

REQUEST FOR SUPPLIES AND SERVICES

(For use of this form see Army GPC Operating Procedures)

1. ACTIVITY: State University	2. REQUEST DATE: 1 DEC 2012	3. UNIT DODAAC: W900NB	4. DELIVERY DATE: 15 APR 2013
5. LOCAL PURCHASE AUTHORITY: CC REG 145-3	6. QUANTITY: 1	7. UNIT OF ISSUE: EA	8. UNIT PRICE: \$8,000.00
10. DESCRIPTION OF SUPPLIES OR SERVICES: Request for catered meals to be served to 200 Cadets attending Spring FTX at Camp Smith from 15-17 APR 2013. The following meals will be served: Breakfast: 16 and 17 APR 2013 (400 Breakfasts x \$8 = \$3200) Lunch: 17 APR 2013 (200 Lunches x \$8 = \$1600) Dinner: 15 and 16 APR 2013 (400 Dinners x \$8 = \$3200)			
11. REQUIRED FOR AND/OR SPECIAL INSTRUCTIONS:			
12. RECOMMENDED SOURCE: Joe's Diner 123 HWY 456 Anywhere, USA 12345 (502) 555-1234 POC: Joe Smith DUNS: CAGE:		13. SHIP TO LOCATION: Camp Smith 789 HWY 987 Anytown, USA	
14. FUND CITE AND BUDGET ANALYST SIGNATURE:			
15. POINT OF CONTACT AND PHONE NUMBER: Supply or Log Tech Name & Phone Number		16. COMMANDER AND/OR DIRECTOR APPROVAL (SIGNATURE): BN Commander or BDE S4	
17. ADDITIONAL APPROVAL (SJA):		18. ADDITIONAL APPROVAL (PBO):	
19. ADDITIONAL APPROVAL (MANPOWER):		20. ADDITIONAL APPROVAL IF REQUIRED:	
21. HAND RECEIPT HOLDER'S NAME, IDENTIFICATION NUMBER, AND SIGNATURE:		22. REQUISITION NUMBER:	

REQUEST FOR APPROVAL OF SERVICE AND SUPPLY/PRODUCT CONTRACT REQUIREMENTS

For use of this form, see TRADOC Regulation 5-14. The proponent is TRADOC, Deputy Chief of Staff, G-8 (ATRM-MDA). RCS ATRM-159 (R2)

NAME OF ORGANIZATION: Cadet_Command
CODES: UNIT IDENTIFICATION CODE: W0MTAA ASN:
CONTRACT REQUIREMENT / CONTRACT TITLE: Spring FTX Catered Meals

SECTION I: REQUIREMENT DESCRIPTION AND APPROVAL DECISIONS

A. PURPOSE OF THE CONTRACT: Request for catered meals to be served to cadets attending Spring FTX at Camp Smith from 15-17 APR 2013.

Table with 6 columns: B. COST ESTIMATES, FY13, FY__, FY__, FY__, FY__. Rows include ESTIMATED LABOR COST, ESTIMATED SUPPLY/PRODUCT COST (\$8,000.00), ESTIMATED TRAVEL COST, ESTIMATED OTHER COSTS, ESTIMATED TOTAL COST, ESTIMATED CMEs, and TOTAL CONTRACT COST.

8a. ARE FUNDS AVAILABLE? Funding Available
8b. WHAT IS THE SOURCE OF FUNDS? Army_Funded
8c. IF PARTIALLY FUNDED, PROVIDE THE FUNDED AND SAF AMOUNTS. Funded: \$ SAF: \$
8d. IF ARMY FUNDED, WHO PROVIDED THE FUNDS? EXPLAIN: USA Cadet Command

9a. IS A CONTRACTING ACTIVITY OTHER THAN THE MISSION AND INSTALLATION CONTRACTING COMMAND PROPOSED (i.e., offload)? NO
9b. IF YES, WHERE? N/A
9c. ASSISTED ACQUISITION? NO
9d. WILL THERE BE AN OFFLOAD/SERVICE/OTHER FEE? NO IF YES, PROVIDE THE TOTAL COST OF THE FEE. \$

10. FINANCIAL CLASSIFICATION table with columns: APPROPRIATION(S) / FUND(S), MDEP(s) / FUNCTIONAL AREA(S), AMSCO(s) / FUNCTIONAL AREA(S), FSC

C. CONTRACT REQUIREMENT DETAILS

1. IS THIS A SERVICE OR SUPPLY/PRODUCT CONTRACT REQUIREMENT? Service
2. PROVIDE THE CONTRACT NUMBER, MIPR NUMBER, TASK ORDER NUMBER, OR DELIVERY ORDER NUMBER, IF KNOWN.
Table with columns: CONTRACT #, MIPR # / FUNDED PROGRAM, TASK ORDER # OR DELIVERY ORDER #

3. REPORTING AND ACQUISITION DECISION (RAD) APPROVAL NUMBER:
4. CONTRACT TYPE: Service_Contract
5a. HAS THIS FUNCTION BEEN CONTRACTED WITHIN THE ORGANIZATION IN THE LAST 10 YEARS? YES
5b. IF "YES," HOW LONG HAS THE FUNCTION BEEN CONTRACTED? 5 Yrs
5c. PROVIDE PROPOSED TOTAL LENGTH OF THE CURRENT CONTRACT. 3 Days

6. WHAT OPTION YEAR OF THE CONTRACT IS BEING EXERCISED? N/A
7a. LIST WORK CENTER TDA PARAGRAPH NUMBER: 7b. LIST WORK CENTER
8. WHAT IS THE PERIOD OF PERFORMANCE? START DATE (YYYYMMDD) END DATE (YYYYMMDD)
9. ACRB/ECAB REVIEW DECISION NEEDED BY (YYYYMMDD): 1 Feb 2013

NAME OF ORGANIZATION: Cadet_Command

CONTRACT REQUIREMENT / CONTRACT TITLE: Spring FTX Catered Meals

SECTION I: REQUIREMENT DESCRIPTION AND APPROVAL DECISIONS (cont.)

D. JUSTIFICATION FOR CONTRACT REQUIREMENT:

1. WHAT TRADOC PRIORITY DOES THIS CONTRACT REQUIREMENT SUPPORT? Leader_Development_-_Training

2. WHAT TRADOC CORE FUNCTIONAL AREA DOES THIS CONTRACT REQUIREMENT SUPPORT? Leader_Development_and_Educati

3. HAS A COST BENEFIT ANALYSIS BEEN COMPLETED FOR THIS ACTION? Yes
IF YES, PROVIDE THE APPROVAL DATE. (YYYYMMDD) 20121201

4. IS THIS MISSION MANDATED BY REGULATION, DIRECTED BY HIGHER HQ, ETC? EXPLAIN.
CC REG 145-3

5. WHAT IS THE OPERATIONAL IMPACT IF THIS CONTRACT IS NOT AWARDED?
Cadets will have to eat MREs for sustainment.

6. COMMENTS

E. WORKSHEETS PREPARED BY/ORGANIZATION POC PHONE:

NAME: BN Log Tech SIGNATURE DATE (YYYYMMDD)
E-MAIL: bnlogtech.civ@mail.mil 20121201

F. CONTRACTING OFFICER'S REPRESENTATIVE / ALTERNATE COR / SUPPORTING COR NOMINATION

1. HAS A COR/ACOR/SUPPORTING COR BEEN NOMINATED THROUGH THE VIRTUAL CONTRACTING ENTERPRISE SYSTEM? NO
IF YES, NOMINATION DATE (YYYYMMDD):

2. INDIVIDUAL WHO ENDORSED NOMINATION: ENDORSEMENT DATE (YYYYMMDD):

3. CONTRACTING OFFICER'S REPRESENTATIVE (COR) / ALTERNATE COR / SUPPORTING COR:

NAME: PHONE
E-MAIL:

G. ENDORSEMENT

NAME, RANK, POSITION ENDORSED: SIGNATURE DATE (YYYYMMDD)
BDE CO, XO or DBO

H. RESOURCE MANAGER RECOMMENDATION

NAME, RANK, POSITION CONCUR NONCONCUR SIGNATURE DATE (YYYYMMDD)
Deputy G8 Signature Block

I. CERTIFICATION (Service contracts only)

I certify that:
1) This requirement does not include inherently governmental functions;
2) This requirement does not include unauthorized personal services either in the way the work statement is written or in the way the contract operates;
3) In the case of work closely associated with inherently governmental functions or non-competitive contracts, special consideration has been given to using federal government employees; and
4) This contract (check "Yes" or "No"):
a) Has been reported in the Contractor Manpower Reporting Application (CMRA); YES NO
b) Has not been reported in CMRA, an explanation is enclosed; or
c) The CMRA reporting requirement has been included in the work statement for this new requirement.
5) The requirement has been validated (check "Yes" or "No"): For example, the requirement has been documented, it has an approved concept plan and a manpower survey has been done, or it has been validated by other accepted techniques;
6) Sufficiently trained and experienced officials are available within the agency to manage and oversee the contract administration function (check "Yes" or "No").

NAME, RANK, POSITION CERTIFIED: SIGNATURE DATE (YYYYMMDD)

J. APPROVAL (All contracts)

NAME, RANK, POSITION APPROVED: SIGNATURE DATE (YYYYMMDD)
G4 Signature Block

REQUEST FOR SERVICES CONTRACT APPROVAL FORM

Name of HQDA Principal, Army Command, Army Service Component Command, or Direct Reporting Organization

Unit Identification Code (UIC)

Project Name for Contract

Contract Number / Task Order / Delivery Order Number

Contractor Manpower Equivalents and Cost: _____

Total Project Cost (including all services, supplies, and option years): _____

Justification for Contract (consider the following): _____

- 1) Has a Cost-Benefit Analysis been completed? (If yes, please provide the approval date.) And, if so, has the cost of labor been determined using the Directive-Type Memorandum 09-007, "Estimating and Comparing the Full Costs of Civilian and Military Manpower and Contractor Support," Change 3, or any successor?
- 2) Does this contract requirement support a core functionality of your mission or division?
- 3) Has this mission been mandated by regulation or directed by higher Headquarters?
- 4) In the event that this contract is not awarded, has the operational impact been considered?

HQDA Principal, Army Command, Army Service Component Command, or Direct Reporting Unit Decision.

_____ **I approve and certify that:**

OR

_____ **I disapprove.**

- 1) this requirement does not include inherently governmental functions;
- 2) in the case of work closely associated with inherently governmental functions or non-competitive contracts, special consideration has been given to using Federal Government employees;
- 3) this requirement does not include unauthorized personal services, either in the way the work statement is written or in the way the contract operates;
- 4) this contract (check all that apply):
 - a) has been reported in the Contract Manpower Reporting Application (CMRA);
 - b) has not been reported in CMRA, and an explanation is enclosed;
 - c) the CMRA reporting requirement has been included in the statement of work for this new requirement;
- 5) the workload for this requirement has been validated using an accepted form of analysis and the contract requirement has been documented in the Panel for Documentation of Contractors module of CMRA;
- 6) sufficiently trained and experienced officials (including, but not limited to, Contracting Officer's Representatives) are available within the agency to manage and oversee the contract administration function and evaluate the contractor work product.

Name / Rank / Position

Signature

Date

Worksheets prepared by: _____

Date

Signature: _____

WORKSHEET A (1 OF 3)

INHERENTLY GOVERNMENTAL FUNCTIONS

See rules for required use of the certification and worksheets on page 12, "Instructions."

The following functions constitute inherently government functions and may not be legally contracted. The FAIR Act (31 United States Code Section 501); the Federal Acquisition Regulation (FAR) Part 7.5; the Department of Defense Instruction (DoDI) 1100.22, Guidance for Determining Workforce Mix; and OFPP Policy Letter 11-01 are all applicable.

Answer "Yes" or "No" to the functions that apply below, based on the work statement or the way the contract is performed. *Any "Yes" response to a function below must be performed in-house and may not be contracted.*

INHERENTLY GOVERNMENTAL		YES	NO
	Does the function:		
1	Involve contractors providing legal advice and interpretations of regulations and statutes to Government officials?		
2	Involve the direct conduct of criminal investigations?		
3	Involve the control of prosecutions and performance of adjudicatory functions other than those relating to arbitration or other methods of alternative dispute resolution?		
4	Involve the command of military forces, especially the leadership of military personnel who are members of the combat, combat support, or combat service support role?		
5	Involve the conduct of foreign relations and the determination of foreign policy?		
6	Involve the determination of agency policy, such as—among other things—determining the content and application of regulations?		
7	Involve the determination of Federal program priorities for budget requests?		
8	Involve the direction and control of Federal employees?		
9	Involve the direction and control of intelligence and counter-intelligence operations?		
10	Involve the selection or non-selection of individuals for Federal Government employment, including the interviewing of individuals for employment?		
11	Involve the approval of position descriptions and performance standards for Federal employees?		
12	Involve the determination of what Government property is to be disposed of and on what terms (although an agency may give contractors authority to dispose of property at prices within specified ranges and subject to other reasonable conditions deemed appropriate by the agency)?		
13	Involve:		
	i) Determining what supplies or services are to be acquired by the Government (although an agency may give contractors authority to acquire supplies at prices within specified ranges and subject to other reasonable conditions deemed appropriate by the agency);		
	ii) Participating as a voting member on any source selection boards;		
	iii) Approving any contractual documents, including documents defining requirements, incentive plans, and evaluation criteria;		

WORKSHEET A (2 OF 3)

INHERENTLY GOVERNMENTAL FUNCTIONS

See rules for required use of the certification and worksheets on page 12, "Instructions."

Answer "Yes" or "No" to the functions that apply below, based on the work statement or the way the contract is performed. Any "Yes" response to a function below must be performed in-house and may not be contracted.

INHERENTLY GOVERNMENTAL		YES	NO
	Does the function:		
	iv) Awarding contracts;		
	v) Administering contracts (including ordering changes in contract performance or contract quantities, taking action based on evaluations of contract performance, and accepting or rejecting contractor products or services);		
	vi) Terminating contracts;		
	vii) Determining whether contract costs are reasonable, allocable, and allowable; and		
	viii) Participating as a voting member on performance evaluation boards.		
14	Involve the approval of agency responses to Freedom of Information Act requests (other than routine responses that, because of statute, regulation, or agency policy, do not require the exercise of judgment in determining whether documents are to be released or withheld), and the approval of agency response to the administrative appeals of denials of Freedom of Information Act requests?		
15	Involve the conduct of administrative hearings to determine the eligibility of any person for a security clearance, or involve actions that affect matters of personal reputation or eligibility to participate in Government programs?		
16	Involve the approval of Federal licensing actions and inspections?		
17	Involve the determination of budget policy, guidance, and strategy?		
18	Involve the collection, control, and disbursement of fees, royalties, duties, fines, taxes, and other public funds, unless authorized by statute, such as 31 U.S.C. 952 (relating to private collection contractors) and 31 U.S.C. 3718 (relating to private attorney collection services), but does not include:		
	i) Collection of fees, fines, penalties, costs, or other charges from visitors to or patrons of mess halls, post or base exchange concessions, national parks, and similar entities or activities, or from other persons, where the amount to be collected is easily calculated or predetermined and the funds collected can be easily controlled using standard case management techniques; and		
	ii) Routine voucher and invoice examination.		
19	Involve the control of the treasury accounts?		
20	Involve the administration of public trusts?		
21	Involve the drafting of Congressional testimony, responses to Congressional correspondence, or agency responses to audit reports from the Inspector General, the Government Account Office, or other Federal audit entity?		

WORKSHEET A (3 OF 3)

INHERENTLY GOVERNMENTAL FUNCTIONS

See rules for required use of the certification and worksheets on page 12, "Instructions."

Answer "Yes" or "No" to the functions that apply below, based on the work statement or the way the contract is performed. Any "Yes" response to a function below must be performed in-house and may not be contracted.

INHERENTLY GOVERNMENTAL		YES	NO
	Does the function:		
22	Require the exercise of discretion in applying Federal Government Authority?		
23	Require the making of value judgments in making decisions for the Federal Government?		
24	Require making judgments relating to monetary transactions and entitlements?		
25	Involve the interpretation and execution of the laws of the United States so as to bind the US to take or not take some action by contract, policy, regulation, authorization, order, or otherwise?		
26	Involve the interpretation and execution of the laws of the United States to determine, protect, and advance the United States' economic, political, territorial, property, or other interests by military or diplomatic action, civil or criminal judicial proceedings, contract management or otherwise?		
27	Involve the interpretation and execution of the laws of the United States to significantly affect the life, liberty, or property of private persons?		
28	Involve the interpretation and execution of the laws of the United States to commission, appoint, direct, or control officers or employees of the United States?		
29	Involve the interpretation and execution of the laws of the United States to exert ultimate control over the acquisition, use, or disposition of the property—real or personal, tangible or intangible—of the United States, including the collection, control, or disbursement of appropriated and other Federal funds?		
30	Involve security operations performed in direct support of combat as part of a larger integrated combat force, or performed in environments where there is significant potential for the security operations to evolve into combat? (Where the US military is present, the judgment of the military commander should be sought regarding the potential for the operations to evolve into combat.)		
31	Involve representation of the government before administrative and judicial tribunals, unless a statute expressly authorizes the use of attorneys whose services are procured through contract?		
32	Involve combat?		

WORKSHEET B (1 OF 2)

CLOSELY ASSOCIATED WITH INHERENTLY GOVERNMENTAL FUNCTIONS

See rules for required use of the certification and worksheets on page 12, “Instructions.”

The following kinds of services are defined as “closely associated with inherently governmental functions” in 10 U.S.C. 2383(b) (3) and FAR 7.503; 10 U.S.C. 2330a(e) notes that reliance on contractors to perform closely associated with inherently governmental functions ought to be reduced “to the maximum extent practicable.” Pursuant to 10 U.S.C. 2463, **special consideration** must be given to in-sourcing contracts performing the functions listed below. Additionally, special consideration must be given to using government employees in lieu of contractors if the answer is “No” to questions 24-26.

Answer “Yes” or “No” to the functions that apply below, based on the work statement or the way the contract is performed. (The list below is not comprehensive, as it excludes examples from DoDI 1100.22.)

CLOSELY ASSOCIATED WITH INHERENTLY GOVERNMENTAL		YES	NO
	Does the performance involve:		
1	Services that involve or relate to budget preparation, including workload modeling, fact finding, efficiency studies, and should-cost analyses, etc.?		
2	Services that involve or relate to reorganization and planning activities?		
3	Services that involve or relate to analyses, feasibility studies, and strategy options to be used by agency personnel in developing policy?		
4	Services that involve or relate to the development of regulations?		
5	Services that involve or relate to the evaluation of another contractor’s performance?		
6	Services in support of acquisition planning?		
7	Contractors providing assistance in contract management (such as where the contractor might influence official evaluations of other contractors)?		
8	Contractors providing technical evaluation of contract proposals?		
9	Contractors providing assistance in the development of statements of work?		
10	Contractors providing support in preparing responses to Freedom of Information Act requests?		
11	Contractors working in any situation that permits or might permit them to gain access to confidential business information and/or any other sensitive information (other than situations covered by the National Industry Security Program described in 4.402(b))?		
12	Contractors providing information regarding agency policies or regulations, such as attending conferences on behalf of an agency, conducting community relations campaigns, or conducting agency training courses?		
13	Contractors participating in any situation where it might be assumed that they are agency employees or representatives?		
14	Contractors participating as technical advisors to a source selection board or participating as voting or non-voting members of a source evaluation board?		

WORKSHEET B (2 OF 2)

CLOSELY ASSOCIATED WITH INHERENTLY GOVERNMENTAL FUNCTIONS

See rules for required use of the certification and worksheets on page 12, "Instructions."

Answer "Yes" or "No" to the functions that apply below, based on the work statement or the way the contract is performed. (The list below is not comprehensive, as it excludes examples from DoDI 1100.22.)

CLOSELY ASSOCIATED WITH INHERENTLY GOVERNMENTAL		YES	NO
	Does the performance involve:		
15	Contractors serving as arbitrators or providing alternative methods of dispute resolution?		
16	Contractors constructing buildings or structures intended to be secure from electronic eavesdropping or other penetration by foreign governments?		
17	Contractors providing inspection services?		
18	Contractors providing special non-law enforcement, security activities that do not directly involve criminal investigations, such as prisoner detention or transport and non-military national security details? (The direction and control of confinement facilities in areas of operations, however, is inherently governmental.)		
19	Private security contractors in operational environments overseas?		
20	Contract interrogators?		
21	Contractors providing combat and security training?		
22	Contract logistics support required for weapon systems that deploy with operational units?		
23	Do the contracted functions involve work that is at risk of becoming inherently governmental?		
24	Is there sufficient organic government expertise to oversee contractor performance of the contract?		
25	Are there sufficient control mechanisms and sufficient numbers of military and civilian employees to ensure that contractors are not performing inherently governmental functions?		
26	Is there a sufficient number of CORs appointed to ensure oversight of contract performance?		

WORKSHEET C

PERSONAL SERVICES

See rules for required use of the certification and worksheets on page 12, "Instructions."

Pursuant to FAR Part 37.104, a personal services contract is characterized by: "the employer-employee relationship it creates between the Government and the contractor's personnel. The Government is normally required to obtain its employees by direct hire under competitive appointment or other procedures required by the Civil Service laws. Obtaining personal services by contract rather than by direct hire under competitive appointment circumvents those laws unless Congress has specifically authorized acquisition of those services." If a contract—by its written terms or in the way it is actually performed—involves any of the below elements, then action must be taken: the contract must be modified; the contracted functions must be performed in such a way as to avoid creating an employer-employee relationship; or the contract must be in-sourced (adapted from FAR Part 37.104(d)).

PERSONAL SERVICES		YES	NO
1	The contractor personnel are subject to the relatively continuous supervision and control of a governmental officer.		
2	The contractor personnel are performing on a government site.		
3	The principal tools and equipment are furnished by the government.		
4	The services are applied directly to the integral effort of agencies or an organizational subpart in furtherance of an assigned function or mission.		
5	The need for the service provided can reasonably be expected to last beyond one year.		
6	The inherent nature of the service, or the manner in which it is provided, reasonably requires (directly or indirectly) Government direction or supervision of contractor employees in order to:		
	a) Adequately protect the Government's interest;		
	b) Retain control of the function involved; or		
	c) Retain full personal responsibility for the function supported in a duly authorized Federal officer or employee.		
7	Comparable services meeting comparable needs are performed in this agency or similar agencies using civil-service personnel.		

Specific statutory authority for personal services is provided in 10 United States Code §129b for:

» **experts or consultants where the services cannot be adequately provided by the Department;**

In general, the authority to procure personal services for experts and consultants pursuant to 10 U.S.C. §129b requires the approval of the ASA(AL&T) unless the services being acquired are covered by the delegation of authority covered in AFARS Sub Part 5137.104-90-2 (i.e. Stenographic reporting; stage, motion picture, or television productions; or legal services outside the United States). In all cases, additional procedures required by AFARS Part 5137.104-90 must be followed with appropriate approval authority.

» **direct support of a defense intelligence component or counter-intelligence organization of the Department of Defense where the services are urgent or unique and cannot be practically obtained within the Department;**

Pursuant to DFARS SubPart 237.104(b)(iii)(A), the Head of a Contracting Activity must provide written approval.

» **direct support of special operations command where the services are urgent or unique and cannot be practically obtained within the Department;**

Pursuant to DFARS SubPart 237.104(b)(iii)(A), the Head of a Contracting Activity must provide written approval.

» **services provided by individuals outside the United States regardless of their nationality;**

Pursuant to DFARS SubPart 237.104(b)(iii)(A), the Head of a Contracting Activity must provide written approval.

» **or 10 U.S.C. §1091 for carrying out healthcare responsibilities in medical treatment facilities of the Department of Defense.**

DoDI 6025.5 limits this exception to healthcare personnel who participate in clinical patient care and does not include personnel whose duties are primarily administrative or clerical, nor personnel who provide maintenance or security services.

WORKSHEET D

See rules for required use of the certification and worksheets on page 12, "Instructions."

WORKSHEET D		YES	NO
1	Has in-sourcing been considered? Special consideration should be given to civilians in the following situations:		
	i) This function has been performed by Department of Defense civilian employees at any time during the previous ten-year period.		
	ii) The function is closely associated with the performance of an inherently governmental function (see Worksheet B).		
	iii) The function is performed pursuant to a contract awarded on a non-competitive basis.		
	iv) The contracting officer has determined that the contract has been performed poorly because of excessive costs or inferior quality.		
	v) The function is an acquisition workforce function.		
2	Has the contract been accurately reported in the Contractor Manpower Reporting Application (CMRA) (https://cmra.army.mil/) pursuant to Secretary of the Army policy? For new requirements, has the CMRA Requirement been included in the work statement? (CMRA reporting pursuant to Secretary of the Army policy is being used by the Department of the Army to comply with most of the reporting required by the National Defense Authorization Act for FY 2008, Section 807.)		
3	Has the contract requirement been documented in the Panel for Documentation of Contractors module of CMRA?		

Worksheet C, Question 2:

Contractor personnel are performing on Camp Smith. They are only utilizing the serving counters in the DFAC. Anti-terrorism and OPSEC reviews will be completed prior to contract award.

Worksheet D, Question 1:

In-sourcing was not considered as the DFAC on Camp Smith is not manned by government personnel.

WORKSHEET E

OUT-SOURCING AND CONVERSION OF FUNCTIONS

See rules for required use of the certification and worksheets on page 12, "Instructions."

A "Yes" response to questions 1-4 below may make contracting this function prohibited by 10 U.S.C. Section 2461, which prohibits converting a function performed by at least one appropriated fund government employee to contract performance unless there has been a public-private competition under OMB Circular A-76. There is currently a Congressional moratorium on public-private competitions pursuant to the National Defense Authorization Act for FY 2010, Section 325. However, "conversion" of functions does not include the augmenting of civilian staff with contractors unless government employees are displaced, reassigned, subjected to a reduction in force, or otherwise adversely affected. (For additional information, please see the Government Accountability Office case John P. Santry B-402827. Agencies are recommended to discuss the issue with their employment and personnel law advisor and their contract law advisor.)

Pursuant to 10 U.S.C. 129a(f), contracting out some functions is prohibited under certain conditions. Agencies should take care to ensure that these circumstances do not arise; answering "Yes" to either or both of questions 5 and 6 below indicates that contracting is not allowed.

OUT-SOURCING AND CONVERSION OF FUNCTIONS		YES	NO
1	Will any non-temporary or non-term appropriated fund employee currently performing any functions described in the contract Statement of Work be displaced, reassigned, subjected to a reduction in force, or otherwise adversely affected as a result of the proposed contract action?		
2	Is the function proposed for contract performance meeting a requirement previously performed by a particular Army civilian position (or positions) when a program or budget decision eliminated the civilian position (whether that position was formerly documented with an authorization or was undocumented and performed by an overhire)?		
3	Is the function proposed for contract performance meeting a requirement previously approved for in-sourcing but that was never encumbered?		
4	Will the proposed contract action fundamentally change the nature of the work performed by appropriated fund employees?		
5	Is this a new contract, or is this increase in level of effort on a pre-existing contract the result of the establishment of numerical goals or budgetary savings targets?		
6	Is this contract the result of the imposition of a civilian hiring freeze?		

WORKSHEET F

CRITICAL FUNCTIONS

See rules for required use of the certification and worksheets on page 12, “Instructions.”

Pursuant to 10 U.S.C. 2463(b) and OFPP Policy Letter 11-01, special consideration should be given to in-sourcing “critical functions” to ensure that agencies have sufficient internal capability to maintain control over functions that are central to the agency’s missions and operations. Agencies should have an adequate number of positions filled by Federal employees with the appropriate training, experience, and expertise to understand the agency’s requirements, formulate alternatives, manage work product, and monitor any contractors used to support the Federal workforce. One or more “Yes” responses to the questions below may indicate a “critical function.”

CRITICAL FUNCTIONS		YES	NO
1	Is the function necessary to the agency being able to effectively perform and maintain control of its missions and operations and/or to maintain sufficient Government expertise and technical capabilities?		
2	Is the function recurring and long-term in duration?		
3	Does the performance of the function by a contractor entail operational risk (for example, if the contractor were to quit or otherwise suddenly be unable to perform their duties)?		
4	Does the agency have an adequate number of positions filled with Federal employees with the appropriate training, experience, and expertise to continue critical operations with in-house resources, another contractor, or a combination of the two in the event of contractor default?		
5	Does the agency have the capability and internal expertise to oversee and manage any contractors being used to support the Federal workforce?		

Worksheet F, Question 1:

This function is necessary because Cadets are required to attend a Fall and Spring FTX under CC REG 145-3. Without catered meals, Cadets would have to rely solely on MREs for sustainment throughout the course of the FTX.

WORKSHEET G

SECURITY AND FIREFIGHTING FUNCTIONS

See rules for required use of the certification and worksheets on page 12, "Instructions."

Section 332 of the NDAA for FY 2003 allowed for the waiving of the prohibition—under 10 U.S.C. Section 2465(a)—on the use of contracts for the performance of security guard or firefighting functions under certain circumstances. The statutory authority to hire contract security guards was extended through FY 2012 by Section 343 of the NDAA for FY 2008 and has expired. If the answer to question 1 is "Yes" and none of the subsequently-listed exceptions apply, then contracting is prohibited.

SECURITY AND FIRE-FIGHTING FUNCTIONS		YES	NO
1	Is this contract for the performance of security guard or firefighting functions?		
	If the answer to the above question is "Yes," do any of the following exceptions apply?		
	a) The contract is to be carried out at a location outside the United States, its commonwealths, territories, possessions, and military installations, at which members of the armed forces would have to be used at the expense of unit readiness.		
	b) The contract is to be carried out on a Government-owned but privately-operated installation.		
	c) The contract (or renewal of the contract) is for the performance of a function under contract on September 24, 1983.		
	d) The contract is for a firefighting function for a period of one year or less and covers only the performance of firefighting functions that, in the absence of the contract, would have to be performed by members of the armed forces who are not readily available to perform such functions by reason of a deployment.		



DEPARTMENT OF THE ARMY

U. S. ARMY CADET COMMAND
HEADQUARTERS, SECOND BRIGADE
5212 MARYLAND AVENUE
FORT DIX, NEW JERSEY 08640-5212

ATCC-BBL

12 December 2012

MEMORANDUM FOR Administrative Contract Review Board (ACRB) US Army Cadet Command, Recommendation for State University Army ROTC Catered Meals Requirement, 15-17 April 2013.

SUBJECT: Functional Review Board (FRB) Memorandum for State University Army ROTC Spring FTX Catered Meals Support Requirement, 15-17 April 2013, without option years.

1. The FRB has reviewed and recommends the Administrative Contract Review Board (ACRB) to concur to contract for services to provide catered meals support to Army ROTC Cadets in support State University Army ROTC Spring FTX. The period of performance is 15-17 April 2013. No option periods are being requested. The following has been determined by the 2BDE ROTC Functional Review Board:

- a. Documentation is complete, coherent and in compliance with acquisition and fiscal law, regulation and policy. The requirement is valid.
 - b. Cost analysis and estimate is validated, is reasonable and meets the bona fide needs rule. The correct appropriations will be used to fund the requirement.
 - c. Contracting Officer Representative (COR) and an alternate COR, if required, are from within USACC.
 - d. This contract requirement does not contain any inherently governmental functions or unauthorized personal services.
2. Contract support provides personnel, expertise and skills required to augment the USACC ROTC mission to commission officers to meet the Army's leadership requirements.
3. Funding Availability: Based on the informal quote provided and historical data from the previous year's contract, the estimate for this requirement is approximately \$8,000.00.

ATCC-BBL

SUBJECT: Functional Review Board (FRB) Memorandum for State University Army ROTC Spring FTX Catered Meals Support Requirement, 15-17 April 2013, without option years.

4. Failure to approve the catered meals requirement will result in Army ROTC Cadets not being able to attend the Spring FTX. The State University Army ROTC Cadets will not be in compliance with CCR 145-3.
5. The following FRB members have review and validated this requirement and concur on the recommendation that planning and execution of this contract action should proceed.
 - a. BDE S-4
 - b. BDE XO
 - c. Asst S-4
6. POC is the undersigned at bdes4.civ@mail.mil or 609-562-4995.

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BDE, S-4

**MARKET RESEARCH ANALYSIS
STATE UNIVERSITY FY13 SPRING FTX
CATERED MEALS REQUIREMENT**

1. Purpose. The Market Research contained in this document is provided to support the US Army Cadet Command (USACC), HQ 2BDE request to award the State University Army ROTC Spring FTX Catered Meals contract without option years. Current contract request is to be administered by the Fort Knox (MICC).

2. Background. State University Army ROTC obtained three informal quotes from local vendors who could support the Spring FTX catered meals requirement. The meal requirement has been awarded on a per year basis without option periods. The request is to provide 200 SROTC Cadets with breakfast, lunch and dinner meals while attending the mandatory Spring FTX. The period of performance for this requirement is 15-17 April 2013. A contract will need to be awarded to support the State University Army ROTC FY13 Spring FTX mission.

3. Methodology for Market Research Analysis. State University has submitted three informal quotes from local vendors for the FY13 Spring FTX catered meals requirement for 200 Army ROTC Cadets. The period of performance for this requirement is 15-17 April 2013. The performance work statement, historical data from past contracts and informal quotes will facilitate setting fair market pricing.

4. Findings. The fixed loaded rates, terms and conditions of the current services contract are found to be fair and competitive.

5. Recommendation. The contract request does not contain any option years. Recommend approval to contract for services to provide catered meals to Army ROTC Cadets attending the State University Army ROTC FY 13 Spring FTX.

COST BENEFIT ANALYSIS
STATE UNIVERSITY FY13 SPRING FTX
CATERED MEALS REQUIREMENT

1. Purpose. Cost benefit analysis (CBA) was conducted in support of State University Army ROTC's request to provide meals to Cadets attending the Spring FTX from 15-17 April 2013. The requirement is a firm-fixed price contract for the year 2013 only, no option years apply. Contract number has not yet been determined.

2. Background. Since 2017, State University Army ROTC has conducted a Spring FTX, and a meals requirement has been requested and awarded on a per year basis without option years.

3. Methodology for Cost Analysis. As a basis for this CBA, historical data from previously awarded contracts for catered meals and three informal quotes were used to facilitate setting current fair market pricing for each specific line item indicated with inflation adjusted costs compared using current market indices.

4. Findings: After all research was conducted, noted was the fact the Army cannot provide services to fully man and operate the Camp Smith Dining Facility in support of State University Army ROTC's 2013 Spring FTX based on current operational requirements, personnel, material and available facilities. IAW Cadet Command Regulation 145-3, State University Army ROTC Spring FTX remains mandatory for the SROTC programs.

5. Recommendations: Recommend approval to contract for catered meals for the requested period of 15-17 April 2013 to support State University Army ROTC's Spring FTX mission.



DEPARTMENT OF THE ARMY

**U. S. ARMY CADET COMMAND
HEADQUARTERS, SECOND BRIGADE
STATE UNIVERSITY
9876 CAMPUS DRIVE
ANYTOWN, USA 12345-6789**

ATCC-BBL

12 DECEMBER 2012

MEMORANDUM FOR Commander, 2BDE United States Army Cadet Command, 5212 Maryland Avenue, Fort Dix, New Jersey 08640-5212.

SUBJECT: Sole Source Justification for State University Spring FTX Catered Meals Requirement

State University requests that this Single Source Justification memorandum be considered in the award of the Spring FTX catered meals requirement. We are requesting that the contract requirement be awarded to Joe's Diner because Camp Smith has an agreement in place that authorizes Joe's Diner to be the only food service vendor on the installation. No other vendors are allowed to perform food service work on the Camp Smith installation.

The Spring FTX is an annual mandatory training requirement IAW CCR 145-3. This training provides our cadets the opportunity to conduct Rappel training, leadership Reaction Course, Land Navigation and function in leadership roles with other cadets. All training is conducted on the installation. The use of the Camp Smith Dining Facility affords us the opportunity to maximize the use of time because we can feed our cadets without having to provide a bus to move them back and forth to another location. The contract with Joe's Diner is mission essential for a successful conduct of the Spring FTX. The point of contact is the undersigned at (555) 123-4567.

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BN Log Tech

**PERFORMANCE WORK STATEMENT IN SUPPORT OF
STATE UNIVERSITY
JOINT FIELD TRAINING EXERCISE
15-17 APRIL 2013
CAMP SMITH**

SECTION 1: GENERAL

1.1 Scope of Work. The contractor shall furnish meal services, equipment, supplies, management, supervision and labor as specified herein, for the State University Joint Field Training Exercise from 15-17 April 2013. The contractor shall provide services in accordance with the terms, conditions and specifications set forth in this statement of work:

1.1.1 The contractor shall provide the following meals to authorized personnel:

15 April 2013: Dinner for 200 Cadets
16 April 2013: Breakfast for 200 Cadets
Dinner for 200 Cadets
17 April 2013: Breakfast for 200 Cadets
Lunch for 200 Cadets

1.1.2 Transportation Requirements. The contractor shall transport food and support equipment to and from the designated dining areas at the sites listed below:

SITE #1 Camp Smith Dining Facility
 BLDG# 1234
 5678 Cavalry Road
 Anytown, USA

1.2 Price. Quoted price should be per person.

1.3 Taxes. The government is exempt from paying any sales taxes related to this contract. Tax exemption forms will be provided to the contractor upon request.

1.4 Government Point of Contact (POC) will be provided upon receipt of contract. The Government POC will provide approval of the final meal selection, final attendee count and confirmation of location and serving times.

1.5 Courtesy. The contractor's employees shall be courteous to all persons served under this contract. Courtesy rendered shall be equal to that rendered to other customers of the establishment and equal to that expected of any public dining facility. Services and consideration shall be provided to all guests and event participants.

1.6 Contractor Personnel Attire. Contractor personnel shall wear clothing that is clean, does not contain statements that may be offensive to others, and does not make up portions of a military uniform.

1.7 Indemnity. The contractor shall hold the government harmless for any damage to or loss of property or any injury to or death of persons as a result of the action or inaction of the contractor or its employees.

1.8 Quality Assurance and Control. The government will monitor the contractor's performance under the Commercial Services Inspection Clause. The contractor shall develop and maintain an effective quality control program to ensure services are performed in accordance with this Performance Work Statement (PWS). The contractor shall develop and implement procedures to identify, prevent and ensure non-recurrence of defective services. The contractor's quality control program shall be the means to assure that work complies with the requirements of the contract. At a minimum, the contractor shall develop quality control procedures that address the performance standards identified in this PWS.

1.9 Access and General Protection/Security Policy and Procedures. Contractor and all associated sub-contractors employees shall comply with applicable installation, facility and area commander installation/facility

access and local security policies and procedures (provided by government representative). The contractor shall also provide all information required for background checks to meet installation access requirements to be accomplished by installation Provost Marshal Office, Director of Emergency Services or Security Office. Contractor workforce must comply with all personal identity verification requirements as directed by DOD, HQDA and/or local policy. In addition to the changes otherwise authorized by the changes clause of this contract, should the Force Protection Condition (FPCON) at any individual facility or installation change, the Government may require changes in contractor security matters or processes.

1.10 Contractor Manpower Reporting

The contractor shall report ALL contractor labor hours (including subcontractor labor hours) required for performance of services provided under this contract **for the [NAMED COMPONENT]** via a secure data collection site. The contractor is required to completely fill in all required data fields using the following web address: <http://www.ecmra.mil/>, and then click on “Department of the Army CMRA” or the icon of the DoD organization that is receiving or benefitting from the contracted services.

Reporting inputs will be for the labor executed during the period of performance during each Government fiscal year (FY), which runs October 1 through September 30. While inputs may be reported any time during the FY, all data shall be reported no later than October 31 of each calendar year, beginning with 2013. Contractors may direct questions to the help desk by clicking on “Send an email” which is located under the Help Resources ribbon on the right side of the login page of the applicable Service/Component’s CMR website”.

SECTION 2: DEFINITIONS

TBD – To Be Determined
FSC - Federal Service Code
UIC - Unit Identification Code
PWS - Performance Work Statement
HQs – Headquarters
ROTC – Reserve Officer Training Corps
FTX – Field Training Exercise

SECTION 3: GOVERNMENT-FURNISHED PROPERTY

3.1 The government will furnish the contractor with an outline of the required support needed for this event. A detailed feeding plan (location of dining site, required support equipment, etc.) will be provided to the contractor a minimum of 10 days prior to the start of the event and will be updated as changes occur.

3.2 The government will provide tables and chairs.

3.3 The government will provide counter space inside the DFAC for serving.

3.3 The government will provide 55 gallon trash cans and trash bags.

SECTION 4: CONTRACTOR-FURNISHED PROPERTY

4.1 The contractor shall furnish all food, serving equipment, supplies, management, supervision and labor required for the performance of this contract.

4.2 The contractor shall furnish its own cooking equipment, serving utensils and chafing dishes to keep meals warm.

SECTION 5: MEALS AND RELATED TASKS

5.1 Meal Specifications. The contractor shall provide the following at a minimum:

5.1.1 Menus. The contractor shall provide meals similar to the following in Appendix A. All meals shall be served hot. All menus shall be coordinated with the Government POC a minimum of 10 calendar days prior to the event and any changes agreed upon at that time. All meals shall be nutritionally balanced. Water shall be available with each meal.

5.1.2 Serving Times: The contractor shall be prepared to serve meals on the following dates/times:

DATES	DAY	HEAD COUNT	EVENT	SERVING TIME
15 April 13	Friday	200	Dinner	1700-1830
16 April 13	Saturday	200	Breakfast	0530-0630
		200	Dinner	1600-1730
17 April 13	Sunday	200	Breakfast	0530-0630
		200	Lunch	1200-1300

5.2 The contractor shall furnish all necessary servicing equipment and provide disposable utensils, disposable plates, disposable cups, condiments, and napkins to all authorized personnel.

5.3 The contractor shall provide the necessary management, supervision and labor required to set up, serve and clean up for the meal.

5.4 The contractor shall serve meals at the specified location at Camp Smith in Anytown, USA.

5.5 The contractor shall prepare all meals at the contractor's location.

5.6 The contractor shall provide a commensurate amount of servers for 200 Cadets.

5.7 The contractor shall provide the necessary management, supplies, equipment, supervision and labor required to set up, clean up and remove trash.

SECTION 6: REFERENCES

Documents applicable to this Performance of Work Statement are listed below and are coded as either mandatory or advisory. The contractor shall be obligated to follow those coded as mandatory. These references with any subsequent changes shall be furnished to the contractor. The contractor shall post and update changes to the applicable publication. If any changes become effective during the contract period which effects the requirements of this contract, these changes shall be negotiated with the contractor.

MANDATORY ADVISORY

APPENDIX A

DINNER: FRIDAY 15 April 2013

Chicken Parmesan w/sauce (Serving Size 2 oz)
Spaghetti (Serving Size 4 oz)
Garden Salad w/ Italian Vinaigrette Dressing (Serving Size 5 oz)
Dinner Rolls with Butter (Serving Size One 4 inch)
Lemonade (Serving Size 16 oz)
Coffee (Serving Size 8 oz)
Assorted fruits, cookies, and Brownies
Pickle (Serving Size 1 ea)

BREAKFAST: SATURDAY 16 April 2013

Egg, Sausage and Cheese Bagel Sandwich (Serving Size 2 ea)
Dried Cereal (Serving Size 3 ea)
Assorted Fruits (Serving Size 6 oz)
Milk (Serving Size 6 oz)
Coffee (Serving Size 8 oz)
Assorted Juices (Serving Size 16 oz)
Granola Bar (Serving Size 6 oz)

DINNER: SATURDAY 16 April 2013

Beef Stew (Serving Size 2 oz)
Rice (Serving Size 4 oz)
Cole Slaw (Serving Size 5 oz)
Dinner Rolls w/Butter (Serving One 4 inch roll)
Lemonade (Serving Size 16 oz)
Coffee (Serving Size 8 oz)
Assorted fruits, cookies, and Brownies
Pickle (Serving Size 1 ea)

BREAKFAST: SUNDAY 17 April 2013

Egg, Sausage and Cheese Bagel Sandwich (Serving Size 2 ea)
Dried Cereal (Serving Size 3 ea)
Assorted Fruits (Serving Size 6 oz)
Milk (Serving Size 6 oz)
Coffee (Serving Size 8 oz)
Assorted Juices (Serving Size 16 oz)
Granola Bar (Serving Size 6 oz)

LUNCH: SUNDAY 17 April 2013

Hot Dog with Buns (Serving Size One 8 inch)
Hamburger with Buns (Serving Size 4 oz)
Baked Beans (Serving Size 5 oz)
Pasta Salad (Serving Size 5 oz)
Lemonade (Serving Size 16 oz)
Coffee (Serving Size 8 oz)
Assorted fruits, cookies, and Brownies
Pickle (Serving Size 1 ea)