



National Transportation Safety Board

Washington, D.C. 20594

Office of Administration

SUBJECT: Analysis of FY2013 Service Contract Inventory

Section 743 of Division C of the Fiscal Year (FY) 2010 Consolidated Appropriations Act, P.L. 111-117, requires civilian agencies to prepare an annual inventory of their service contracts and to analyze the inventory to determine if the mix of federal employees and contractors is effective or if rebalancing may be required. Additionally, each agency shall submit a report suitable for public disclosure discussing its analysis of the FY 2013 service contract inventory and the use of contractors for the special interest functions that the agency selected to study. The National Transportation Safety Board (NTSB) selected the following special interest functions, by Product and Services Code (PSC), from the FY2013 inventory. Also annotated is the funding obligated to each of the PSCs during FY2013:

R408 – Support – Professional: Program Management/Support - \$2,233,318
M1BG – Operation of Electronic and Communications Facilities - \$1,122,617
H216 – Equipment and Materials Testing – Aircraft Components and Accessories - \$791,169
D304 – IT and Telecom – Telecommunications and Transmissions - \$665,000
S206 – Housekeeping – Guard - \$500,629

These PSCs were selected due to their inclusion in the special interest functions identified by the Office of Management and Budget (OMB), the role these PSCs have in supporting the NTSB mission, and the dollar amounts obligated to these PSCs.

During the analysis, the NTSB reviewed the specific contract files covered by the selected PSCs and discussed the contract performance with the Contracting Officer, the Contracting Officer's Representative (COR), and other interested stakeholders. The analysis took into account the desired outcomes of Section 743(e) of Division C of the Fiscal Year (FY) 2010 Consolidated Appropriations Act, P.L. 111-117, which includes:

- (i) Each contract in the inventory that is a personal services contract has been entered into, and is being performed, in accordance with applicable laws and regulations;
- (ii) The agency is giving special management attention, as set forth in FAR 37.114, to functions that are closely associated with inherently governmental functions;
- (iii) The agency is not using contractor employees to perform inherently governmental functions;
- (iv) The agency has specific safeguards and monitoring systems in place to ensure that work being performed by contractors has not changed or expanded during performance to become an inherently governmental function;
- (v) The agency is not using contractor employees to perform critical functions in such a way that could affect the ability of the agency to maintain control of its mission and operations; and
- (vi) There are sufficient internal agency resources to manage and oversee contracts effectively.

Under PSC R408 – Support – Professional: Program Management/Support, the contracts awarded and analyzed provided contractor support services in Human Resources and Information Technology areas. Personal services were not performed. The services performed were not inherently governmental nor were contractors being used to perform critical functions in such a way that could affect the ability of the agency to maintain control of its mission and operations. The functions performed by the contractors were not changed or expanded to become inherently governmental. The contracts had designated

Contracting Officer's Representatives (COR's) who were delegated authority to oversee contractor activities. The COR's adequately coordinated with the contractor's program managers to explain the tasks and to ensure the correct skill sets were provided to complete the tasks. Additionally, the COR's coordinated with the Contracting Officer to ensure contractor performance was in line with the scope of the contract. Based on the analysis, the NTSB will continue to appropriately procure services under this PSC to fulfill requirements in the Human Resources and Information Technology areas.

Under PSC M1BG – Operation of Electronic and Communications Facilities, the contract awarded and analyzed was required to provide 24/7 operations of the NTSB Response Operations Center, which functions as the communications hub for the agency. Its core mission is to provide logistical support for accident launches and investigations. Personal services were not performed. The services performed were not inherently governmental nor were contractors being used to perform critical functions in such a way that could affect the ability of the agency to maintain control of its mission and operations. The functions performed by the contractor were not changed or expanded to become inherently governmental. The contract had a designated COR who was delegated authority to oversee contractor activities. The COR adequately coordinated with the contractor's program manager to explain the tasks and to ensure the correct skill sets were provided to complete the tasks. Additionally, the COR coordinated with the Contracting Officer to ensure contractor performance was in line with the scope of the contract. Based on the analysis, the NTSB will continue to appropriately procure services under this PSC to fulfill requirements for the operation of the NTSB Response Operations Center.

Under PSC H216 – Equipment and Materials Testing – Aircraft Components and Accessories, the contracts awarded and analyzed were required to perform testing on lithium ion batteries used on the Boeing 787 as part of incident investigations conducted by the NTSB. Personal services were not performed. The services performed were not inherently governmental nor were contractors being used to perform critical functions in such a way that could affect the ability of the agency to maintain control of its mission and operations. The functions performed by the contractors were not changed or expanded to become inherently governmental. The contracts had designated COR's who were delegated authority to oversee contractor activities. The COR's adequately coordinated with the contractor's program managers to explain the tasks and to ensure the correct skill sets were provided to complete the tasks. Additionally, the COR's coordinated with the Contracting Officer to ensure contractor performance was in line with the scope of the contract. Based on the analysis, the NTSB will continue to appropriately procure services under this PSC to fulfill requirements to perform testing of aircraft components and accessories.

Under D304 – IT and Telecom – Telecommunications and Transmissions, the contracts awarded and analyzed were required to provide the NTSB wireless services. The NTSB requires effective, reliable and stable communication capabilities to carry-out its primary investigative mission and to ensure employee safety in remote locations. Personal services were not performed. The services performed were not inherently governmental nor were contractors being used to perform critical functions in such a way that could affect the ability of the agency to maintain control of its mission and operations. The functions performed by the contractors were not changed or expanded to become inherently governmental. The contracts had designated COR's who were delegated authority to oversee contractor activities. The COR's adequately coordinated with the contractor's program managers to explain the tasks and to ensure the correct skill sets were provided to complete the tasks. Additionally, the COR's coordinated with the Contracting Officer to ensure contractor performance was in line with the scope of the contract. Based on the analysis, the NTSB will continue to appropriately procure services under this PSC to fulfill requirements to perform testing of aircraft components and accessories.

Under S206 – Housekeeping – Guard, the contract awarded and analyzed was required to provide guard services to provide a safe and secure work environment for all employees and guests at NTSB facilities. Personal services were not performed. The services performed were not inherently governmental nor

were contractors being used to perform critical functions in such a way that could affect the ability of the agency to maintain control of its mission and operations. The functions performed by the contractor were not changed or expanded to become inherently governmental. The contract had a designated COR who was delegated authority to oversee contractor activities. The COR adequately coordinated with the contractor's program manager to explain the tasks and to ensure the correct skill sets were provided to complete the tasks. Additionally, the COR coordinated with the Contracting Officer to ensure contractor performance was in line with the scope of the contract. Based on the analysis, the NTSB will continue to appropriately procure services under this PSC to fulfill requirements for guard services to secure NTSB facilities.

Responsible Officials

The senior agency management official who is accountable for development of procurement policies, procedures and training associated with OFPP Policy Letter 11-01 addressing the performance of inherently governmental and critical functions is Christopher J. Blumberg, Senior Procurement Executive. The official responsible for ensuring appropriate internal management attention is given to the development and analysis of service contract inventories is Peter M. Hazlinsky, Chief, Acquisition and Lease Management Division.