

Service Level Agreement

Between

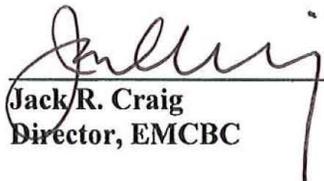
The Environmental Management Consolidated Business Center (EMCBC)

And

The Portsmouth/Paducah Project Office (PPPO)

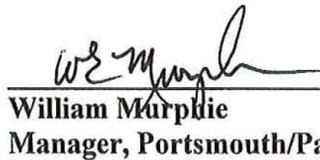
The attached document provides the roles and responsibilities, authorities, and working relationships between the EMCBC and the Portsmouth/Paducah Project Office. This Service Level Agreement shall remain in effect until such time as it is amended by the EMCBC Director and the Portsmouth/Paducah Project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

Approved:



Jack R. Craig
Director, EMCBC

4/14/08
Date



William Murphie
Manager, Portsmouth/Paducah Project Office

4/14/08
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 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, and the EMCBC Assistant Director, Office of Contracting, as delegated by the EM Head of Contracting Activity (EM HCA).

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. The Manager of the PPPO also will provide primary input into the performance standards and performance appraisals of Cadre members stationed at the PPPO. Additionally, in accordance with the

November 2007 memorandum from the Senior Procurement Executive, approving the designation of the Deputy Assistant Secretary for Acquisition and Project Management, Office of Environmental Management (EM-50) as the single EM Head of Contracting Activity (HCA), specific direction was given to require input from the EMCBC Assistant Director, Office of Contracting, into the performance appraisals of operational contracting staff assigned to PPPO. Similarly, the CBC will continue to seek Management input from the PPPO when preparing performance appraisals regarding the assistance provided by CBC staff and management whose responsibilities include supporting PPPO.

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, the Director of the EMCBC, 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.

The Manager of the PPPO will retain authority and responsibility to manage and oversee the project and PPPO staff, including determinations with respect to staff performance evaluations, awards, requirements, training needs and requests, and recognition (consistent with EMCBC Human Resources policy and procedures). Notwithstanding, the EMCBC Assistant Director, Office of Contracting, will provide input into the performance appraisals of operational contracting staff assigned to PPPO and the PPPO Manager will provide input to the CBC Manager on CBC performance appraisals for CBC staff whose responsibilities include supporting PPPO.

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, 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, and request/recommendations for personnel actions. The PPPO will have a designated HR point of contact who will act as the focal point 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 provides full-service support to include HR specialists in the following areas: Classification, Compensation, Recruitment and Placement, Employee Benefits, Performance Management, Employee Relations, Labor Relations, Personnel Actions Processing, and Official Personnel Folder Management. Human Resource Development and training services will be provided by the Enterprise Training Services (ETS). The EMCBC Director in coordination with Office of HR Assistant Director may delegate certain HR responsibilities and accountability to the PPPO Manager. Any delegation must be consistent with EMCBC Office of HR policies and procedures.

2. Contracting/Procurement

In accordance with the November 15, 2007 memorandum from the Director, Office of Procurement and Assistance Management, EM-50 was designated as the EM HCA, with specific functions and responsibilities further delegated to the EMCBC. While EM-50 is the HCA in support of the PPPO mission, the Manager of the PPPO is responsible for day-to-day contract administration and oversight of the PPPO contracts through Contracting Officers (COs), Contract Specialists (CSs), and Contracting Officer Representatives (CORs) located in the PPPO (Lexington, Paducah, and Portsmouth) and reporting 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. Additionally, the EMCBC Assistant Director, Office of Contracting will support functional accountability by providing input into the performance appraisals of operational contracting staff who support PPPO and the PPPO Manager will provide input to the CBC Manager on CBC performance appraisals for CBC staff whose responsibilities include supporting PPPO.

The EMCBC Director will delegate certain contract authorities as requested, in writing, to the PPPO staff and also provide the contracting officers warrants. The PPPO Manager may make determinations consistent with those authorities delegated by the HCA. For those areas not delegated by the HCA, the Manager of the PPPO and EMCBC staff will work together to develop and implement solutions that achieve the objectives established by the Manager of the PPPO. These areas include, but are not limited to, decisions with respect to administration of PPPO contracts (e.g., fee determinations, requests to show cause, contract extensions, etc).

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

- Assistance in contract, grant, and cooperative agreement award, administration, modification, termination, and closeout;
- Assistance in entering into agreements committing the Department to the sale of products and other services, including funds-in interagency agreements and other agreements providing reimbursable work for others;
- Assistance in all program areas of contractor human resource management, including benefits, compensation, work force transition, labor relations, labor standards, and reporting requirements;
- 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 and maintaining the Federal Procurement Data Systems and Subcontracting Reporting System supporting the President's Management Agenda;
- Administering the Minority and Small Disadvantaged Business Programs;
- Documenting Contracting Officer Warrants and Contracting Officers' Representative appointments;
- Managing the Acquisition Career Development Program in accordance with DOE Order 361.1A; and
- Performing 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, in 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 either the Manager of the PPPO or 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 (ex. 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;

- Provide support on “Whistleblower” Program;
- Provide support on OIG Hotline program;
- Provide support to PPPO DARTS updating;
- Request external audit; and
- Coordinate and resolve outstanding audit issues.

4. Information Resource Management

The Manager of the PPPO will make determinations with respect to matters concerning the need for, and procurement of, information technology (IT), 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 in the following areas of IT/IRM, as requested by PPPO:

- Development of policy, 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.

5. Logistics Management

The EMCBC Office of Logistics consists of four programmatic Teams:

Personal Property Management
 Real Property Management
 Transportation Management
 Records Management and Legacy Management Interface

Personal Property Management:

The EMCBC Personal Property Team will support and assist the PPPO with the management of personal property including receipt, inspection, storage, maintenance/repair, inventory management, disposal, transportation, and/or fleet management. The procurement of personal property is specifically excluded from the EMCBC logistics definition since it is accomplished by the contracting function within DOE.

The EMCBC Personal Property Team is responsible for assisting as requested in the conduct of required and for-cause physical inventories of personal property under the management and control of the PPPO. The EMCBC will support the property

accountability of personal property assets in the possession of PPPO in accordance with the Federal Property Management Regulations.

The procurement of personal property is specifically excluded from the EMCBC logistics definition as this function is performed by the Office of Contracting.

Real Property Team:

The EMCBC Real Property Team will perform Real Estate acquisitions and other life cycle management activities of real property by a certified realty specialist. Real Property management activities include acquisition, management, utilization, accounting, reporting and disposal of real property. Real estate actions must be reviewed and approved by a DOE Certified Realty Specialist (CRS) before executing the action. The Real Estate team will provide CRS support for all real estate management functions identified above on an as required or requested basis.

Transportation Team:

The EMCBC Transportation Team will provide requested support services to PPPO related to the movement 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 with respect to the oversight and management of all waste transportation associated with the PPPO mission.

The EMCBC Transportation Team will provide requested support and assistance with security, emergency management and DOE oversight activities in support of transportation of hazardous materials and waste from the PPPO Projects. The support and assistance includes personnel resources with subject matter expertise for Quality Assurance, Transportation Management, Emergency Management and Security Management. Examples of the assistance and support include security, emergency and transportation plan and procedure reviews, transportation planning public outreach, transportation compliance reviews, training drill and exercise evaluation, security survey support and accident investigation support.

The EMCBC Office of Logistics Transportation Team will not manage Site Programs, and will only provide assistance and support to the PPPO Director as requested.

Records Management and LM Interface Team:

The EMCBC Records Management & LM Interface Team will provide training to the PPPO staff (i.e., DOE personnel and DOE support service contractor personnel) on all life-cycle phases of records management, including records scheduling and disposition. Space permitting, the EMCBC will also provide this training to DOE prime contractor staff at the PPPO sites. The Records Management & LM Interface Team will provide

records management expertise and consulting services to the PPPO Federal Project Director for all records management issues. The DOE and the DOE prime contractor organizations at the PPPO sites are responsible for implementing all applicable DOE records management requirements for active and inactive records associated with the site. These requirements include: DOE Order 243.1 dtd 2/3/06 (Records Management Program), DOE Order 243.2 dtd 2/2/06 (Vital Records), DOE Order 200.1 dtd 9/30/96 (Information Management Program), and the applicable sections of various DOE Orders and/or Manuals for the Safeguards & Security Program (i.e., the "470" series of Orders/Manuals) which prescribe requirements for the use, protection, storage, reproduction and destruction requirements for Official Use Only (OUO), Unclassified Controlled Nuclear Information (UCNI), and Classified records material. The DOE and the DOE prime contractor at the PPPO sites are also strongly encouraged to follow guidance provided in DOE Guide 1324.5B dtd 7/19/96 (Records Maintenance and Disposition), and any guidance that may subsequently be issued by the DOE Office of the Chief Information Officer (CIO), the DOE Environmental Management (EM) Program Records Official, and/or the Records Management Field Officer (RMFO) at the EMCBC. The EMCBC Records Management & LM Interface Team will assist the appointed PPPO Records Liaison (a DOE staff member located at the site) in all records matters, including the processing of any requests for records (e.g., in response to legal discovery, Freedom of Information Act request) and/or the scheduling and disposition of site records. The onsite PPPO Records Liaison(s) (with assistance from the RMFO, if requested) is responsible for directly interfacing with the DOE prime contractor on all records matters, including the processing of any requests for records and/or the scheduling and disposition of site records. The RMFO and all designated PPPO Records Liaisons will work together as a team to successfully implement all requirements of a life-cycle records management program at the PPPO sites.

At the appropriate time, (typically, three years before a site's programmatic transfer from EM to LM), the EMCBC Records Management & LM Interface Team will also assist the Federal Project Director at the PPPO site with implementation of all requirements governing the transition of post-closure continuing Federal functions from EM to LM (e.g., records management, long-term environmental surveillance, maintenance of engineered and/or institutional controls). These requirements include: EM-1/LM-1 joint memorandum dtd 2/15/05 entitled "Development of Site Transition Plan, Use of the Site Transition Framework, and Terms & Conditions for Site Transition;" EM-1/LM-1 joint memorandum dtd 6/16/04 entitled "Transition of Sites from Environmental Management;" EM-1 memorandum dtd 2/12/03 entitled "Definition of Environmental Management Completion;" and EM-1 memorandum dtd 6/10/03 entitled "Transition of Long-Term Response Action Management Requirements." The Records Management & LM Interface Team will assist the Federal Project Director in developing a Site Transition Plan and a Records Management Transition Plan for the PPPO sites. The Records Management & LM Interface Team will also facilitate site transition planning discussions between the PPPO Federal Project Director and other organizational elements within the EMCBC (e.g., the EMCBC Office of Financial Management is responsible for budget formulation and project management activities, including preparation of the Critical Decision-4 package).

6. Legal Services

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 PPPO legal staff will ensure that the EMCBC General Counsel is aware of Legal determinations made by PPPO. The EMCBC Legal Services office will provide support, as requested, on all legal matters not otherwise handled by PPPO legal staff. The support will 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.

7. EEO/Diversity

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 processing EEO complaints;
- Administer an Employee Concerns Program; and
- Provide EEO/Diversity counseling.

8. 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. The EMCBC Cadre personnel deployed to the PPPO will take day-to-day direction, and receive primary 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.