

TMA Procedures, Guidance, and Information (PGI)

TMA PGI 246 – QUALITY ASSURANCE

(May 21, 2012)

246.4 - Government Contract Quality Assurance

246.470 - Government contract quality assurance actions

246.470-2 - Government contract quality assurance actions

- (1) TRICARE Acquisition Directive (TAD) 42-02 establishes the policy for monitoring and assessing contractor performance including steps to address contractual nonconformance.
- (2) Overview - The Contracting Officer's Representative (COR) and the Contracting Officer (CO) are primarily responsible for monitoring contractor performance in accordance with the contract's Quality Assurance Surveillance Plan (QASP). If the COR and the CO conclude that issues with contractor performance are sufficient to constitute contractual nonconformance, the CO may issue a Corrective Action Request (CAR) to the contractor. In return, the contractor will submit a Corrective Action Plan (CAP).
- (3) The COs will use their professional judgment to determine when a CAR should be issued and when it should be closed.
 - a. When a "major" nonconformance, as defined in Federal Acquisition Regulation (FAR) 46.101, is identified, issuance of a CAR is recommended.
 - b. A CAR is generally not required when nonconformance is discovered during a joint (government and contractor) teaming effort and the nonconformance is immediately corrected.
 - c. A CAR is generally not required when the contractor self-identifies nonconformance and provides an acceptable CAP to the CO. TMA should continue to monitor the contractor's progress against the CAP.
- (4) The CO shall issue the CAR to the contractor and provide copies to the Program Manager or TRICARE Regional Office Director (as applicable) and the COR.
- (5) The CO shall receive the original CAP and furnish copies to the appropriate TRO Director, Program Manager, and COR.
- (6) If the Performance Assessment Tracking (PAT) System is used to document contractor performance:
 - a. The Contracting Officer's Representative (COR), with assistance from other Subject Matter Experts (SMEs), will document the contractor performance in the PAT system and assign a rating (Exceptional, Very Good, Satisfactory, Marginal, Unsatisfactory).

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- b. The PAT will automatically generate a “Nonconformance Record” for any assessment with a rating of below “Satisfactory” and corrective actions will be monitored until the nonconformance is resolved and the record is closed by the COR or SME.
 - c. If the COR or SME recommends a CAR as a result of the assessment rating, the PAT will automatically forward the recommendation to the contract management team, including the CO.
 - d. Once an acceptable CAP is received in response to a CAR, the COR or SME should continue to monitor contractor progress against the CAP in PAT until the nonconformance is resolved. When the CO determines the nonconformance is resolved, the COR or SME can close the Nonconformance Record in PAT.
 - e. Further guidance on PAT is described in TMA PGI 242.15.
- (7) Upon verification that the nonconformance has been corrected, the CO shall close the CAR and issue a letter to the contractor notifying the contractor of the closure of the corrective action. The CO will provide copies of the letter to personnel identified in (4).
- (8) In all cases, nonconformance should be documented regardless of whether a CAR is issued. The annual CPAR should include information on nonconformance and resolution. If the contractor self-identifies the nonconformance and executes an acceptable CAP, then inclusion of the nonconformance information may be included in the CPAR at the CO’s discretion.
- (9) Documentation of nonconformance and the resolution of nonconformance, including each original CAR and CAP, should be maintained in the official contract file.