

Report on FY 2018 Inventory and Planned Analysis of FY 2019 Inventory

PRETRIAL SERVICES AGENCY FOR THE DISTRICT OF COLUMBIA

About the Pretrial Services Agency for the District of Columbia

The Pretrial Services Agency for the District of Columbia (PSA) is a federal independent entity within the Court Services and Offender Supervision Agency (CSOSA). PSA has served the Nation's Capital for over 50 years. The Agency assists judicial officers in both the Superior Court for the District of Columbia and the United States District Court for the District of Columbia in formulating release recommendations and providing supervision and services to defendants awaiting trial that reasonably assure that those on conditional release return to court and do not engage in criminal activity. PSA has long been a leader in the D.C. criminal justice system and has been recognized nationally for its pretrial drug testing and innovative supervision and treatment programs.

PSA's mission is to promote pretrial justice and enhance community safety. PSA's vision is to thrive as a leader within the justice system through a diverse, inclusive and empowered workforce that embodies integrity, excellence, accountability, and innovation in the delivery of the highest quality services.

Background

The Consolidated Appropriations Act of 2010 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.

This report documents PSA's analysis of its FY 2018 service contract inventory and the use of contractors for the special interest functions selected for study. This report also documents PSA's plan for analyzing the FY 2019 inventory.

REPORT ON FY 2018 INVENTORY

1. Scope

For fiscal year 2018, PSA identified two special interest functions to analyze which are identified in the table below.

PSC	Product or Service Description	FY 2017 Obligations
D302	IT and Telecom-Systems Development	\$1,331,843.04
D399	IT and Telecom – Other IT and Telecommunications	\$389,371.00

PSC D302 included one contract accounting for 13% of the Agency's total reportable service contract dollars. PSA D399 also included one contract representing 4% of the total reportable service contract dollars.

The purpose of the analysis is to ensure that:

- 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;
- The Agency is giving special management attention to functions that are closely associated with inherently governmental functions;
- The Agency is not using contractor employees to perform inherently governmental functions;
- 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 inherently governmental functions;
- 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
- There are sufficient internal Agency resources to manage and oversee contracts effectively.

In determining which contracts to include in the analysis, PSA took into account the number of contract actions awarded within each PSC as well as the total obligation and complexity of each. PSA selected one contract under PSC D302 and one contract under D399 for further analysis. A summary of how PSA selected the contracts to be reviewed is provided below:

PSC D302:

PSA had only one contract action having an obligation exceeding the simplified acquisition threshold within this PSC. The total obligation was \$1,331,843.04, representing 13% of the Agency's total reportable service contract dollars. The single contract selected for further review represents 100% of the Agency's total reportable obligation within the PSC.

PSC D399:

PSA had only one contract action having an obligation exceeding the simplified acquisition threshold within this PSC. The total obligation was \$389,371.00, representing 4% of the Agency's total reportable service contract dollars. The single contract selected for further review represents 100% of the Agency's total reportable obligation within the PSC.

Methodology

For this analysis, a combination of methods and tools were employed, to include review of contract files and interviews with PSA Contracting Officers (COs) and Contract Specialists (CS) who have the authority to administer contracts and Contracting Officer Representatives (CORs) who oversee and manage the program(s).

Agency Findings

PSC D302:

PSA's reportable inventory for this PSC is limited to a single contract which accounts for approximately 13% of the Agency's total reportable service contract dollars. The specific contract selected for analysis, the obligation amount, and the percentage of the reviewed

contract obligation in comparison to the total obligation of actions selected for review under this PSC are provided below.

Contract	Obligation Amount	Percentage of Total Obligations Selected for Review
959P0018C0007	\$1,331,843.04	100%

The reviewed contract under this PSC is in support of the modernization of PSA’s Drug Testing Management System (DTMS). PSA’s prior information management system for drug testing data, the Drug Testing Management System (DTMS), was configured to record drug testing results for up to 12 substances. In order to have the flexibility to accommodate an unlimited number of substances for testing, the system was redesigned. The redesigned DTMS version 3.0 includes upgrades to the underlying infrastructure and technology, user interface, reporting capabilities, and the ability to interface with newer analyzers. Contracted services were completed in March 2019. A total of two (2) modifications were issued, one to extend the performance period and the second for contract closeout.

Services provided were not considered critical in such a way that could affect the ability of the agency to maintain control of its mission and operation. Services provided by the contractor were not considered an inherently governmental function. Contract personnel were not subject to (either by the contract’s terms or by the manner of its administration) the supervision and control usually prevailing in relationships between the Government and its employees. Contract administration was provided by both the Contracting Officer (CO) and a Contracting Officer Representatives (COR). Both the Contracting Officer and COR meet no less than monthly with other members of the program office and contractor key personnel to discuss contractor performance and identify areas needing additional monitoring.

PSC D399:

PSA’s reportable inventory for this PSC is limited to a single contract which accounts for approximately 4% of the Agency’s total reportable service contract dollars. The specific contract selected for analysis, the obligation amount, and the percentage of the reviewed contract obligation in comparison to the total obligation of actions selected for review under this PSC are provided below.

Contract	Obligation Amount	Percentage of Total Obligations Selected for Review
959P0018C0031	\$389,371.00	100%

Contract number 959P0018C0031 provides for location monitoring services for approximately 470 defendants under pretrial community supervision. Services include installation, removal, maintenance, retrieval and accounting for all monitoring equipment. Services provided are not considered critical in such a way that could affect the ability of the agency to maintain control of its mission and operation. However, the location monitoring services provided under the contract play an integral part of the overall supervision of the pretrial defendants. Services provided by the contractor are not considered an inherently government function. Contract personnel were not subject to (either by the contract’s terms or by the manner of its administration) the supervision and control usually prevailing in relationships between the Government and its employees. The contract reviewed was issued as a non-personal service.

No special management attention, beyond standard contract administration by the CO and COR was warranted or provided.

Summary of Findings:

Based on the analysis, the Agency has determined that:

- The Agency has no personal services contracts;
- The Agency is giving special management attention to functions that are closely associated with inherently governmental functions;
- The Agency is not using contractor employees to perform inherently governmental functions;
- 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 functions;
- 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
- There are sufficient internal Agency resources to manage and oversee contracts effectively.

Actions Taken or Planned by Agency to Address Weaknesses or Challenges

In review of the Agency's overall procurement system, it is determined that there are sufficient internal Agency resources to manage and oversee contracts effectively. All service contracts are administered by a CO and are assigned at least one COR. During its review, no weaknesses or challenges were identified.

Accountable official

Jeffery C. Brakebill, PSA's Head of Contracting Activity (HCA) is the senior Agency management official who will be responsible for developing Agency policies and procedures associated with the procurement and acquisitions, as well as the development and analysis of the service contract inventories for PSA.

FY 2019 SERVICE CONTRACT INVENTORY ANALYSIS PLAN

Scope

Section 743 of Division C of the Fiscal Year 2010 Consolidated Appropriations Act, P.L. 111-117, requires civilian agencies to prepare an annual inventory of their service contracts and to conduct an analysis to determine whether the mix of federal employees and contractors is effective.

For its FY 2019 analysis, PSA first reviewed an FPDS-NG report of its FY 2019 obligations exceeding the simplified acquisition threshold. The table below summarizes the result of this initial review, by PSC.

PSC	PSC Description	Obligations	% of Obligations
D302	IT and Telecom – Systems Development	\$1,331,843.04	19%
D399	IT and Telecom – Other IT and Telecommunications	700,877.00	7%
G004	Social – Social Rehabilitation	\$525,000.00	9%
R499	Support – Professional: Other	\$3,487,158.61	48%
R699	Support – Administrative: Other	\$1,184,530.87	17%
	TOTAL:	\$7,229,409.52	100%

Selected PSC's for FY 2019 Analysis

Taking into account the information presented above, PSA has selected the following PSC's for further analysis.

PSC	PSC Description	Obligations	% of Obligations
R499	Support – Professional: Other	\$3,487,158.61	48%
R699	Support – Administrative: Other	\$1,184,530.87	17%

PSC R499: The inventory includes three contracts representing 48% of the total obligations of the selected pool. Services provided under this PSC include statistical analysis support services and CRM application support.

PSC R699: The inventory includes one contract representing 17% of the total obligations of the selected pool. Services provided under this PSC provide operational support of PSA's Support Services Center (SSC).