP) up to \$5 million,
 - Elimination of U.S. socio-economic laws and regulations (outside the U.S.),
 - Award of contracts prior to the resolution of protest actions, and
 - Waiver of over 100 statutes relating to Federal contracting.

Whether declared or non-declared, contingencies may exist across the full spectrum of war and during military operations other than war (MOOTW). The varying degrees of contingencies may include, but are not limited to: major theater wars (Iraqi Freedom for example), small-scale contingencies, domestic and international disaster or emergency relief, peace-keeping operations, nation building, stability operations, extraction and/or evacuation operations, and other humanitarian operations.⁹

V. The Nature of Contingent Contracting Environments:

Contingent contracting environments may be classified as either mature or immature. Mature environments have sophisticated infrastructure capable of supporting and sustaining operations. Generally, mature environments have host-nation support agreements, legal frameworks, financial systems able to support complex transactions, robust transportation networks, business capacity and capability, and willing participants. Immature environments, in contrast, have little to no supporting

⁹ Joint Publication 01-02.



infrastructure. Immature environments may require grooming to bring the infrastructure to desired operational standards, or workarounds (such as bringing a capability into theater) to leverage capabilities.

Most contingencies where military force is required, the “complex humanitarian emergencies” as defined by the United Nations, are in immature environments. In such cases, usually a breakdown of leadership and social order negatively impacts host-nation capabilities, financial systems, transportation systems, business capacity and capability, and willingness of potential participants.¹⁰ By nature, these immature environments, whether immature by nature or by other means, present unique business dynamics and challenges to effective and efficient conduct of business. For instance, underground networks for food, shelter, safety and security, and a loss of traditional motivators to which many domestic businesses are accustomed may create a potentially-difficult situation. Lack of planning can exacerbate problems and degrade mission effectiveness.

VI. Multi-faceted Operations in Contingent Environments:

Within the contingent environment, several key functions may be accomplished. Among prominent functions are diplomatic negotiations, humanitarian relief, refugee support, economic restoration, security and de-weaponization, democratization, and provision of essential services for food, shelter, safety, security and medical needs, as indicated in Figure 1, below.

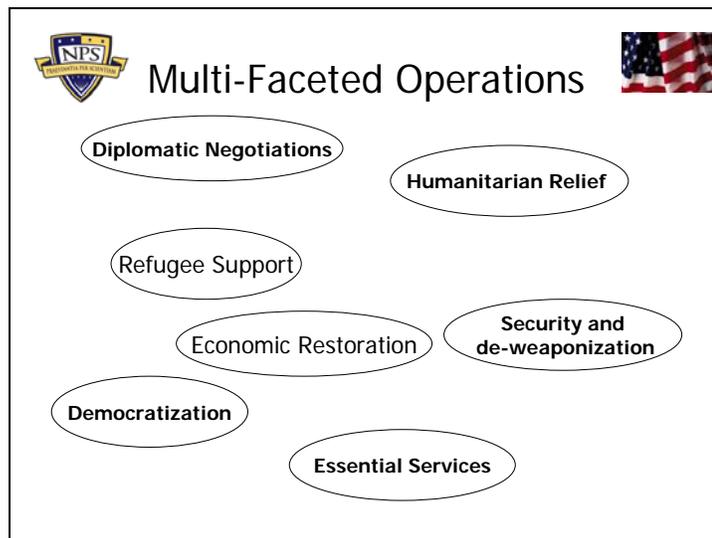
What organizations actually perform these missions? Not just the military! Non-Governmental Organizations (NGOs) and Private Volunteer Organizations (PVOs) are vital sources of relief in immature environments as well. The difference between NGOs and PVOs is as follows: NGOs are defined by the International Red Cross as non-governmental, national and international, and constituted apart from the government in which they are formed. Private Volunteer Organizations are defined by the United

¹⁰ United Nations Department of Humanitarian Affairs, extracted from the United Nations web-site July 2003.



States Agency for International Development (USAID) as tax-exempt, non-profit organizations working towards international development, and which receive some portion of annual funding from the private sector.

Figure 1. Multi-Faceted Operations



E. Cory Yoder, "Contingency Contracting—Achieving Better Results." NPS slide show, 2003.

Generally speaking, most nations prefer the Red Cross definition and, therefore, the NGO designator for defining both NGOs and PVOs.

Several, if not hundreds, of organizations (NGOs and PVOs) may be at work within a contingent environment. The United Nations alone may send the UN Department of Human Affairs (UNDHA), the UN High Commission for Refugees (UNHCR), the UN International Children’s Emergency Fund (UNICEF), the UN Development Program and UN Department of Peacekeeping Operations. Other international organizations that may be involved include the World Food Program (WFP), the World Health Organization (WHO), and humanitarian organizations such as Doctors without Borders.



VII. Contingency Contracting Phases (with characteristics):

Development of the Yoder three-tier contingency contracting model requires an understanding of the functions and skill sets to perform successfully.

There may or may not be a formal Operations Plan or Plans (OPLANs) for a given contingency; if not, one should be drafted to include relevant support plans, concept of operations, liaison requirements, and security plans. Surprisingly, the overarching OPLAN for Operation Iraqi Freedom did NOT include contracting plans in sufficient detail to provide any meaningful concept of operations or direction to contingency contracting support personnel.¹¹

Four phases of major operations are adapted from joint publication doctrine for analytical purposes. Understanding the nature of contracted support during the four phases is imperative for defining the functional requirements of any manning model designed to support those functions.

A. **Phase I: Mobilization and Initial Deployment:**

- initial 30-45 days of operations
- main emphasis on basic life support and security items, including the creation or establishment of:
 - food and water
 - shelter
 - utilities
 - transportation
 - fuel
 - sanitation
 - interpreters and guides, and
 - security

¹¹ Mike Anderson and Greg Flaherty, *Analysis of the Contingency Contracting Support Plan within the Joint Planning Process Framework*. (Monterey: NPS, 2003).



- Liaison with host nation, USAID, local politicians, etc.

B. Phase II: Build-Up and Stabilization:

- commences after Phase I, normally day 45+
- continued priority for basic life support and security items, with additional priority for:
 - construction and infrastructure
 - habitability
 - “quality of life” items (sports, canteens, etc.)
 - establishment of a solid and reliable vendor base
 - contracting control and administration
 - normally, shift from a “push” to a “pull” support strategy
 - greater numbers of mission personnel supported by the contingency contractor

C. Phase III: Sustainment (Post-buildup until Termination):

Phase III may be considered the long-haul event. The duration may range from weeks to months or years, and may become stabilized to the point of resembling a state-side base operation. Contingency contracting operations are robust and standardized, and include the following:

- continued priority for basic life support and security items
- all aspects of Phases I and II, with the addition of:
 - establishing Indefinite Delivery type contracts, Blanket Purchase Agreements (BPAs), etc.
 - improving and refining internal controls
 - increasing competition in vendor base
 - utilizing “pull” contracts for services not available in that particular theater
 - planning and contracting for termination of operations
 - creating “dormant” contracts for contingent or “extra-ordinary” events



D. Phase IV: Termination and Redeployment:

Phase IV continues all of Phases I, II and III, but shifts emphasis to those functions required to terminate operations in an orderly and expeditious manner. This is a particularly challenging phase of operations. There must be a clearly defined “end-state” in order for planners and executors to know how best to organize and execute functions. Phase IV functions include the continued emphasis and requirement for:

- continued priority for life support and security items
- phasing-out earlier priorities with a shift towards:
 - packing and freight services
 - transportation
 - contract termination
 - contract closeout
 - securing audit and accountability prior to exit
 - complementing the overall exit strategy

Identifying a clear and orderly end-state and hand-off to other players, whether those players are the host nation or other agencies including NGOs and PVOs, may be characterized by a return of security, a stabilized economy, and NGOs and PVOs at liberty to exercise their operations and functions. Certainly, less orderly hand-offs have occurred in recent years, including the Somalia situation (Black Hawk Down scenario) where an ambiguous end-state was the result of unclear mission requirements and little effective military coordination with NGO and PVO players.



Section Two: The Yoder Contingency Contracting Yoder Three-tier Model

I. Calls for better planning and coordination:

Several notable calls for better planning, coordination and integration of contracting operations with broader theater-support elements—with intent to more efficiently and effectively accomplish theater objectives—have been postulated. A few of the more prominent calls for better planning and integration include, but are certainly not limited to: first, the Presidential Decision Directive (PDD) 56 entitled, “Managing Complex Contingency Operations”; Rand Report on Civil and Military Cooperation; and several Naval Postgraduate School thesis projects including two supervised and advised by this author.^{12,13}

PDD 56 was issued by President Clinton in 1997. This directive determines the integration of planning and execution among Federal Agencies called to perform in contingencies. The problem with PDD 56 is two-fold. First, PDD 56 is not embraced by the current administration. Second, PDD 56 does not apply to combat operations (where the use of military force is required, including peace-keeping and stabilization).

The Rand Report entitled *Civilians and Soldiers—Achieving Better Coordination* proposed greater integration, and identified stakeholders in contingent operations.¹⁴

¹² John Coombs, *Lessons for Contingency Contracting—Humanitarian Organizations in Uzbekistan* (Monterey: NPS, 2004).

¹³ Mike Anderson and Greg Flaherty, *Analysis of the Contingency Contracting Support Plan within the Joint Planning Process Framework* (Monterey: NPS, 2003).

¹⁴ Bruce R Pirnie, *Civilians and Soldiers—Achieving Better Coordination* (Rand Corporation, 1998).



II. The Yoder Three-tier Model for Contingency Contracting Operations:

The author proposes three models of employment for contingency contracting officers. Each tier performs unique functions, requires specific education, developed skill sets, and unique personnel and manpower characteristics. Each tier is co-dependent, or integrated in hierarchal manner, on the other tiers. The Yoder three-tier model maximizes effectiveness and efficiency of theater contingency contracting operations, and directly links operations to Combatant Commander (COCOM) broad objectives through integrative planning and execution. (See Figure 2 on page 16.)

A. Ordering Officer Model. The most basic and simplistic model is the “ordering officer” model. This is the most rudimentary of contracting support, which includes functions such as placing orders against existing theater contracts. By nature, this requires little interactive engagement in the environment, and is best suited for warranted junior officers and enlisted personnel.

B. Leveraging Contracting Officer (LCO) Model. The next higher-level model is the “leveraging contracting officer” model. This level includes the basic ordering functions of the ordering officer model, but includes leveraging the capacities and capabilities of the local and regional economies in the contingent theater. As such, there may be a reduced need for organic service and material support. The practitioner in the leveraging model clearly will be engaged in interfacing with local and regional businesses, creating business processes, and potentially coordinating with higher military, Non Governmental Organizations and Private Volunteer Organizations NGO/PVO and political organizations. With this in mind, only higher-level, more qualified and capable practitioners should perform in the leverage model. A shortfall of this model is that the CCO (Contingency Contracting Officer) operation may or may not be integrated with the broader goals of national and theater objectives. In the worst case, some of the tactical execution may actually be counter to those higher-level goals.



C. The Integrated Planner and Executor (IPE) Model. The highest-level model is the “Integrated Planner and Executor” (IPE) contingency contracting officer. This model takes the leveraging contracting officer function one giant step forward. In this model, well-educated and qualified CCOs are integrated into the operational-planning phases of contingencies, often before actual troop deployment; they then make the transition to operations. The hallmark of the IPE CCO is that contingency contracting operations may be planned and subsequently executed to meet National Strategic and theater objectives. Additionally, the myriad NGOs and PVOs—which, in many if not most cases, are essential to the overall efficiency, effectiveness, and, ultimately, the success of operations—can be integrated into the planning and execution of contingency operations. While this integration requirement may seem painfully obvious, the integrated planning and execution among warfighters, contingent contracting officers, and the NGOs and PVOs is not, and does not occur on a regular and recurring basis.¹⁵

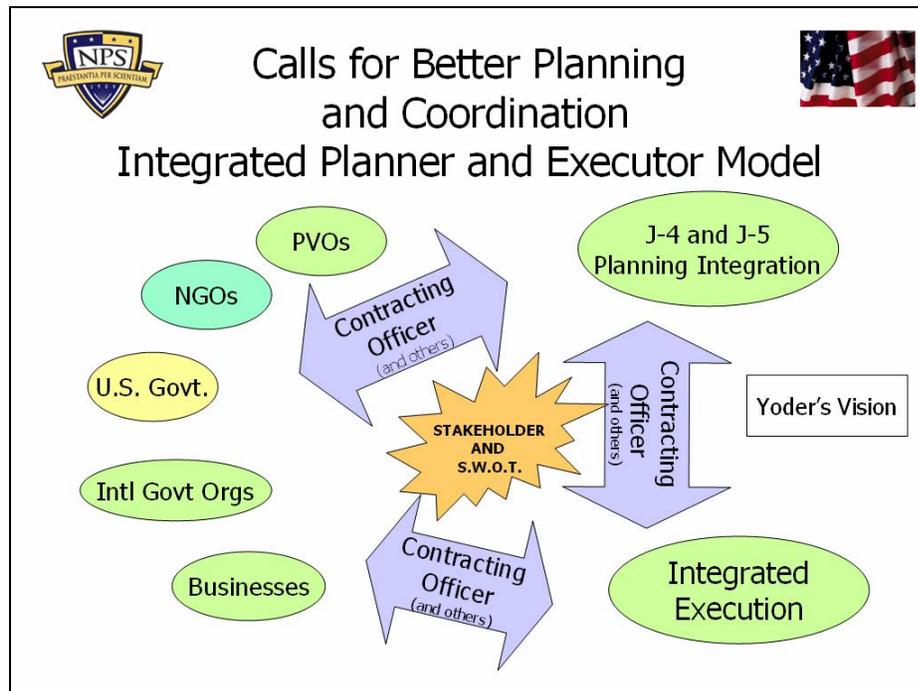
The author proposes that Integrated Planner and Executor CCO (IPE CCO) be utilized in a broader planning-and-execution environment. The Contingency Contracting Officer, with higher-level certification, education and experience, should be integrated within J-4 and J-5 Logistics and Planning/Operations and Exercise organization structure. Integration is essential to achieve desired synergies between the myriad organizations involved in and participating in contingency environments. Concurrently, operational planners can leverage integration of all theater players (military, NGOs/PVOs, and contractors) to achieve harmony between National Security Strategy (NSS), Combatant Commander (COCOM), and significant NGOs’ and PVOs’ objectives, through integrated planning, exercising, and, ultimately, execution. This integrative planning, exercising, and execution may: help in eliminating competing (and often conflicting) demands of the participants, closely marry acquisition support with stated objectives, allow for the creation of robust Contingency Contract Support Plans, and integrate such plans into broader operational plans in support of theater operations.

¹⁵ The author recommends NPS thesis by Anderson and Flaherty.



The higher-order IPE calls for the most highly-educated and seasoned planners and operational/theater-level planners. Figure 2 highlights the integrative functions among stakeholders that are a hallmark of the IPE. The Yoder Three-tier models described herein are summarized in Table 1, presented on page 17.

Figure 2. Integrated Planner and Executor Model



E. Cory Yoder, "Contingency Contracting—Achieving Better Results." NPS slide show, 2003.¹⁶

¹⁶ S.W.O.T. is Strength, Weaknesses, Opportunity, and Threat. S.W.O.T is a methodological model for analysis of strategic requirements, found in several management forums, originally presented to the author by Dr. Nancy Roberts, NPS.



Table 1. Yoder Three-tier Model for Contingency Contracting Operations

| Model Tier Level & Model Title | Functions/Education/Rank | Highlights and Drawbacks |
|--|--|--|
| Ordering Officer—Tier One | <ul style="list-style-type: none"> • basic ordering • some simplified acquisitions • training: DAU CON 234 • DAWIA Certified CON Level I or II • junior to mid-enlisted, junior officers, GS-7 to GS-9 1102 series civilians | <ul style="list-style-type: none"> • simple buys • little integration • no operational planning • no broad liaison functions |
| Leveraging Contracting Officer—Tier Two | <ul style="list-style-type: none"> • leverages to local economy • reduces “pushed” material support • training/education: • DAU CON 234, recommended higher education • DAWIA Certified CON Level II or III • senior enlisted, junior to mid-grade officers, GS-11+ 1102 series civilians | <ul style="list-style-type: none"> • better local operational planning • some integration • more capability for the operational commander • no planned theater integration • no broad liaison functions • may perform to optimize local operations at the detriment to theater ops |
| Integrated Planner and Executor (IPE)—Tier Three | <ul style="list-style-type: none"> • highest level of planning and integration—joint • linked/integrated with J-4 and J-5 • creates and executes OPLAN CCO strategy • provides direction to tier two and one • links operations strategically to theater objectives of COCOM • education: Master’s degree or higher and, JPME Phase I and II • DAWIA Certified CON Level III, and other DAWIA disciplines (LOG, ACQ, FIN, etc) • senior officers (O-6+), senior civilians, GS-13+ or SES | <ul style="list-style-type: none"> • performs operational and theater analysis, integrates results into OPLAN • link between COCOM and OPLAN to all theater contracting operations • coordinates theater objectives with best approach to contracted support • can achieve broader national security goals through effective distribution of national assets • includes planning, communication, coordination, and exercising with NGO and PVO in theater |

E. Cory Yoder, Naval Postgraduate School, 2004.



III. Moving from Theory to Practice—the “Who Cares” Test.

What organizations might benefit from integration of planning and execution of contingency contracting with broader operational and theater planning?

First, Combatant Commanders (COCOMs) would benefit. These soldiers are generally interested in getting in theater, accomplishing the mission, and getting out! The premise is that without integration, they are not effectively or efficiently utilizing all players and assets capable of providing leverage for their mission achievement. Clearly, they can benefit from integration.

Second, the Joint J-4 and J-5 staffs, which have traditionally focused on “logistics” rather than integrative contracting and logistics, can better achieve logistical support through integration of all theater assets, including contracting.

Third, personnel planners and assigners have a stake in the model. The integrative planner and executor CCO (IPE CCO) inherently demands highly-educated and experienced personnel to fully integrate effectively into the higher-level planning organizations. The IPE CCO could clearly benefit from Master’s-level education in at least one specialty, such as Contracting, and concurrently with JPME Phase I and II. This level of qualification is undoubtedly not for everyone. Creating the ICE CCO position within organizations will have a significant impact on the personnel pipeline, including the requirement for higher education, joint qualification, and significant practitioner experience in the joint environment.

Fourth, NGOs and PVOs would benefit from the ICE CCO model. These organizations could develop a better understanding and dialogue with their military counterparts—something that is currently lacking. NGOs and PVOs are sensitive and dedicated to maintaining a perception and often the reality of being wholly detached from a particular government or military. Any close association could damage their “neutrality” and adversely affect their ability to deliver services and supplies. However, they are often inescapably dependent on the military to provide the secure framework, logistics support, and contracting for the conduct of their business. Meshing, or creating harmony of operations, may be a better moniker than integration. Nonetheless, national



strategic objectives, theater, and operational objectives of both the military and the NGOs and PVOs require coordination to achieve maximum synergies and the desired efficiencies and effectiveness to meet the collective end-state.



Section Three: Recommendations and Conclusions:

The Yoder three-tier model addresses a significant shortfall in current contingency contracting operation support: integrative planning and execution. As is demonstrated in the Anderson and Flaherty project, comprehensive planning in the joint environs of the Combatant Commander's J-4 (logistics) and J-5 (planning and exercising) is currently not being accomplished to any significant degree¹⁷. Instead, what the acquisition and contracting community is providing the COCOM is a sub-optimized, ad hoc approach to providing contracted theater support.

The Yoder three-tier model calls for the cultivation and utilization of senior officers and civilians with sufficient education, joint qualification, multi-discipline Defense Acquisition Workforce Improvement Act (DAWIA) certifications and other professional qualifications to perform at the highest integrative-planning and execution levels. At the highest level, the Integrative Planner and Executor (IPE) is the essential and critical linch-pin allowing for the development of a comprehensive Contingency Contracting Support Plan (CCSP) that integrates contracting with the broader theater objectives in the Operation Plan (OPLAN).

The IPE, being integrated at the J-4 level, will plan, exercise, and call for adequate theater contingency contracting personnel provisioning (which may vary depending on the phases of the contingency operation) to effectively and efficiently meet theater objectives.

The *primary recommendation* is that the Yoder three-tier model be reviewed and implemented across all services. In order to effectively accomplish this, the author recommends that senior leadership, including at the secretariat level, take pro-active measures to implement the model. Such review and implementation considerations include the following (secondary/implementation recommendations):

¹⁷ Mike Anderson and Greg Flaherty, *Analysis of the Contingency Contracting Support Plan within the Joint Planning Process Framework* (Monterey: NPS, 2003).



- Mandate service implementation of the Yoder three-tier model,
- Fully fund educational and career-development programs which are the hallmark of the Integrated Planner and Executor (IPE) and the Leveraging Contracting Officer (LCO),¹⁸
- Ensure the services create career incentives for personnel choosing to take positions in support of the Yoder three-tier structure,
- Mandate that the J-4 structure include the IPE, top-level integrative planner and executor, and
- Mandate Joint Professional Military Education (JPME) Phases I and II for personnel at the IPE and LCO model levels.

With increasing demands placed on the contracting community to provide service and theater support, it is imperative that the structures called upon to provide this assistance are effectively designed and staffed to accomplish optimized reinforcement of theater (COCOM) objectives. It is nearly impossible to believe, in any way, that the reactive, ad hoc manner in which theater contracting support is being conducted creates such optimal support. The fact is that little to no contracting planning and tiered execution is conducted. Embracing and implementing the Yoder three-tier model will allow the best structure possible to achieve the synergies necessary to accomplish today's and tomorrow's theater objectives.

It's time to create better planning, execution, and integrated contingency contracting operations!

¹⁸ The Naval Postgraduate School has several career-enhancing master's degrees in fields specifically designed for upwardly-mobile acquisition and contracting officers and civilians.



List of References

- Anderson, Mike and Flaherty, Greg. *Analysis of the Contingency Contracting Support Plan within the Joint Planning Process Framework*. Monterey: NPS, 2003.
- Arnavas, Donald P. and William J. Ruberry. *Government Contract Guidebook*. Washington, D.C.: West Publishing, 1999.
- Cibinic, John Jr. and Ralph C. Nash, Jr.. *Formation of Government Contracts*, 3rd ed. Washington, D.C.: The George Washington University Press, 1998.
- Coombs, John. *Lessons for Contingency Contracting—Humanitarian Organizations in Uzbekistan*. Monterey: NPS, 2004.
- Joint Publication 04-02, 04- and 05-series. Available from DTIC website online.
- Pirnie, Bruce R. *Civilians and Soldiers—Achieving Better Coordination*. Washington, D.C.: Rand Corporation, 1998.
- Roberts, Dr. Nancy. NPS class instruction on “S.W.O.T. requirements.” Monterey: NPS, 1993.
- United Nations Department of Humanitarian Affairs. Extracted from the United Nations web-site, July-August 2003.
- Yoder, E. Cory, “Contingency Contracting Operations—Achieving Better Results.” Army AL&T PB 70-04-01 (January-February 2004): 95-97.
- Yoder, E. Cory, “Contingency Contracting—Achieving Better Results,” NPS slide show, 2003.
- Yoder, E. Cory, “Yoder Three-tier Model for Contingency Contracting Operations.” NPS slide show, 2003.



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