

Defense Nuclear Facilities Safety Board (DNFSB)

Analysis of FY 2011 Service Contract Inventories

Background: DNFSB is a small, independent agency (operating at 109 Full-time Equivalents (FTEs) in FY 2011) with responsibility for the oversight of the Department of Energy (DOE)'s defense nuclear facilities located throughout the United States. DNFSB's mission as described by the Atomic Energy Act is to ensure that the public health and safety are adequately protected at the DOE defense nuclear facilities. Over 60% of DNFSB's employees are engineers or scientists directly supporting its mission. DNFSB has a small administrative support staff responsible for the full range of administrative support functions, of whom approximately 1.5 FTEs perform procurement (e.g., 1102) duties. DNFSB's total obligations for supplies and services in FY 2011 were less than \$4M.

The analysis was performed by DNFSB's senior Contracting Officer and has been concurred with by the Senior Procurement Executive and Chief Human Capital Officer.

Special Interest Functions Studied: DNFSB had limited obligations in special interest functions, \$130,000 under Engineering and Technical Services (R425), and \$107,000 under Policy Review/Development Services (R406), each representing approximately 4% of obligations. Each special interest function was studied.

Methodology Used to Support the Analysis: As the special interest function only consisted of two (2) contracts (one for each function), members of the acquisition workforce working on both contracts were interviewed.

Agency Findings:

- 1) DNFSB has no personal services contract obligations.
- 2) A review of the special interest function contracts indicated none of the work performed under Engineering and Technical Services was closely associated with inherently governmental functions, and thus no special management attention was necessary for that contract. The work performed under Policy Review/Development Services was closely associated with inherently governmental functions, and special management attention was put in place. That attention included assignment of sufficient qualified Government employees for oversight and enhanced reporting requirements. In addition, it is clearly known within the agency that the applicable tasks were performed by a contractor.
- 3) A review of the special interest function contracts indicated that DNFSB was not using contractor employees to perform inherently governmental functions.
- 4) DNFSB has specific safeguards in place to ensure that the work being performed by contractors under this special interest function has not changed or expanded during performance to become an inherently governmental function (e.g., the Contracting Officer reviews all deliverables).
- 5) A review of the special interest function contracts indicated that DNFSB is not using contractor employees to perform critical functions in such a way that could affect the ability of the agency to maintain control of its mission and operations.
- 6) There are sufficient internal agency resources to manage and oversee contracts effectively.

Explanation of Action Taken or Planned to Resolve Identified Weaknesses: NA, no weaknesses identified.