

2008 Annual Work Plan Justification Document

Important procurement drivers and justification for increased staffing and training/travel is discussed below.

Labor

This 2008 AWP provides for total Procurement staffing of 15.8 FTE's, a 2.4 FTE increase over the staffing level approved at the beginning of FY 2007. There is an additional 1 FTE funded by the Commonwealth of VA that is not included in this AWP. The majority of the 2.4 FTE increase requested for FY 2008 is the result of 12 GeV procurements that need to be worked during FY 2008 (see below); however, additional facilities infrastructure procurements and plans to expand support of the Lab's Technology Transfer program also contribute to the increase.

It is also important to note that during FY 2007 the Department lost 2.6 FTE's as a result of terminations and a retirement. Because of budget constraints and the 2007 CR these positions have not been filled. Accordingly, the Department is effectively five FTE's short of where it needs to be to meet projected FY 2008 requirements. (The Department has utilized temporary labor to meet current requirements; however, this approach cannot be sustained without serious impact to the 12 GeV procurement schedule and exposing the Lab to greater financial risk, as well as impacting other mission support activities). The situation is further exacerbated by the number and magnitude of 12 GeV procurement requirements that must be awarded early in FY 2009 (see below). This means that work on these procurements will have to commence in FY 2008 to meet the project schedule. Procurement cannot reasonably meet these requirements with the current level and mix of contracting support, and therefore, it is imperative that the staffing plan as presented herein (replacement of 2.6 FTE's and hire of an additional 2.4 FTE's) is approved as soon as possible!

The following 12 GeV major procurement requirements must be placed in FY 2009. Most of these are multiyear funded that will require more than \$50M in subcontracts placed in FY 2009.

12 GeV PROJECT PLAN PROCUREMENT AWARDS FY 2009 (\$K'S)

1. Niobium \$ 1,310
2. Cavity Fabrication \$ 3,060
3. Waveguides \$ 630
4. Klystrons \$ 3,645
5. HV PS Production \$ 1,560
6. Fabrication HPA \$ 1,007
7. Vend Production CHL 4.5K Refrigerator Cold Box \$ 8,430
8. Beam Transport: Multiple Steel & Copper Procurement Contracts \$'s To Be Determined
9. Torus Magnet \$ 3,621
10. Solenoid Vend \$ 2,178
11. HB Magnet \$ 1,230
12. Q1 Magnet \$ 1,333
13. Q2/Q3 Mags \$ 4,451
14. Dipole Magnet \$ 3,440
15. Proc SciFi \$ 3,104
16. CHL Addition \$ 1,781
17. Hall D Construction \$ 10,789

The AWP also includes a SAII two year term position to support the Lab's construction needs not only for 12 GeV but also for the number of facility construction projects projected for the next 2-3 years. New Facility infrastructure work is planned to begin in FY 09 that will require ~\$2-5M support (inclusive of GPP).

Finally, the requirement for the new SA III position (included in the 5 FTE count discussed above) is partly driven by the need to establish a stronger Technology Transfer support effort at the Laboratory. This requirement is currently being met by Teresa Danforth (Group manager for services and construction); however, as the 12 GeV procurements continue to ramp up (particularly the Hall D and Cryogenic civil construction) her availability/ability to support the Technology Transfer Manager will be severely impacted to the point we could not adequately support the requirement.

Travel and Training

The Procurement Department is undergoing a Procurement Evaluation Review Team audit in June of 2008 that will have a significant impact on the Department's level of procurement authority and ability to effectively support the 12 GeV project. Budget constraints over the last three years, resulted in procurement training being limited to mostly within the local area. Many of the higher specialized procurement training programs are located in the Wash DC area but are not available locally. To determine the extent and type of training required; the Department has used a customized Training Matrix (see attachment 5) that identifies specialized procurement training to meet critical and developmental training needs of Procurement staff (coded red and yellow respectively).

DOE requirements impacting overall workload

The following DOE Contract Clause requirements impact the Procurement Department Work Processes and Deliverables

C.3.2.6 Business Management, subpart iii Purchasing Management

C.3.2.7 Legal Services

H.4 Advance Understandings Regarding Additional Items of Allowable and Unallowable Costs and Other Matters

H.9 Service Contract Act of 1965 (41 U.S.C. 351)

H.10 Walsh-Healey Public Contracts Act

H.14 Notice Regarding the Purchase of American-made Equipment and Products – Sense of Congress

H.39 Small Business Subcontracting Plan

H.44 Labor Standards for Construction Work

H.47 Electronic Subcontracting Reporting System

I.3 FAR 52.203-5 Covenant Against Contingent Fees

I.4 FAR 52.203-6 Restrictions on Subcontractors Sales to the Government

I.5 FAR 52.203-7 Anti-Kickback Procedures

I.9 FAR 52.204-4 Printed or Copied Double-Sided on Recycled Paper

I.11 FAR 52.208-8 Required Sources for Helium and Helium Usage Data

- I.12 FAR 52.209-6 Protecting the Government's Interest when Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment
- I.13 FAR 52.211-5 Material Requirements
- I.15 FAR 52.215-12 Subcontractor Cost or Pricing Data
- I.16 FAR 52.215-13 Subcontractor Cost or Pricing Data – Modifications
- I.17 FAR 52.215-7 Waiver of Facilities Capital Cost of Money
- I.18 FAR 52.219-8 Utilization of Small Business Concerns
- I.19 FAR 52.219-9 Small Business Subcontracting Plan
- I.20 FAR 52.219-16 Liquidated Damages – Subcontracting Plan
- I.21 FAR 52.219-25 Small Disadvantaged Business Participation Program Disadvantaged Status and Reporting
- I.22 FAR 52.222-1 Notice to the Government of Labor Disputes
- I.23 FAR 52.222-3 Convict Labor
- I.24 FAR 52.222-4 Contract Work Hours and Safety Standards Act – Overtime Compensation
- I.25 FAR 52.222-21 Prohibition of Segregated Facilities
- I.26 FAR 52.222-26 Equal Opportunity
- I.28 FAR 52.222-35 Equal Opportunity for Special Disabled Veterans, Veterans of the Vietnam Era, and other Eligible Veterans
- I.29 FAR 52.222-36 Affirmative Action for Workers with Disabilities
- I.30 FAR 52.222-37 Employment Reports on Special Disabled Veterans, Veterans of the Vietnam Era, and other Eligible Veterans
- I.31 FAR 52.223-3 Hazardous Material Identification and Material Safety Data
- I.33 FAR 52.223-7 Notice of Radioactive Materials
- I.34 FAR 52.223-10 Waste Reduction Program
- I.37 FAR 52.223-14 Toxic Chemical Release Reporting
- I.39 FAR 52.224-2 Privacy Act
- I.40 FAR 52.225-1 Buy American Act - Supplies
- I.41 FAR 52.225-9 Buy American Act - Construction Materials
- I.42 FAR 52.225-13 Restrictions on Certain Foreign Purchases
- I.43 FAR 52.227-10 Filing of Patent Applications - Classified Subject Matter
- I.45 FAR 52.229-8 Taxes - Foreign Cost-Reimbursement Contracts
- I.46 FAR 52.230-2 Cost Accounting Standards
- I.47 FAR 52.230-6 Administration of Cost Accounting Standards
- I.60 FAR 52.244-5 Competition in Subcontracting
- I.61 FAR 52.244-6 Subcontracts for Commercial Items
- I.63 FAR 52.247-63 Preference for U.S. Flag Air Carriers

I.64 FAR 52.247-64 Preference for Privately Owned U.S.-Flag Commercial Vessels

I.68 FAR 52.251-1 Government Supply Sources

I.72 DEAR 952.203-70 Whistleblower Protection for Contractor Employees

I.76 DEAR 952.209-72 Organizational Conflicts of Interest

I.77 DEAR 952.211-71 Priorities and Allocations (Domestic Energy Supplies)

I.78 DEAR 952.211-71 Priorities and Allocations (Atomic Energy)

I.80 DEAR 952.217-70 Acquisition of Real Property

I.86 DEAR 952.250-70 Nuclear Hazards Indemnity Agreement

I.91 DEAR 970.5204-2 Laws, Regulations, and DOE Directives

I.92 DEAR 970.5204-3 Access to and Ownership of Records

I.93 DEAR 970.5208-1 Printing

I.97 DEAR 970.5217-1 Work for Others Program (Non-DOE Funded Work)

I.100 DEAR 970.5223-1 Integration of Environment, Safety, and Health into Work Planning and Execution

I.101 DEAR 970.5223-2 Affirmative Procurement Program

I.102 DEAR 970.5223-4 Workplace Substance Abuse Programs at DOE Sites

I.106 DEAR 970.5227-2 Rights in Data - Technology Transfer

I.107 DEAR 970.5227-3 Technology Transfer Mission

I.108 DEAR 970.5227-4 Authorization and Consent

I.109 DEAR 970.5227-5 Notice and Assistance Regarding Patent and Copyright Infringement

I.110 DEAR 970.5227-6 Patent Indemnity - Subcontracts

I.111 DEAR 970.5227-8 Refund of Royalties

I.112 DEAR 970.5227-10 Patent Rights – Management and Operating Contracts, Nonprofit Organization or Small Business Firm Contractor

I.114 DEAR 970.5228-1 Insurance – Litigation and Claims

I.120 DEAR 970.5232-3 Accounts, Records, and Inspection

I.122 DEAR 970.5232-5 Liability with Respect to Cost Accounting Standards

I.125 DEAR 970.5235-1 Federally Funded Research and Development Center Sponsoring Agreement

I.126 DEAR 970.5236-1 Government Facility Subcontract Approval

I.127 DEAR 970.5237-2 Facilities Management

I.129 DEAR 970.5243-1 Changes

I.130 DEAR 970.5244-1 Contractor Purchasing System

I.132 DEAR 970.5245-1 Property

I.133 FAR 52.222-39 Notification of Employee Rights Concerning Payment of Union Dues or Fees