

The Service Level Agreement
Between
The Environmental Management Consolidated Business Center (EMCBC)
And
The Carlsbad Field Office (CBFO)

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

Approved:

John P. Zimmerman, Director
Environmental Management Consolidated
Business Center

Date

Mark Bollinger, Acting Manager
Carlsbad Field Office

Date

**The Service Level Agreement
Between
Environmental Management Consolidated Business Center
And
The Carlsbad Field Office**

Introduction

The Assistant Secretary for Environmental Management, Department of Energy (DOE/EM), is responsible for the safe, efficient and effective clean-up, stabilization and remediation of nuclear and hazardous waste materials and contamination resulting from prior activities of DOE and its predecessors. Activities related to this mission are conducted at many locations around the nation and are typically staffed with federal and contractor personnel that possess technical, business, technical support & asset management, and administrative expertise. EM provides remote and on-site support to CBFO in several functional areas through a Consolidated Business Center (EMCBC) located in Cincinnati, Ohio.

The Carlsbad Field Office (CBFO) is responsible for the management of the DOE National TRU Program with its key activities at the Waste Isolation Pilot Plant (WIPP) and various sites in DOE including related quality assurance, characterization, and transportation activities.

The EMCBC's mission is to provide centralized business support services to selected EM sites such as CBFO allowing CBFO resources to focus on effectively executing its TRU Waste mission. Through this support, EMCBC will 1) provide the continuous, stable business support services to the CBFO as defined in this agreement, 2) achieve economies of scale through standardization and streamlined operations and, 3) permit EM to better utilize its site resources for front-line activities.

EMCBC Operational Strategy

In order for the CBFO to focus their resources on project and technical management and oversight of CBFO contractors, the EMCBC will provide defined business support services to CBFO. Under this model, CBFO will continue to have mission responsibility, with the EMCBC holding specific business authorities in support of CBFO and providing support in other business services. Attributes of the EMCBC operational strategy include the following:

- Stable business support for a variety of customers with differing project mission requirements and differing business support requirements;
- Ability to support multiple customers in different time zones;
- Combined use of federal employees and support service contractors (as required) to support customers;
- Optimization of FTEs between the EMCBC and its customers;

- EMCBC will strongly encourage frequent and routine travel to Carlsbad, especially for those with functional responsibilities, to support the CBFO face-to-face and ensure a generous travel budget to support regularly scheduled and as needed site visits. For EMCBC support positions that are at least 75% of an FTE, EMCBC will require quarterly trips to Carlsbad;
- act as an effective liaison between DOE headquarters and CBFO;
- represent the CBFO's interests and serving as the CBFO advocate and functional owner accountable to the CBFO Manager;
- accomplish headquarters' taskings on behalf of CBFO, especially when it comes to routine documentation or reporting requirements;
- develop standardized functional processes, procedures and policies. All such processes, procedures and policies that impact CBFO or support to CBFO will be submitted to CBFO for formal concurrence when developed, revised or modified and before issued as final.

Potential EMCBC Service Areas

A cooperative business support responsibility exists between the EMCBC and CBFO as defined in this agreement. In general, EMCBC business support functions include:

- Contracting/Procurement
- Financial Management,
- Civil Rights, Diversity and Inclusion
- Asset Management
- Legal Services
- Human Resources
- Cost Estimating
- Information Resource Management
- Environmental Safety Health & Quality

EMCBC will periodically provide a list of the EMCBC managers responsible for support in these functional areas.

Performance Evaluation

EMCBC staff providing at least 50% of their support to performing work for CBFO through formal assignment shall primarily be evaluated by CBFO in coordination with their official supervisor at the EMCBC. The EMCBC will develop and implement a formal process, with CBFO concurrence, by which CBFO input on performance is used or incorporated into the formal performance reviews (1-2 times throughout the performance period) and final performance rating.

Overall EMCBC performance will be shared through regular and recurring interfaces between peers at all levels of the organizations. The CBFO will periodically evaluate

these functional areas and the services provided for input into the manager’s performance evaluation process. Sufficient time will be provided to CBFO to complete the performance evaluation. In the event performance ratings cannot be agreed to, the EMCBC and CBFO Deputy Managers will work to gain resolution.

Ideally performance issues should be communicated immediately.

Delegated Functional Authorities

The EMCBC serves as the functional area authority for the CBFO in the areas of; Contract Procurement; Financial Management; Civil Rights, Diversity and Inclusion; Asset (Property) Management; and Legal. These functional authorities will be designated as such on the CBFO organization chart and supporting documentation, as applicable. CBFO will provide staff as on-site liaisons, however the EMCBC cognizant managers are responsible to assure qualified staff are performing all required functions to achieve required goals in their area. These managers have been delegated functional authority and are accountable for CBFO performance in these areas.

| Delegated Functions | Matrixed to CBFO | Support Provided by EMCBC |
|---------------------------------------|-------------------------|----------------------------------|
| Contracting/Procurement | X | |
| Financial Management | | X |
| Civil Rights, Diversity and Inclusion | | X |
| Asset Management | | X |
| Legal Services | X | |
| Human Resources | | X |
| Cost Estimating | | X |
| Information Resource Management | | X |
| Environmental Safety Health & Quality | | X |

Contracting/Procurement

The EMCBC Assistant Director, Office of Contracting has specific delegated HCA functions that includes procurement authority within specified monetary levels for EM requiring activities.

The Manager of the CBFO is responsible for day-to-day contract administration and oversight of the CBFO contracts through Contracting Officers (COs), Contract Specialists (CSs), and Contracting Officer Representatives (CORs) located in the CBFO and/or reporting to the CBFO Office of Business. These personnel will perform contracting, purchasing and assistance activities in accordance with EMCBC and CBFO policies and procedures and within delegated authorities. The Office of Contracting, EMCBC will provide support to the Manager of the CBFO in achieving the goals and objectives of the CBFO.

The CBFO Manager may make determinations consistent with those authorities delegated by the HCA. For those areas not delegated by the HCA, the Manager of the CBFO and EMCBC Office of Contracting will work together to develop and implement solutions that achieve the objectives established by the Manager of the CBFO. These areas include, but are not limited to, decisions with respect to administration of CBFO contracts (e.g., fee determinations, requests to show cause, contract extensions, etc.).

The EMCBC Office of Contracting Independent Review Team will provide the primary independent review function for the EMCBC for sales, contract, financial assistance, and subcontract actions within specified monetary levels.

Pursuant to EM HCA memorandum, the EMCBC Assistant Director, Office of Contracting is delegated Federal Procurement Director Responsibilities for Procurement/Contract actions at/for CBFO. As such, procurement requirements and issues at CBFO are, in fact, joint issues at shared by the EMCBC as well. Procurement responsibilities will be executed through a series of procedures, concurred on by CBFO, that are applicable to all delegated actions.

The EMCBC will provide support in specific areas as needed, including, but not limited to:

- Provide dedicated CO, matrix support for the M&O contract;
- Provide on-going assistance and personnel in contract, grant, and cooperative agreement award, administration, modification, termination, and closeout as requested/needed to ensure on-going mission accomplishment;
- 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;
- Subject Matter Experts (SMEs) in all areas of contractor human resource management programs (compensation, benefits, labor relations and workforce transition), including review of contract deliverables and providing recommendations to the Contracting Officer, and coordinating HQ's data calls covering the program areas;
- Coordinating HCA approval of warrant levels for CBFO COs for acquisition, assistance, and sales transactions; documenting Contracting Officer Warrants and Contracting Officers' Representative appointments; developing and maintaining plans, policies, and procedures applicable to the procurement and acquisition support processes;
- Manage and maintain the Federal Procurement Data Systems (e.g., STRIPES, CPARS, FPDS, etc.) and Subcontracting Reporting System;
- Administering the Small Business Programs;
- Managing the Acquisition Career Management Program in accordance with DOE Order 361.1B; and

- Provide cost and price analysis regarding pre-award proposals, post-award proposals, Requests for Equitable Adjustments, and fee actions such as draft fee plans, payments of Performance Based Incentives, and determinations of award/incentive fee earned. Support CBFO procurement teams, Federal Project Directors, and Contracting Officers as requested in conducting cost/price analysis and in establishing pre-negotiation and final negotiation objectives.
- Make available EMCBC contracts to support corporate goals such as but not limited to: IT service desk support, technical assistance contracts, records management.
- Support development of CBFO-specific procedures to increase the independence of the CBFO contracting organization from EMCBC programs/processes.

Financial Management

The Manager of the CBFO 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 CBFO's mission. EMCBC, as the allotment holder, receives CBFO funding allotments and is responsible for the administrative control, finance reporting, and management assurance for those funds. EMCBC will expeditiously distribute funding to CBFO or otherwise disperse funding as directed by CBFO within the approved funding program guidelines. The EMCBC will provide financial management support to CBFO, in the following areas:

- Certify funds availability for all CBFO commitment and obligating documents;
- Periodically report the status of financial resources and results of operations, and will develop reports to support internal and external requirements regarding the financial activity and the integrity of fiscal operations (as requested);
- The EMCBC will ensure that financial data is recorded accurately and on time in accordance with applicable accounting principles and standards, and that financial reports are accurate, timely, and reliable;
- Direct accounting and consolidated financial reporting, and support environmental liability reporting, with emphasis on contributing to the issuance of financial statements that receive an unmodified audit opinion, as well as provide accounting services for supported sites, including payroll services, travel reimbursement, and contractor oversight;
- Process Permanent Change of Station obligations;
- Provide support in analyzing accounting and financial issues, and recommending and/or implementing appropriate resolutions;
- Provide assistance and meaningful financial analysis information to senior managers, program, and site entities, if requested.
- Provide oversight of accounting records through financial analysis and reviews.
- Administer the Management Control Program and coordinate the annual Federal Managers' Financial Integrity Act (FMFIA) review; and
- Support the "Whistleblower" Program.

Civil Rights, Diversity and Inclusion

The EMCBC manages and executes the Equal Employment Opportunity (EEO), Diversity and Inclusion Programs and Affirmative Action Programs for the CBFO and oversee the associated contractor programs. The EMCBC holds primary jurisdiction for processing EEO complaints of discrimination in accordance with 29 CFR Part 1614. The EMCBC provides full-service support to include responsibilities and services to be performed, but are not limited to:

- Process and track EEO complaint activities/actions in compliance with regulations, laws and procedures.
- Prevent discrimination and eliminate barriers that impede free and open competition; monitor progress, identify areas where barriers may exist to exclude certain groups and develop strategic plans to eliminate those identified barriers.
- Provide Special Emphasis Program (SEP) support; assist and advise management on matters relating to employment opportunities for minorities, women, persons with disabilities, and disabled veterans; promotes EEO and diversity principles by developing special activities and/or observances.
- Provide Mandatory EEO training (sexual harassment, EEO updates, etc.) for EMCBC and Customer Sites' managers and employees in accordance with DOE Order 311.1B
- Implement and coordinate the participation and/or involvement in D&I Initiatives as defined by DOE-HQ, e.g., D&I Strategic Plan, Secretary of Energy Diversity Awards, Report to the Secretary on Diversity Accomplishments, EEO and diversity policy guidance, etc.
- Assess the Customer Sites contractors' EEO and diversity programs to ensure compliance with DOE contract requirements, procedures, and Appropriate Federal regulations, Contractor Acquisition Guidance Letters, and FAR and DEAR clauses.

Office of Technical Support & Asset Management

Environmental Safety Health & Quality

The EMCBC will provide, upon request:

- comprehensive and high quality services, oversight and support to the EMCBC, small and closure sites, and the DOE Complex;
- services, oversight and support in the areas of Regulatory Compliance, Safety Management Systems, Quality Assurance, Lessons Learned, Environmental Management Systems, Environmental Compliance, Contractor Assurance, Technical Support and DOE Oversight Assistance;
- preparation, review and issuance of program procedures and plans, as required to support the mission, and conduct/support audits and surveillance per DOE management guidance; and services and support in the areas of Personnel,

Physical, and Classified Information Security, Emergency Management, Waste Management, Radiation Protection, Technical Qualification Programs, and Transportation Management. Service and Support will be provided in concert with Contractor Assurance and DOE Oversight requirements.

Asset Management

The EMCBC will proactively support the CBFO mission and needs by:

- Managing Government personal property assigned at the Sites which involves: acquisition planning; identification and markings; property administration; updating the automated personal property inventory system; physical inventories; reporting requirements; and, disposition and reutilization;
- Managing contract administration for Government personal property which includes: acquisition planning; post-award conferences; contract property transition; initial and periodic property management system reviews; property administration and oversight; reporting requirements; property reutilization; contract closeouts and terminations; and, site closure; and
- Providing vehicle fleet management support of fleet operations and maintenances; initial authorizations and fleet capacity changes; vehicle disposition/replacement; and, reporting requirements.

The EMCBC will proactively meet the needs and requests of the CBFO, in accordance with DOE O 430.1, Real Property Asset Management, by fulfilling the following roles with the responsibilities and authorities for effective management, to include the acquisition, disposition and sustainment of DOE real property assets, as follows:

Real Property Officer

- Designate a single Real Property Officer for CBFO and ensure DOE real property management is implemented in accordance with Departmental policy and directives, federal laws and regulations, and PSO guidance;
- Oversee real property management functions as defined by the respective DOE element; and
- Ensure and document compliance of DOE federal employees and DOE contractor personnel who operate, maintain, and manage real property with the requirements of the Federal Building Personnel Training Act and other relevant federal laws and regulations.
- Identify and reports all real property assets within assigned site responsibility.
- Ensure contract requirements for real property life-cycle activities and projects are incorporated in assurance systems.
- Ensure contractors implement applicable real property management requirements defined in their contracts.

- Oversee, review and approval of contractor property management systems as applicable to contracts involving real property.
- Identifies and reports planned and actual expenditures, both direct and indirect, supporting real property life-cycle activities and projects.
- Reviews and submits FIMS data and real property planning documentation for acceptance.
- Appoint property administrators for contracts containing DOE real property inventory.

Real Estate Contracting Officer

- Execute, on behalf of the federal government and within the limits prescribed in his or her certificate of appointment, real estate agreements and instruments to acquire, manage, and dispose of real property assets.

Certified Realty Specialist

- Reviews and approves federal and contractor real estate actions to acquire, manage, and dispose of interests in real estate prior to execution. Ensure that applicable real estate laws, regulations, and policies are observed in the decision-making process and resulting agreement or instruments.
- Negotiate, or manage the negotiations of, actions to acquire, manage or dispose of interests in real estate in support of Program Office decision to pursue any particular real estate action.
- Support the coordination of real estate activities including, but not limited to: determining real property needs and planning for acquisition; acquiring real property assets and interests by lease or purchase; managing real property assets and interests; conducting utilization surveys; identifying unneeded real property assets; screening of unneeded real property assets; and disposing of excess real property assets.

Legal Services

The Chief Counsel for the EMCBC Office of Chief Counsel (OCC), will serve as a member of the EMCBC senior management staff and provide legal advice and guidance to the EMCBC Director. The EMCBC Chief Counsel will also serve as the Chief Counsel for the CBFO but CBFO will have the presence of at least one dedicated local counsel who reports directly to the EMCBC Chief Counsel. All legal services are rendered under the Department's General Counsel.

The mission of the OCC is to provide attorney and paralegal services, as needed to resolve legal issues arising at the CBFO. These legal matters may include administrative, contract, environmental, personnel and general law issues; ethics; Equal Employment Opportunity (EEO); issues related to divestiture activities in anticipation of, and preparation for, site closure; and, litigation, judicial or administrative, arising from facility operational and programmatic activities. The

CBFO site attorney will provide legal counsel to the CBFO, providing advice, representation and support as required to address legal matters as they arise from the CBFO site operations. As requested by CBFO, OCC will provide support for the CBFO in the execution of their responsibilities in the areas of the Freedom of Information Act (FOIA); Privacy Act requests; Energy Employee Occupational Illness Compensation Program (EEOICPA); and, request for documents under discovery in litigation claims, FOIA, Privacy Act, EEOICPA.

Human Resources

The Manager of CBFO holds line management authority and makes personnel decisions with respect to staffing level requirements, development and application of performance standards, and personnel actions. The EMCBC provides assistance/support in coordinating with the HC Shared Service Center staff in accomplishing HR services assistance, as requested. The EMCBC supports CBFO with the Drug Testing Program. Although the EMCBC currently provides support to CBFO for processing Performance Awards, Non-Performance Awards, Incentive and Honorary Awards, Length of Service Awards, and Workforce and Succession Planning, the EMCBC will work with the CBFO to establish and implement the protocol allow CBFO to complete processing of these awards without EMCBC assistance.

The HC Shared Service Center (also known as the Oak Ridge Shared Service Center) maintains appointing authority, who provides full-service support to include HR specialists in the following areas: Classification, Position Management to include assistance with Reorganizations and Reorganization Packages to HQ, Position Suitability Determination, Compensation, Pay and Leave Administration, Recruitment and Placement, Employee Benefits, Work/Life Programs, Retirement, Voluntary Early Retirement Authority (VERA)/Voluntary Separation Incentive Payment (VSIP), Employee Relations, Office of Workers Compensation Program, Employee Assistance Program Coordination, Personnel Actions Processing, Electronic Official Personnel Folder (eOPF) Management, Human Resource Development and training services, and HR Program Accountability Review.

Cost Estimating

The EMCBC will support CBFO general cost and schedule estimating, site programmatic and project risk management processes, Federal Site Lifecycle Estimate (FSLE) maintenance and related program management process, as requested.

The EMCBC provides support in establishing standards, policy, and procedures to ensure that EM cost and schedule estimates are accurate, traceable, and reliable; development of Independent Government Cost Estimates and provide Independent

Cost Estimating, and Independent Cost Analysis capability to support EM acquisition and project management program requirements, as requested:

- Developing & Implementing EM's Corporate Cost and Schedule Estimating & Analysis Program
- Supporting Acquisition and Contract Management
- Supporting Project Management Planning & Execution Support for execution of the EM Cleanup Program
- Advanced Analysis to support program decisions

Information Resource Management

CBFO has full responsibility for the management and direction of the CBFO information resources program. The EMCBC organization will provide general support on an as-requested basis.

The EM IRM staff shall temporarily (until CBFO has a full-time federal employee serving in this capacity) serve as the CBFO Records Management Field Officer (RMFO), supporting the CBFO Records Liaison Officer (RLO) with records management scope, clauses and requirements in new contracts, modifications to existing contracts, and assist in the development of a CBFO records management program to meet NARA and DOE requirements, specifically electronic (born digital). Assist in ensuring a compliant contractor records management program and support with records disposition, records assessments/surveillances, records scheduling, and other records tasks as requested.

ATTACHMENT 1
CORPORATE ACTIVITY RESOURCE REQUEST
(email form to carrequest@emcbc.doe.gov)

Corporate Activity Resource Request

Use Tab key to select and enter information

Customer:

Description of task:

Deliverables:

Timeframe:

Project Description:

Activity/Task Supervisor:

Federal Project Director:

Assignment Completion Evaluation

EMCBC Employee Name(s)

Activity/Task:

Completion:

Timeframes Met:

Level of Effort:

Additional Comments:

Onsite Supervisor:

Date:

SUBMIT