

APPENDIX A. DEFINITIONS AND ACRONYMS

A.1 ACRONYMS

Acronym	Clear Text
ATO	Agency Tender Official
CDRL	Contract Data Requirements List
C.F.R.	Code of Federal Regulations
CO	Contracting Officer
CSO	Competitive Sourcing Official
DEAR	DOE Acquisition Regulation
FAIR	Federal Activities Inventory Reform
FAR	Federal Acquisition Regulation
FICA	Federal Insurance Contribution Act
FTE	Full-time Equivalent
FWS	Federal Wage System
GAO	Government Accounting Office
GFP	Government-Furnished Property
GS	General Schedule
HCA	Head of Contracting Agency
HRA	Human Resource Advisor
MEO	Most Efficient Organization
OMB	Office of Management and Budget
OPM	Office of Personnel Management
PWS	Performance Work Statement
SCA	Service Contract Act
SCF	Standard Competition Form
SLCF	Streamlined Competition Form
SSA	Source Selection Authority
SSEB	Source Selection Evaluation Board
U.S.C.	United States Code
VERA	Voluntary Early Retirement Act
VSIP	Voluntary Separation Incentive Pay

B. DEFINITIONS

Activity. A specific task or grouping of tasks that provides a specialized capability, service or product based on a recurring government requirement. Depending on the grouping of tasks, an activity may be an entire function or may be a part of a function. An activity may be inherently governmental or commercial in nature.

Adversely Affected Government Personnel. Federal civilian employees serving competitive or excepted service appointments in Tenure Groups I, II, or III, who are identified for release from their competitive level by the Department, in accordance with 5 C.F.R. Part 351 and 5 U.S.C. Chapter 35, as a direct result of a performance decision resulting from a streamlined or standard competition.

Agency Cost Estimate. The part of the Agency Tender in a standard competition that includes the Department's cost proposal and represents the full cost of Department performance of the commercial activity, based on the requirements in the solicitation and the costing policy in Attachment C of OMB Circular A-76.

Agency Performance. Performance of a commercial or inherently governmental activity with government personnel assigned the organization conducting the competition. Often referred to as "in-house performance."

Agency Source. A service provider staffed by government personnel.

Agency Tender. The Department management plan submitted in response to a solicitation for a standard competition. The Agency Tender includes an MEO, Agency Cost Estimate, MEO quality control plan, MEO phase-in plan, and copies of any MEO subcontracts (with the private sector providers' proprietary information redacted).

The Agency Tender is prepared in accordance with Attachment B of OMB Circular A-76 and the solicitation requirements.

Agency Tender Official (ATO). An inherently governmental Departmental official with decision-making authority is assigned the responsibility for developing and submitting the in-house workforce's proposal. This official also responsible for representing the organization during source selection.

Annualize. The calculation method to convert a cost to an annual basis. The calculation converts a cost for a performance period that is less than one full year into an annual cost to correctly reflect the cost in a government cost estimate. This calculation is performed by dividing the cost in the performance period by the number of days in the performance period to determine the corresponding daily cost. Next, multiply the daily cost by 365.25 days to determine the annualized cost. To account for leap years, 365.25 is the average number of days in a year.

Basic Pay. "Basic pay for GS employees is a position's annual salary plus any other applicable civilian employee pay entitlements. Basic pay for FWS employees is a position's annual wages including shift differential pay and environmental pay, plus any other applicable civilian employee pay entitlements." (Note: This definition of "basic pay" is taken from OMB Circular A-76, Attachment C, "Calculating Public-Private Competition Costs," paragraph B.2.f., and differs from the definition of "basic pay" at 5 C.F.R. § 530.202, which excludes "additional pay of any other kind.")

"Examples of other civilian employee pay entitlements include, but are not limited to, night differential pay for FWS employees, environmental differential pay, and premium pay (for civilian employee fire fighters and law enforcement officers)."

Capital Improvement. Expenditure for a physical improvement to an existing capital asset such as additions and major alterations that are intended to improve performance or increase useful life.

Commercial Activity. A recurring service that could be performed by the private sector. This recurring service is an agency requirement that is funded and controlled through a contract, fee-for-service agreement, or performance by government personnel. Commercial activities may be found within, or throughout, organizations that perform inherently governmental activities or classified work.

Common Costs. Specific costs identified in the solicitation that will be incurred by the government regardless of the provider (private sector, public reimbursable, or agency). Common costs are sometimes referred to as wash costs. Examples of common costs include government-furnished property, security clearances, and joint inventories.

COMPARE. The Microsoft Windows-based A-76 costing software that incorporates the costing procedures of the OMB Circular A-76. Agencies must use COMPARE to calculate and document the costs on the SLCF for a streamlined competition or the SCF for a standard competition. The software is available through the SHARE A-76! Website at <http://emissary.acq.osd.mil/inst/share.nsf/>.

COMPARE Version Control Log. The document that describes each of the changes made in a particular version of the COMPARE software. This document includes a brief description of the change, the area of the software program affected by the change, and the impact the change has on the SCF/SLCF and/or documentation.

COMPARE User's Guide. A detailed guidebook for actual users of COMPARE that includes an in-depth explanation of the use and features of the COMPARE software program.

COMPARE Tables. A specific set of master tables incorporated into the COMPARE costing software that includes all of the approved standard cost factors and rates used to calculate the SCF/SLCF costs.

Competition. A formal evaluation of sources to provide a commercial activity that uses pre-established rules (e.g., the FAR, OMB Circular A-76). Competitions between private sector sources are performed in accordance with the FAR. Competitions between agency, private sector, and public reimbursable sources are performed in accordance with the FAR and OMB Circular A-76. The term "competition," as used in this circular includes streamlined and standard competitions performed in accordance with OMB Circular A-76, and FAR-based competitions for agency-performed activities, contracted services, new requirements, expansions of existing work, and activities performed under fee-for-service agreement. The term also includes cost comparisons, streamlined cost comparisons, and direct conversions performed under previous versions of OMB Circular A-76.

Competition File. The documents used in a standard competition in addition to the government contract files required by FAR Subpart 4.8. Agencies maintain this file regardless of the source selected to perform the activity.

Competition Management Tracking System. The DOE A-76 Competition Management Tracking System has been developed in accordance with the OMB Circular A-76 dated May 2003. The system enables the Department to track all phases of the competitive sourcing process: inventory, nomination, selection, execution and implementation. The intent of the system is to provide its users with both a program and project management tool.

Competition Officials. The Department officials appointed before a standard competition is announced. These individuals perform key roles (see Appendix B) and have essential responsibilities for the successful completion of the standard competition. Competition officials are the Functional Team Official, Agency Tender Official, Contracting Officer, Source Selection Authority, Human Resource Advisor, and PWS Team Leader.

Competitive Sourcing Official (CSO). An inherently governmental Department official responsible for the implementation of OMB Circular A-76 within DOE.

Component. An organizational grouping within DOE, such as a program office, service center, or field office.

Contracting Officer (CO). An inherently governmental Departmental official who participates with the PWS team, and is responsible for the issuance of the solicitation and the source selection evaluation methodology. The CO awards the contract and issues the MEO letter of obligation or fee-for-service agreement resulting from a streamlined or standard competition. The CO and the SSA may be the same individual.

Conversion From Contract. A change in the performance of a commercial activity from a private sector provider to Department performance.

Conversion To Contract. A change in the performance of a commercial activity from Department performance to a private sector provider.

Depreciation. The decline in the value of a capital asset. Depreciation represents a cost of ownership and the consumption of an asset's useful life.

Direct Labor. Manpower resources dedicated to performing the requirements of the solicitation and labor for supervision and management related support to the tender (e.g., MEO) such as labor for quality control.

Directly Affected Employees. Civilian employees whose work is being competed in a streamlined or standard competition.

Directly Interested Party. The Agency Tender Official who submitted the Agency Tender; a single individual appointed by a majority of directly affected employees as their agent; a private sector offeror; or the official who certifies the public reimbursable tender.

Divestiture. A Department's decision to eliminate a government requirement for a commercial activity. No service contract or fee-for-service agreement exists between the Department and the private sector after a divestiture. By divesting of a commercial activity, DOE elects not to control the activity and cedes ownership and control of the activity's associated assets (e.g., equipment, facilities, property) and resources (DOE manpower and budgeting for the activity). DOE has no role in the financial support, management, regulation, or oversight of a divested activity. Moving, transferring, or converting a commercial activity from government performance to private sector or public reimbursable performance is not a divestiture.

Employee Transition Plan. A written plan developed by the HRA for the potential transition of the Department's civilian employees to an MEO, or to private sector or public reimbursable performance. This plan is developed early in the streamlined or standard competition process, based on the incumbent DOE organization, to identify projected employee impacts and the time needed to accommodate such impacts, depending on the potential outcomes of the competition. The employee transition plan differs from a phase-in plan, which is developed by prospective providers responding to a solicitation.

End date. The end date for a streamlined or standard competition is the date that all SCF certifications are completed, signifying DOE's performance decision.

Expansion. An increase in the operating cost of an existing commercial activity based on modernization, replacement, upgrade, or increased workload. An expansion of an existing commercial activity is an increase of 30 percent or more in the activity's operating costs (including the cost of FTEs) or total capital investment.

FedBizOpps.gov. The website where the government electronically advertises solicitations or requirements.

Fee-for-Service Agreement. A formal agreement between agencies, in which one agency provides a service (a commercial activity) for a fee paid by another agency. The agency providing the service is referred to as a public reimbursable source.

First Period of Full Performance. The performance period following the phase-in period when the service provider becomes fully responsible for performing the activity. The first performance period is used to implement the new service provider's phase-in plan; therefore, full performance of the service provider does not occur until the second performance period, which may be referred to as the base period, full performance, or the first period of full performance. This first period of full performance may be less than or more than 12 months. The first period of full performance is the second performance period (the performance period immediately following phase-in period) regardless of the second performance period's length.

Foreign National Employee. An employee that is not a United States citizen who is employed by the United States Government and works outside the United States, its territories or possessions, under a system in which an Executive Agency is the official employer of the foreign national employee and assumes responsibility for all administration and management functions associated with the employee's employment.

Full-Time Equivalent (FTE). The staffing of Federal civilian employee positions, expressed in terms of annual productive work hours (1,776) rather than annual available hours that includes non-productive hours (2,080 hours). FTEs may reflect civilian positions that are not necessarily staffed at the time of public announcement and staffing of FTE positions may fluctuate during a streamlined or standard competition. The staffing and threshold FTE requirements stated in OMB Circular A-76 reflect the workload performed by these FTE positions, not the workload performed by actual government personnel. FTEs do not include military personnel, uniformed services, or contract support.

Function Code. The alpha-numerical code used to categorize an agency's commercial and inherently governmental activities for inventory reporting purposes.

Functional Team Official. The Functional Team Official shall be designated in writing by the CSO and shall be an SES or equivalent level official with responsibility for implementing the competition. The Functional Team Official should have experience in the function that is under competition and, with the concurrence of the CSESG, will determine who will sign the Letter of Obligation as the DOE representative for performance of the MEO.

Government Furnished Property (GFP). Facilities, equipment, material, supplies, or other services provided by the government for use by all prospective providers in the solicitation. Costs for GFP included in a solicitation are considered common costs. Replacement costs, insurance, maintenance and repair costs for GFP may or may not be government-furnished, depending on the provisions in the solicitation.

Government Personnel. Civilian employees, foreign national employees, temporary employees, term employees, non-appropriated fund employees, and uniformed services personnel employed by an agency to perform activities.

Human Resource Advisor (HRA). An inherently governmental agency official who is a human resource expert and is responsible for performing human resource-related actions to assist the ATO in developing the Agency Tender.

Incumbent Service Provider. The source (i.e., agency, private sector, or public reimbursable source) providing the service when a public announcement is made of the streamlined or standard competition.

Inherently Governmental Activities. An activity that is so intimately related to the public interest as to mandate performance by government personnel.

Interested Parties. For purposes of challenging the contents of an agency's commercial activities inventory pursuant to the Federal Activities Inventory Reform Act, an interested party is (1) a private sector source that is an actual or prospective offeror for a contract or other form of agreement to perform the activity and has a direct economic interest in performing the activity that would be adversely affected by a determination not to procure the performance of the activity from a private sector source; (2) a representative of any business or professional association that includes within its membership private sector sources referred to in (1) above; (3) an officer or employee of an organization within an executive agency that is an actual or prospective offeror to perform the activity; (4) the head of any labor organization referred to in section 7103(a)(4) of title 5, United States Code, that includes within its membership officers or employees of an organization referred to in paragraph (3).

Inventory. A list of full-time equivalents representing Federal employee positions, by location, function, and other identifying information, performing either commercial activities or inherently governmental activities.

Most Efficient Organization (MEO). The staffing plan of the Agency Tender developed to represent the agency's most efficient and cost-effective organization. An MEO is required for a standard competition and is optional for a streamlined competition. It may include a mix of government personnel and MEO subcontracts. It must be based upon the PWS for the competition and be developed to be competitive with expected private sector proposals and public-reimbursable organization tenders.

MEO Letter of Obligation (LOO). A formal agreement that an agency implements when a standard or streamlined competition results in agency performance (e.g., MEO).

MEO Subcontracts. Contracts between an agency and the private sector that are included in the Agency Tender or fee-for-service agreements with a public reimbursable source that are included in the Agency Tender. In addition to the cost of MEO subcontracts, agency or public reimbursable cost estimates must include support costs associated with MEO subcontracts such as government-furnished property, and contract administration, inspection, and surveillance.

MEO Team. A group of individuals, comprised of technical and functional experts, formed to assist the ATO in developing the Agency Tender.

New Requirement. An agency's newly established need for a commercial product or service that is not performed by (1) the agency with government personnel; (2) a fee-for-service agreement with a public reimbursable source; or (3) a contract with the private sector. An activity that is performed by the agency and is reengineered, reorganized, modernized, upgraded, expanded, or changed to become more efficient, but still essentially provides the same service, is not considered a new requirement. New ways of performing existing work are not new requirements.

Non-Pay Categories of Costs. Costs in a cost estimate that are not related to pay. Non-pay categories of costs include, but are not limited to, materials, supplies, equipment, facilities, capital assets, and minor items and the inflation for these costs.

Offer. A private sector source's formal response to a request for proposals. The term "offeror" refers to the specific source rather than the response.

Overhead. Overhead includes two major categories of cost, operations overhead and general and administrative overhead. Operations overhead includes costs that are not 100 percent attributable to the activity being competed, but are generally associated with the recurring management or support of the activity. General and administrative overhead includes salaries, equipment, space, and other tasks related to headquarters management, accounting, personnel, legal support, data processing management, and similar common services performed external to the activity, but in support of the activity being competed. A standard twelve percent overhead factor is an estimated federal agency overhead factor that is calculated in agency and public reimbursable cost estimates for streamlined and standard competitions.

Past Performance. An indicator that may be used in the source selection process to evaluate a prospective provider's previous performance on work comparable to that being competed, for the purpose of predicting the quality of future performance relative to other offers or public reimbursable tenders. FAR 42.1501 describes the information used to evaluate past performance, and FAR 15.305(a)(2) provides guidance for the consideration of past performance in the source selection process.

Pay Categories of Cost. Costs in a cost estimate associated with the payroll for government personnel, including inflation.

Performance Decision. The outcome of a streamlined or standard competition based on SLCF or SCF certifications.

Performance Standards. Verifiable, measurable levels of service in terms of quantity, quality, timeliness, location, and work units. Performance standards are used in a performance-based PWS to (1) assess (i.e., inspect and accept) the work during a period of performance; (2) provide a common output related basis for preparing private sector offers and public tenders; and (3) compare the offers and tenders to the PWS. The requiring activity's acceptable levels of service are normally stated in the PWS. The solicitation includes performance standards.

Performance Work Statement (PWS). A statement in the solicitation that identifies the technical, functional, and performance characteristics of the agency's requirements. The PWS is performance-based and describes the agency's work requirements (the "what"), not the specific methods for meeting those needs (the "how"). The PWS identifies essential outcomes to be achieved, specifies the agency's required performance standards, and specifies the location, units, quality and timeliness of the work.

Permanent Employee. An individual who works for a federal agency on an appointment without time limitation who is paid from appropriated funds, which include working capital funds. A foreign national employee, temporary employee, term employee, non-appropriated fund employee, or uniformed personnel is not included in this definition.

PWS Team Leader. The PWS team leader shall: (1) be an inherently governmental agency official; (2) be independent of the ATO, HRA and MEO team; (3) develop the PWS and quality assurance surveillance plan; (4) determine government-furnished property (GFP); (5) assist the CO in developing the solicitation; and (6) assist in implementing the performance decision.

PWS Team. A group of individuals, comprised of technical and functional experts, formed to develop the PWS and quality assurance surveillance plan, and to assist the CO in developing the solicitation.

Phase-in Plan. A prospective provider's plan to replace the incumbent provider(s) that is submitted in response to the solicitation. The phase-in plan is implemented in the first performance period and includes details on minimizing disruption, adverse personnel impacts, and start-up requirements. The phase-in plan is different from the employee transition plan developed by the HRA.

Privatization. A federal agency decision to change a government-owned and government-operated commercial activity or enterprise to private sector control and ownership. When privatizing, the agency eliminates associated assets and resources (manpower for and funding of the requirement). Since there is no government ownership and control, no service contract or fee-for-service agreement exists between the agency and the private sector after an agency privatizes a commercial activity or enterprise. Moving work from agency performance with government personnel to private sector performance where the agency still funds the activity is not privatization.

Prospective Providers. Private sector, public reimbursable, and agency sources that may submit responses (offers or tenders) in response to an agency's solicitation.

Service Provider. An agency, private sector, or public reimbursable source that is performing, or will perform a commercial activity.

Public Announcement. An agency's formal declaration that the agency has made a (1) decision to perform a streamlined or standard competition, or (2) performance decision in a streamlined or standard competition. The CO makes these announcements via *FedBizOpps.gov*.

Public Reimbursable Source. A service provider from a federal agency that could perform a commercial activity for another federal agency on a fee-for-service or reimbursable basis by using either civilian employees or federal contracts with the private sector.

Public Reimbursable Tender. A federal agency's formal response to another federal agency's solicitation for offers or tenders. The public reimbursable tender is developed in accordance with OMB Circular A-76 and includes a cost estimate, prepared in accordance with Attachment C of OMB Circular A-76.

Quality Assurance Surveillance. The government's monitoring of a service provider's performance in accordance with the quality assurance surveillance plan and the performance requirements identified in the solicitation.

Quality Assurance Surveillance Plan. The government's inspection plan. The quality assurance surveillance plan documents methods used to measure performance of the service provider against the requirements in the PWS. The agency relies on the service provider to monitor daily performance using their own quality control plan, but retains the right to inspect all services. When the agency makes a performance decision, the agency re-evaluates and modifies the existing quality assurance surveillance plan, based upon the selected provider and the selected provider's accepted quality control plan.

Quality Control Plan. A self-inspection plan that is included in all offers and tenders. The quality control plan describes the internal staffing and procedures that the prospective provider will use to meet the quality, quantity, timeliness, responsiveness, customer satisfaction, and other service delivery requirements in the PWS.

Records Management and Correspondence System. The OCS has established an A-76 Records Management and Correspondence System with Standard Operating Procedures that provide instructions for the organization and systematic identification, maintenance, storage, security, retrieval, and disposition of Competitive Sourcing documents.

Representatives of Directly Affected Employees. In the case of directly affected employees represented by a labor organization accorded exclusive recognition under 5 U.S.C. § 7111, a representative is an individual designated by that labor organization to represent its interests. In the case of directly affected employees not represented by a labor organization under 5 U.S.C. § 7111, a representative is an individual appointed by directly affected employees as their representative.

Residual Value. The estimated value of a capital asset at the end of its useful life as determined by application of the Useful Life and Disposal Value Cost Factor.

Resources. Funding allocated for contracts, manpower, facilities, material, or equipment to perform agency requirements.

Segregable Expansion. An increase to an existing commercial activity that can be separately competed.

SHARE A-76! The Department of Defense A-76 knowledge management system used to share knowledge, information, and experience about public-private competitions. This public site contains A-76-related guidance, sample documents, best practices, tools, and links to other A-76 websites and sources for A-76-related information. Users may post best practices used in public-private competitions, research A-76 through the use of search engines, and submit Internet links to add to the available links in SHARE A-76! The web site address is <http://emissary.acq.osd.mil/inst/share.nsf/>.

Solicitation Closing Date. The due date for delivery of private sector offers, public reimbursable tenders, and the Agency Tender, as stated in the solicitation.

Source. One of three specific categories of service providers (i.e., agency, private sector, or public reimbursable) that can perform a commercial activity for an agency.

Source Selection Authority (SSA). A competition official with decision-making authority who is responsible for source selection as required by the FAR and the circular. The SSA and CO may be the same individual.

Source Selection Evaluation Board (SSEB). The team or board appointed by the SSA to assist in a negotiated acquisition.

Standard Competition Form (SCF). The agency form that documents and certifies all costs calculated in the standard competition.

Start Date. The start date for a streamlined or standard competition is the date that the agency makes a formal public announcement of the agency's decision to perform a streamlined or standard competition.

Streamlined Competition Form (SLCF). The agency form that documents and certifies all costs calculated in the streamlined competition, in accordance with Attachment C of the Circular.

Useful Life. The estimated period of economic usefulness of a capital asset.

APPENDIX B. ROLES AND RESPONSIBILITIES

Title of Official	Qualifications of Individual	Responsibilities	References
Competitive Sourcing Executive Steering Group (CSESG)		<p>The Secretary of Energy has appointed the following officials to serve as members of the CSESG: Deputy Secretary of Energy, Under Secretary for Energy, Science and Environment, Under Secretary for Nuclear Security, Director, Office of Management, Budget and Evaluation/Chief Financial Officer</p> <p>Advisory members to the CSESG include representatives from the offices of: General Counsel, Congressional and Intergovernmental Affairs, Public Affairs, Designated National Union Representatives</p> <p>As of December 2003, the CSESG chairman is the Deputy Secretary of Energy</p> <p>Delegate, in writing, specified responsibilities to senior leadership in the Department or Department components except as otherwise provided in the OMB Circular A-76</p> <p>Provides strategic direction and oversight to the CSO and OCS for the execution of competitive sourcing studies.</p> <p>Authorizes competition waivers and exemptions, contract or Inter-Service Support Agreement (ISSA) performance</p> <p>Approves Functional Team Official Action Plans (POAMs)</p> <p>Hold competition officials accountable for the timely and proper conduct of streamlined or standard competitions through the use of annual performance evaluations</p> <p>May authorize the CSO to exempt a commercial activity performed by government personnel from performance by the private sector if there are issues raised by Departmental elements questioning the CSO's decisions related thereto</p> <p>Determine if an agency source may receive an award fee</p> <p>Approve the termination of the MEO for poor performance</p>	
Competitive Sourcing Official (CSO)	Designated by the Secretary of Energy Assistant Secretary or	<p>Implement the Circular under the direction of the CSESG</p> <p>Obtain prior written OMB approval before deviating from the OMB Circular A-76 (without delegation)</p>	Circular: 4f; 5b; 5c; 5e

Title of Official	Qualifications of Individual	Responsibilities	References
Competitive Sourcing Official (CSO)	equivalent level official	<p>Justify in writing, any designation of government personnel performing inherently governmental activities or the use of reason code A to exempt commercial activities performed by government personnel from private sector performance by indicating the CSO’s approval on justification memoranda prepared by the Departmental elements and submitted for CSO approval through the OCS</p> <p>Appoint, in writing, competition officials for each standard competition, and as appropriate, appoint competition officials for streamlined competitions</p> <p>Approve, in writing, with the CSESG approval, the cancellation of a streamlined or standard competition (without delegation)</p> <p>Grant, in writing, time limit waivers allowing a specific streamlined competition to exceed the 90 day time limit by no more than 45 calendar days, for a maximum of 135 calendar days from public announcement to performance decision</p> <p>Grant time limit waivers before the announcement of each standard competition, allowing a specific standard competition to exceed the 12 month time limit by no more than 6 months, for a maximum of 18 months from public announcement to performance decision (without delegation) and provide OMB with a copy of the waiver before the Public Announcement</p> <p>With the acknowledgement of the CSESG notify the Deputy Director for Management, OMB, in writing of any study exceeding the time limits</p> <p>Obtain prior written approval from OMB to use performance periods that exceed five years (excluding the phase-in period)</p> <p>Justify and approve in writing, Department determinations to provide or not to provide GFP</p> <p>Approve requirement for a performance bond from a private sector source</p> <p>Determine if procedures are in place permitting an Agency Tender to receive an award fee for solicitations with award fees for all prospective providers</p> <p>Evaluate and retain copies of the CO’s documentation in the OCS records management system, in the event of</p>	<p>Attachment A: B1; C2</p> <p><u>Attachment B:</u> A8; B3a; C2; D1; D3a(7); D3a(8); D3a(10); D3a(12); D4d(2); D5b(3); D5c(3); E5b; E6b</p> <p><u>Attachment B:</u> B1</p>

Title of Official	Qualifications of Individual	Responsibilities	References
Competitive Sourcing Official (CSO)		<p>no satisfactory private sector offer or public reimbursable source tender, from the CO's consultations with the private sector sources and make and retain a written determination to either revise the solicitation or implement the Agency Tender</p> <p>Consult with the Deputy Director for Management, OMB, if revising a solicitation would result in exceeding the established time limit for the standard competition (without delegation)</p> <p>Approve, in writing, the use of the tradeoff source selection process (if used) and forward a copy of the approval to OMB (without delegation)</p> <p>Determine if the ATO is able to resolve deficiencies in the Agency Tender, and advise the SSA whether to exclude the Agency Tender from the standard competition after consulting the CSESG</p> <p>Exercise the option to extend the performance period for a high performing organization (without delegation)</p> <p>Approve terminations of the service provider for failure to perform (without delegation)</p>	Attachment C: B4j(2)
Office of Competitive Sourcing/A-76 (OCS)		<p>Serves as DOE's focal point for competitive sourcing</p> <p>Provides administrative support and oversight of the DOE A-76 Competitive Sourcing Program and is responsible for coordinating all necessary activities to ensure the proper conduct of DOE's A-76 competitions</p> <p>Serves as the secretariat for the CSESG, develops guidance and provides day-to-day management of the Competitive Sourcing Program</p> <p>Provides guidance and assistance to the Functional Team Official, Contracting Officers, Source Selection Authority, and Quality Control Manager regarding competitive sourcing policies and provides a forum for disseminating "Lessons Learned"</p> <p>Publishes guidance on DOE Competitive Sourcing policies and procedures</p> <p>Monitors the overall progress of the Competitive Sourcing Program, and maintains the status of the DOE IGCA inventory and competition efforts including the review of schedules for cost comparisons</p> <p>Coordinates the FAIR Act Inventory and associated reporting requirements</p> <p>Develops/determines measurement requirements and recommend optimal approaches</p>	

Title of Official	Qualifications of Individual	Responsibilities	References
Office of Competitive Sourcing/A-76 (OCS)		<p>Ensures that post accountability performance reviews are conducted</p> <p>Identify savings resulting from competitions in accordance with OMB Circular No. A-11</p> <p>Monitors competitive sourcing competition/activities funding</p> <p>Performs as contracting officer's representative (COR) for OCS and study team support contracts</p>	
Functional Team Official	Designated by the CSESG SES or equivalent level official	<p>Responsible for executing the competition (streamlined or standard) in accordance with the OMB Circular A-76</p> <p>Provides the necessary resources to the PWS Team Lead, ATO, and Contracting Officer to conduct the competition</p> <p>Once a competition is initiated by the announcement, obtain the approval of the Competitive Sourcing Executive Steering Group (CSESG), through the OCS, of any proposed Full-Time Equivalent (FTE) expansions or decreases in the announced competition</p> <p>Upon making the determination that any commercial positions under study should be excluded from the study or having made the determination that any positions studied were actually performing inherently governmental activities, request the CSESG through the OCS to exclude those positions from a particular competition</p> <p>Submit requests to the CSESG, through the CSO, to modify (change the type of competition authorized), cancel, suspend, or delay a competition</p> <p>Develops an Action Plan for the approval of the CSESG</p> <p>Provides periodic updates to the DOE OCS on the status of phase-in actions and the assessment of support through the first year on the contract regardless of whether the selected provider is a commercial offeror or the government's MEO, or a public reimbursable organization provider.</p> <p>The Functional Team Official, with the concurrence of the CSESG, will determine who will sign the Letter of Obligation as the DOE representative for performance of the MEO.</p> <p>Implements or directs the Phase-in Plan developed by the winning Agency Tender, private sector offer, or public reimbursable tender. Periodically provide phase-in status information to the CSO</p> <p>Develops a Contingency Plan that will provide instructions on implementing immediate action in the event the</p>	

Title of Official	Qualifications of Individual	Responsibilities	References
Functional Team Official		<p>performing activity is terminated (regardless of cause), if the need should arise during phase-in or at any other time</p> <p>When required, submits a formal extension request to the through the CSO to the CSESG to extend competition timeframe</p> <p>Provide lessons learned to the OCS throughout the competition</p>	
Performance Work Statement (PWS) Team Leader	<p>Inherently governmental Department official</p> <p>Independent of the ATO, human resource adviser (HRA), and MEO team</p>	<p>Comply with the FAR, DEAR and the OMB Circular A-76</p> <p>Develop the PWS and quality assurance surveillance plan</p> <p>Determine government-furnished property and submit listing to CSO for approval</p> <p>Assist the CO in developing the solicitation</p> <p>Assist in implementing the performance decision</p> <p>Appoint a PWS team comprised of technical and functional experts</p> <p>Make all final management decisions regarding the PWS, GFP, and the quality assurance surveillance plan</p>	<u>Attachment B</u> : D1; D1a; D2; D3
Performance Work Statement (PWS) Team	<p>Technical and functional experts</p> <p>Independent of the</p>	<p>Comply with the FAR, DEAR and the OMB Circular A-76</p> <p>Develop the PWS including supporting workload data, performance standards, and any information relating to the activity being competed</p> <p>Determine government furnished property and submit to PWS Team Leader</p>	<u>Attachment B</u> : D1; D1b; D4; D5

Title of Official	Qualifications of Individual	Responsibilities	References
Performance Work Statement (PWS) Team	ATO, human resource advisor (HRA), and MEO team	<p>Assist in the CO's development of the solicitation</p> <p>Develop a quality assurance surveillance plan and, and as required, updating this plan based on the performance decision</p> <p>Implement the performance decision</p>	
Contracting Officer (CO)	<p>Inherently governmental Department official</p> <p>Independent of the ATO, human resource advisor (HRA), and MEO team</p>	<p>Comply with the FAR, DEAR and the OMB Circular A-76</p> <p>Serve as an advisor to the PWS team</p> <p>Publish a cancellation notice that includes rationale for the cancellation at FedBizOpps.gov for any cancelled competition or solicitation, and perform solicitation cancellations in accordance with the FAR</p> <p>Issue solicitations to determine a private sector or public reimbursable service providers</p> <p>Award private sector performance decision contracts in accordance with the FAR and implement FAR 7.305(c), the right of first refusal</p> <p>Execute public reimbursable performance decision fee-for-service agreements</p> <p>Execute a letter of obligation with the individual selected by the Functional Team Official to be responsible for performing the commercial activity in agency performance decisions</p> <p>Perform all releases of PWS documents and solicitations, including drafts</p> <p>Determine the acquisition strategy in accordance with FAR Part 7</p> <p>Comply with FAR Subpart 22.10 to obtain the applicable wage determinations from the Department of Labor</p> <p>Identify in the solicitation whether acquisition procedures will be sealed bid or negotiated procedures, including the type of source selection process for negotiated procedures</p> <p>Include, if desired, a cross-reference compliance matrix in section L of the solicitation to decrease the complexity of performing source selections</p> <p>Identify common costs in the solicitation</p>	

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Contracting Officer (CO)		<p>Obtain written approval from the CSO if the agency requires a private sector source to include a performance bond, and include a separate CLIN for this cost</p> <p>Require the private sector offeror to propose a target cost and target profit or fee for a solicitation for an incentive fee contract</p> <p>Designate a phase-in period as the first performance period, and include a separate CLIN in the solicitation for this purpose</p> <p>Include in the solicitation a requirement for prospective providers to include a quality control plan in offers and tenders</p> <p>Determine if amending the solicitation close date is in the best interest of the government</p> <p>Document changes to the Agency Tender occurring after the solicitation close date</p> <p>Consult, in the event of no satisfactory private sector or public reimbursable source, with private sector sources to identify: restrictive, vague, confusing, or misleading portions of the solicitation; the reasons provided by sources for not submitting responses; and possible revisions to the solicitation to enhance competition. Submit the results of these consultations and a course of action to the CSO</p> <p>Return the Agency Tender to the ATO before revising the solicitation, and revise the solicitation if necessary</p> <p>Evaluate, in the case of no satisfactory private sector or public reimbursable source, the Agency Tender; sign the standard competition form, make the standard competition form available to the public, and notify the ATO of the decision</p> <p>Perform sealed bid acquisitions by opening all public and private submissions, entering the lowest priced bid or tender on the standard competition form, and certifying the form</p> <p>Perform lowest price technically acceptable source selections by opening and evaluating all offers and tenders to determine technical acceptability, conduct price analysis and cost realism, enter the lowest contract price or public reimbursable cost in the standard competition form, and certify the standard competition form</p> <p>Perform the phased evaluation source selection process by opening and evaluating all public and private</p>	

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Contracting Officer (CO)		<p>technical proposals for technical acceptability, perform price analysis and cost realism on all cost proposals determined to be technically acceptable, enter the lowest cost provider on the standard competition form, and sign the form</p> <p>Perform the tradeoff source selection process by conducting price analysis and cost realism, conducting exchanges and tradeoffs, documenting tradeoffs, and entering the price for each technically acceptable offer and tender on the standard competition form</p> <p>Evaluate all offers together, not excepting the Agency Tender</p> <p>Conduct exchanges in accordance with FAR 15.306</p> <p>Ensure that an offer or tender receives a deficiency notice in the event of a deficiency which specifies the time limit to address the deficiency</p> <p>Perform price analysis and cost realism on all proposals and cost estimates</p> <p>Ensure that agency and public reimbursable cost estimates are calculated in accordance with Attachment C of the OMB Circular A-76, are based on the standard cost factors in effect on the performance decision date, and use the version of the COMPARE costing software that is in effect on the performance decision date</p> <p>Include the conversion differential in all standard competitions</p> <p>Ensure that the standard competition form has been prepared in accordance with Attachment C of the OMB Circular A-76 and that the required signatures and certifications are on the standard competition form</p> <p>Sign the standard competition form to certify the decision in a standard competition</p> <p>Offer a debriefing to all private sector offerors, public reimbursable sources, the ATO, and directly affected government personnel (and their representatives), in accordance with FAR 15.503</p> <p>Award a private sector source contract in accordance with the FAR</p> <p>Develop a fee-for-service agreement with the public reimbursable source</p> <p>Make option year exercise determinations in accordance with FAR 17.207</p>	

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Contracting Officer (CO)		<p>Notify a service provider of poor performance</p> <p>Issue notices of termination, when necessary, in accordance with FAR part 49</p> <p>Determine cost adjustments to be included on the standard competition form, line 8 and line 12, and ensure no information is entered on lines 9, 10, 11, and 14</p> <p>Include instructions for the material and supply costs in the solicitation</p> <p>Perform various costing entries and decisions as indicated throughout Attachment C of the OMB Circular A-76</p>	
Source Selection Authority (SSA)	<p>Inherently governmental Department official appointed in accordance with FAR Part 15.303 in conjunction with the CSO</p> <p>Independent of the ATO, HRA and MEO team</p>	<p>Comply with both the FAR, DEAR and the OMB Circular A-76 when performing a streamlined and standard competition</p> <p>Appoint an SSEB after public announcement</p> <p>Sign, in the event of no satisfactory private sector or public reimbursable source and the decision to implement the Agency Tender, the standard competition form and indicate the reason for the CSO's decision to implement the Agency Tender</p> <p>Certify the standard competition form in a phased evaluation source selection process</p> <p>Certify the standard competition form in a tradeoff source selection process and documenting, in the case of award to other than the lowest cost provider, the tradeoffs used and justification for the tradeoffs</p> <p>Remove offers or tenders that are unable to resolve deficiencies</p> <p>Sign the standard competition form to certify the decision in a standard competition</p> <p>Ensure that the CO offers a debriefing to all private sector offerors, public reimbursable sources, the ATO, and directly affected government personnel (and their representatives), in accordance with FAR 15.503</p>	
Source Selection Evaluation Board (SSEB)	<p>May be PWS team members who are not directly affected employees</p>	<p>Comply with the source selection requirements of the FAR, DEAR and the OMB Circular A-76</p> <p>Serve as evaluation team</p>	

Title of Official	Qualifications of Individual	Responsibilities	References
Source Selection Evaluation Board (SSEB)	<p>Appointed by the SSA to work for the SSA</p> <p>May not be directly affected government personnel or individuals with knowledge of Agency Tender</p>		
Agency Tender Official (ATO)	<p>Inherently governmental Department official with decision-making authority</p> <p>Independent of the contracting officer (CO), source selection authority (SSA), source selection evaluation board (SSEB), and performance work statement (PWS) team</p> <p>A directly interested</p>	<p>Comply with the OMB Circular A-76</p> <p>Develop, certify, and represent the Agency Tender</p> <p>Designate the most efficient organization (MEO) team after public announcement of the standard competition</p> <p>Identify the necessary resources and training to prepare a competitive Agency Tender</p> <p>Appoint an MEO team comprised of technical and functional experts</p> <p>Make all final management decisions regarding the Agency Tender and sign it</p> <p>Develop an Agency Tender that includes: a MEO, an agency cost estimate developed in accordance with Attachment C of the OMB Circular A-76 and approved by the ATO, the MEO's quality control plan, the MEO's phase-in plan, and copies of any existing, awarded MEO subcontracts</p> <p>Submit the Agency Tender in a sealed package to the CO by the solicitation closing date, or notify the CO as early as possible if the Agency Tender is not expected to be delivered by that date</p> <p>Propose alternate performance standards, if allowed in the solicitation</p>	<p><u>Attachment B:</u> A8a; D2b; D4a(1); D4a(2); D4a(3)</p> <p>Attachment C</p>

Title of Official	Qualifications of Individual	Responsibilities	References
Agency Tender Official (ATO)	party	<p>Make changes, when allowed, to the Agency Tender following the solicitation closing date</p> <p>Develop and certify the agency cost estimate (the agency's cost proposal) in accordance with Attachment C of the OMB Circular A-76, using the COMPARE costing software</p> <p>The ATO shall not make changes to the agency cost estimate except as provided in OMB Circular A-76</p> <p>Include a quality control plan in the Agency Tender, as required by the solicitation</p> <p>Include a phase-in plan in the Agency Tender, as required by the solicitation, to replace the incumbent service provider with the MEO, even if the agency is the incumbent service provider</p> <p>Include phase-in costs for the Agency Tender on SCF Lines 1-6</p> <p>Deliver the Agency Tender to the CO in a sealed package by the solicitation closing date</p> <p>If the ATO does not anticipate submitting the Agency Tender to the CO by the solicitation closing date, the ATO shall notify the CO as soon as possible before the solicitation closing date</p>	
Most Efficient Organization (MEO) Team	<p>Technical and functional experts</p> <p>Independent of the contracting officer (CO), source selection authority (SSA), source selection evaluation board (SSEB), and performance work</p>	<p>Comply with the OMB Circular A-76 and assist the ATO in developing the Agency Tender</p> <p>Develop the Agency Tender</p>	<p><u>Attachment B:</u> A8b; B3a; B3b; C3d(1); C3d(2); D3a(1); D3a(2); D3a(3); D3a(6); D3a(9); D3a(10); D3a(11); D3a(13); D3a(14); D4a(2); D4a(3);</p>

Title of Official	Qualifications of Individual	Responsibilities	References
Most Efficient Organization (MEO) Team	statement (PWS) team		D4d(1); D4d(2); D4d(2)(b); D5a; D5b(1); D5b(2)(a); D5b(2)(b); D5b(3); D5c(1); D5c(3); D5c(4)(a); D5c(4)(b); D5c(4)(c); D5c(4)(d); D6a; D6d; D6f(1)(a); D6f(1)(b); D6f(2); D6f(3); E5a; E6a(1); E6a(2) <u>Attachment C:</u> A3; B3a; C1
Inventory Challenge Authorities	Designated by the head of the Department At the same level as, or a higher level than,	Review and respond to challenges to the DOE Inherently Governmental and FAIR Act Commercial Activities Inventory Receive written inventory challenges Validate the commercial or inherently governmental categorization or reason code designation of the challenged FTE(s), in a written inventory challenge decision; and transmit the inventory challenge decision, including the	Attachment A: D1a; D3

Title of Official	Qualifications of Individual	Responsibilities	References
Inventory Challenge Authorities	the individual who prepared the inventory	rationale for the decision, to the interested party within 28 working days of the receipt of the inventory challenge	
Inventory Appeal Authorities	Designated by the head of the Department Independent and at a higher level in the agency than the inventory challenge authorities	Review and respond to appeals of inventory challenge decisions made by inventory challenge authorities Receive appeals of inventory challenge decisions Issue and transmit a written inventory appeal decision to the interested party within 10 working days of the receipt of the appeal	<u>Attachment A:</u> D1b; D5
Office of the General Counsel		Provides advice to the CSESG, the OCS, procurement personnel, the Functional Team Official and competition team participants, and other appointed competitive sourcing officials regarding conflicts of interest, ethics, and procurement integrity issues related to the A-76 process The General Counsel also provides legal advisory services related to the A-76 process, including required notifications, Freedom of Information Act (FOIA) requests, contests, etc.	
Office of Public Affairs		Provides advice to the CSESG, the OCS, procurement personnel, the Functional Team Official and competition team participants, and other appointed competitive sourcing officials on issues concerning public announcements related to the Competitive Sourcing Program	
Office of Congressional and Intergovernmental Affairs		Provides advice to the CSESG, the OCS, procurement personnel, the Functional Team Official and competition team participants, and other appointed competitive sourcing officials on Congressional and intergovernmental issues related to the Competitive Sourcing Program	