

Service Level Agreement

Between

The Environmental Management Consolidated Business Center (EMCBC)

And

The Portsmouth/Paducah Project Office (PPPO)

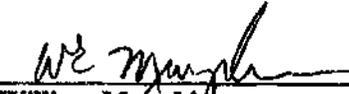
The attached document provides the roles and responsibilities, authorities, and working relationships between the EMCBC and the Portsmouth/Paducah Project Office. This Service Level Agreement shall remain in effect until such time as it is amended by the EMCBC Director and the Portsmouth/Paducah Project Office Manager.

Approved:



Jack R. Craig,
Director, EMCBC

9/30/05
Date



William Murphy
Manager, Portsmouth/Paducah Project Office

9/30/05
Date

**Service Level Agreement (SLA)
Between the Portsmouth/Paducah Project Office (PPPO) and
the Environmental Management Consolidated Business Center (EMCBC)**

This SLA delineates the relationship between the Portsmouth/Paducah Project Office (PPPO) and the EMCBC. This SLA sets forth the respective PPPO and EMCBC responsibilities and authorities and describes the functions and services that the EMCBC will provide to the PPPO.

Background

The Department established the PPPO in 2003 as part of an effort to better serve the Portsmouth and Paducah Gaseous Diffusion Plants in completing the cleanup mission at those sites. The PPPO was established with a streamlined federal workforce whose mission is to focus on overseeing the contractors performing cleanup related activities at the Portsmouth and Paducah sites. When the PPPO was established, the Department indicated that, in addition to the activities carried out by PPPO staff, the PPPO was to receive business support services from the EMCBC upon the EMCBC's stand-up. Since its establishment (and pending the EMCBC's stand-up), the PPPO has been receiving business support services from various other entities, including Department of Energy Headquarters (DOE HQ) and the Oak Ridge Operations Office (ORO).

The EMCBC's mission includes providing business support services for the PPPO. The EMCBC's mission statement indicates that the EMCBC will provide business support services in the areas of Financial Management, Logistics, Information Resources (IT), Human Resources, Contracting/Procurement, and Legal Services. Through use of its Cadre concept, the EMCBC also will provide technical and subject matter expertise to assist PPPO as requested in managing site cleanup and closure requirements. The Manager of the PPPO retains all authority and responsibility with respect to project management and management of PPPO staff to achieve the EM mission at the Portsmouth and Paducah sites. Nothing in this SLA shall be read or interpreted in such a manner as to limit or otherwise change either the authority of the Manager of the PPPO to manage the project at the Portsmouth and Paducah sites, or the authorities of the EMCBC Director.

Purpose

The purpose of this SLA is to 1) describe the responsibilities and authorities between the PPPO and the EMCBC, and 2) identify those business support services that the EMCBC will be providing to the PPPO. With the exception of Cadre members assigned to the PPPO, personnel stationed at the PPPO (Lexington, Paducah, and Portsmouth) will be employees of the PPPO and will report to the Manager of the PPPO. Cadre members assigned to the PPPO will report to the Director of the EMCBC, but will receive day-to-day direction from the Manager of the PPPO. The Manager of the PPPO also will provide input into the performance standards and performance appraisals of Cadre

members stationed at the PPPO. Additionally, the EMCBC will provide a mechanism to allow the PPPO to provide feedback regarding the quality, timeliness, and performance of the EMCBC in providing deliverables and services under this SLA and Attachment 1.

The EMCBC will provide business support services to the PPPO in the following areas: Financial Management, Logistics, Information Resources (IT), Human Resources, Contracting/Procurement, Legal Services, Environmental Safety and Health, Emergency Management, Public Affairs, EEOICPA, FOIA and Privacy Act, Real Estate, ISMS, Legacy Management, and Property Management. Since both the Portsmouth and Paducah sites previously were under ORO management and oversight and ORO is intimately familiar with unique issues pertaining to the sites, there are certain areas for which the PPPO currently is receiving support from ORO. The PPPO will continue to receive support from ORO in those areas until such time as the Manager of the PPPO and EM-1 determine that the PPPO should receive support from a source other than ORO. The areas for which ORO will continue to provide support are as follows: NEPA, State and Federal Historic Preservation, Safeguards and Security (including, but not limited to, classification and personnel security), USEC interfaces (including, but not limited to, Lease Administration, USEC Work Authorizations, GFS&I, and Work Authorizations), and Nuclear Fuel Security and Uranium Technology.

The EMCBC will provide designated business support services to the PPPO as indicated in Attachment 1. Additionally, when requested, the EMCBC will support PPPO in responding to DOE HQ taskings, including routine documentation, reporting requirements, and data calls.

The EMCBC and PPPO understand that PPPO retains full authority with respect to areas where the SLA and Attachment 1 provide that the EMCBC will provide certain services and take certain actions as requested by the PPPO. The EMCBC and PPPO further understand that PPPO may exercise such authority to perform all necessary functions and activities in furtherance of its mission, consistent with its authorities, notwithstanding provisions in this SLA and Attachment 1.

All actions taken under this SLA and Attachment 1 by the EMCBC and the PPPO pursuant to their delegated and designated responsibilities and authorities shall comply with all applicable policies, procedures, DOE Orders, and other regulations and requirements.

This SLA and Attachment 1 assume that all necessary EMCBC resources will be available to meet the EMCBC's obligations and satisfy PPPO requests for areas addressed by this SLA and Attachment 1. In the event such resources are not available, the EMCBC shall seek to obtain such resources.

While an attempt has been made in Attachment 1 to list all of the business support functions and services required to support the PPPO, there is the potential that activities have been overlooked. Thus, this SLA should be considered a living document, subject to change with the written agreement of both the Director of the EMCBC and the

Manager of the PPPO. In the event of an addition or deletion of a function or a service, the change will become effective once signed off on by both the Director of the EMCBC and the Manager of the PPPO and Attachment 1 will be modified as needed to reflect the change. For areas not identified in this SLA as being the responsibility of the EMCBC, the PPPO may seek support from either the EMCBC or other offices, as the Manager of the PPPO deems appropriate.

ATTACHMENT 1

1. Human Resources Management (HR)

The Manager of the PPPO holds primary line management authority and makes determinations with respect to staffing level requirements, development and application of performance standards, determine PPPO employee awards within the overall PPPO award pool, training requirements, and requests/recommendations for personnel actions. The PPPO will have a designated HR point of contact who will coordinate with the EMCBC Human Resources staff in accomplishing HR services. EMCBC Director maintains appointing authority, which is accomplished by the EMCBC Office of HR, who provide full-service support to include HR specialists in the following areas: Classification, Compensation, Recruitment and Placement, Employee Benefits, Human Resource Development, Performance Management, Employee Relations, Labor Relations, Personnel Actions Processing, Employee Training and Development, and Official Personnel Folder Management. PPPO will have authority to fill all positions approved through the EM HQ hiring controls board and the EMCBC will support the recruitment and selection of those positions. All other PPPO actions which require EMCBC processing will be service by the EMCBC and be consistent with EM HQ human capital policies and procedures.

The EMCBC will maintain the official personnel files for EMCBC employees duty stationed at the PPPO (Lexington, Paducah, and Portsmouth), and will also process routine personnel actions such as step increases and pay raises for such employees. The EMCBC will fund all travel and training expenses for EMCBC employees providing support for the PPPO, whether duty stationed at the PPPO (Lexington, Paducah, and Portsmouth), the EMCBC in Cincinnati, or elsewhere.

2. Contracting/Procurement

The Director of the EMCBC will hold the Head Contracting Authority (HCA) for contracts/procurements in support of the PPPO mission as designated on March 4, 2005. The Manager of the PPPO is responsible for day-to-day contract administration and oversight of the PPPO contracts in support of the PPPO's mission. Contracting Officers (COs) and Contract Specialists (CSs) located in the PPPO (Lexington, Paducah, and Portsmouth) will report to the Manager of the PPPO. The Office of Contracting, EMCBC will provide support to the Manager of the PPPO in achieving the goals and objectives of the PPPO.

The EMCBC Director will delegate contract authorities to the PPPO staff and also provide the contracting officers' warrants. The PPPO manager will make final determinations with respect to administration of PPPO contracts (e.g., fee determinations, requests to show cause, etc.), which PPPO will submit to the Director of the EMCBC in his/her capacity as HCA for review for compliance with applicable contracting and procurement requirements and for any signature reserved exclusively for the HCA under

applicable requirements. All fee determinations will be submitted to the EMCBC HCA for concurrence prior to final submittal to the contractors to ensure compliance with all contract/procurement requirements.

The EMCBC will also provide support in other areas, including, but not limited to:

- Assistance in contract, grant, purchase order, and cooperative agreement award (including conducting Source Evaluation Boards), administration, modification, termination, and closeout;
- Assistance in entering into agreements committing the Department to the sale, barter, or other exchange of products and other services, including funds-in interagency agreements and other agreements providing reimbursable work for others;
- Assistance in areas of contractor human relations, including review of pension plan changes, support in the area of Work Force Transition;
- Convening Labor Standards Boards and making Labor Standards Determinations;
- Supporting and approving warrant levels for PPPO COs for acquisition, assistance, and sales transactions; developing and maintaining plans, policies, and procedures applicable to the procurement and acquisition support process.
- Managing, maintaining, and entering actions into the Procurement Acquisition Data System (PADS)/Federal Procurement Data System (FPDS) database and input into the performance management system supporting the President's Management Agenda;
- Administering the Minority and Small Disadvantaged Business Programs, including negotiating goals with contractors;
- Documenting Contracting Officer Warrants and Contracting Officers' Representative appointments;
- Managing the Acquisition Career Development Program in accordance with DOE Order 361.1; and
- Performing or obtaining actuarial assessment of contractor pension, medical and other post-retirement benefit programs, contractor employee welfare programs, and contractor training and providing the Manager of the PPPO with information and recommendations for him/her to consider in making decisions regarding contracts supporting accomplishment of the PPPO mission.

3. Financial Management

The EMCBC will be the allottee for the PPPO. The Manager of the PPPO holds primary authority and makes determinations with respect to establishing budgetary requirements, priorities, expectations, and execution; lifecycle baseline priorities; and project management in support of the PPPO's mission. Financial, budget, and internal review personnel located in the PPPO (Lexington, Paducah, and Portsmouth) will report to the Manager of the PPPO. The EMCBC will provide financial management support as described below for the following areas:

- Budget
 - o Provide administrative control of funds;
 - o Provide assistance with budget planning activities, as requested.

- Planning

The EMCBC will provide support to the PPPO, as requested, in the following areas of planning activities:

 - o Budget formulation and submission support;
 - o Project management and execution support, including Earned Value Management System (EVMS) setup and administration;
 - o Lifecycle planning support, including maintenance and oversight of baselines; and
 - o Project execution reporting support.

- Financial/Accounting Services
 - o Ensure accurate and timely recording of financial data in accordance with applicable accounting principles and standards;
 - o Ensure accuracy, timeliness, and reliability of internal financial reports;
 - o Establish and provide advice on financial policies and general procedural requirements for Federal accounting and reporting;
 - o Direct accounting and consolidated financial reporting, including environmental liability reporting;
 - o Provide accounting services for the PPPO, including payroll services, travel reimbursement, and contractor oversight (financial and accounting data, interface, reporting, review, etc.);
 - o Provide support in analyzing accounting and financial issues and recommending appropriate resolution to the Manager of the PPPO and the EMCBC.

- Internal Review. The EMCBC will provide support to the PPPO, as requested, to promote the effective, efficient, and economical operation of PPPO programs through contractor reviews, audit liaison activities, and management control assessments. The EMCBC will provide support, as requested, in the following areas of internal review:
 - o Liaison activities with internal and external audit/review organizations such as the General Accounting Office (GAO), the Defense Contract Audit Agency (DCAA), and the DOE Inspector General;
 - o Provide meaningful financial analysis information and other audit assistance to management (e.g., baseline reviews);
 - o Provide oversight through objective financial analysis and management reviews;
 - o Develop and track financial performance measures;
 - o Administer the Management Control Program;
 - o Provide support when PPPO is conducting contractor reviews to ensure appropriate performance measures/metrics are incorporated into contracts;
 - o Coordinate and provide staff to support the annual Federal Managers' Financial Integrity Act (FMFIA) review;
 - o Provide support on "Whistleblower" Program;
 - o Provide support on OIG Hotline program;
 - o Provide support to PPPO DARTS updating;
 - o Request external audit; and
 - o Coordinate and resolve outstanding audit issues.

4. Information Resource Management

The Manager of the PPPO holds full authority with respect to matters concerning the need for, and procurement of, information technology (IT), and IT services. The PPPO will provide the funding for PPPO IT procurements and IT services. The PPPO will designate a PPPO employee as an IT/IRM point of contact, who will serve as a liaison between the PPPO and the EMCBC for IT/IRM issues. The EMCBC will provide support, as requested, in the following areas of IT/IRM:

- Development of policies, procedures, orders, and implementation guidance for activities related to information systems;
- Providing IT support for the PPPO, including on-site contractor support;
- Unclassified cyber-security;
- Hardware and software maintenance and support;
- Telecommunications support (including radio, telephone, internet, and video conferencing services);
- Help desk;
- Training;
- Application development/maintenance support;
- Systems and work flow support; and
- Records Management.

5. Logistics Management

The EMCBC will provide support to the PPPO in the following areas of logistics management:

- Management, accountability, and disposal of personal property, including equipment, supplies, and materials acquired and owned, rented, or leased by DOE; and
- Management, accountability, and disposal or acquisition of real property or any interest in real property (e.g., acquiring leases for private property to conduct activities in support of the PPPO mission). "Real property" and "real estate" are considered synonymous terms for the purposes of this SLA.

6. Transportation Management

The EMCBC will provide support services to the PPPO related to the transportation of personnel and material and the management of the DOE-owned/leased vehicle fleet used to accomplish this (including those DOE owned/leased vehicles in the physical possession of contractors). The Manager of the PPPO holds full authority to determine the number of vehicles necessary to support the PPPO mission. The Manager of the PPPO holds full authority with respect to the oversight and management of all waste transportation associated with the PPPO mission.

7. Legal Services

The PPPO holds full authority to make legal determinations with respect to matters pertaining to the PPPO. Counsel stationed at the PPPO (Lexington, Paducah, and Portsmouth) will report directly to the Manager of the PPPO and will provide legal advice and guidance directly to the Manager of the PPPO and PPPO staff. The EMCBC Legal Services office will provide support, as requested, on all legal matters not otherwise handled by PPPO legal staff. All EMCBC legal support will be coordinated through the EMCBC Chief Counsel. The support may include services of EMCBC attorneys, as well as EMCBC legal support staff (e.g., paralegals, legal secretary, etc.). When providing such support, EMCBC attorneys and legal support staff will coordinate with PPPO legal staff.

8. EEO/Diversity

The PPPO holds full authority and responsibility to administer Federal and Contractor Employee Concerns Programs for the PPPO. The PPPO will also be responsible for resolving DOE and Contractor EEO complaints. The EMCBC will provide support services to the PPPO in the following areas related to EEO/Diversity:

- Develop EEO/Diversity policy;
- Serve as the ombudsman;
- Serve as the point of contact for receiving EEO complaints and forwarding any such complaints to the PPPO for resolution;
- Upon request from the PPPO, provide any necessary support to the PPPO for responding to EEO complaints and Employee Concerns;
- Coordinating reporting requirements and submitting any necessary reports associated with the Employee Concerns Program for PPPO; and
- Provide EEO/Diversity counseling.

9. Technical Services

The EMCBC will provide technical support (from EMCBC Cadre personnel) to the PPPO, as available, in various areas of technical expertise necessary to support accomplishment of the PPPO mission. The Manager of the PPPO holds all authority to direct technical activities and staff conducting activities in support of the PPPO mission. EMCBC Cadre personnel deployed to the PPPO will take day-to-day direction, and receive performance evaluation input, from the Manager of the PPPO. The Manager of the PPPO will participate in the development of the performance standards for EMCBC Cadre personnel deployed to the PPPO.