



**DEPARTMENT OF THE NAVY**

**NAVY PERSONNEL COMMAND**

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From: Director, Fleet and Family Support Division (PERS-66)

Subj: OMNIBUS CONTRACT DESK GUIDE

Encl: (1) OMNIBUS Desk Guide

1. Enclosure (1) is the OMNIBUS contract Desk Guide. The intent of the desk guide is to inform OMNIBUS contractors, Family Service Center (FSC) Directors, Family Advocacy Program and FSC Regional Coordinators of important contract issues. The OMNIBUS contract is actually two contracts, one for personal services and one for non-personal services. Contract employees are covered by different operating principles, depending upon which of the two contracts applies to their position. Understanding the differences between the two is paramount to the success of this contract as it directly affects reporting procedures, roles and responsibilities, and the nature of your relationship to the contract. Please ensure these sections of the OMNIBUS Desk Guide are carefully read.
2. Permission is granted to copy and distribute the OMNIBUS Desk Guide.
3. My point of contact for this issue is Ms. Dianne Twomey, who can be reached at (DSN) 882-4362 or (C) 901 874-4362.

*G. Sheehan*  
G. SHEEHAN

Distribution:  
OMNIBUS Contractors  
FSC Directors  
FAP Coordinators  
FSC Regional Coordinators

# **OMNIBUS DESK GUIDE**

**PERSONAL SERVICES  
AND  
NON-PERSONAL SERVICES  
CONTRACTS**

## **A. HISTORY/BACKGROUND**

This contracting effort was initiated to comply with the 1995 Department of Defense (DoD) Appropriation Bill. Specifically, Program Budget Decision (PBD) 708 provided funds for Family Service Center (FSC) Counseling Services, and PBD 621 provided funds for specific Family Advocacy Program (FAP) initiatives.

## **B. THE NATURE OF THE CONTRACT**

The OMNIBUS contract is actually two contracts, one for personal services and one for non-personal services. Contract employees are covered by different operating principles depending on which of the two contracts applies to their position. Understanding the differences between the two is paramount to the success of this contract as it directly affects reporting procedures, roles and responsibilities, and the nature of your relationship to the contract employee.

Awards were made to three (3) individual contractors under this effort.

1. J & E Associates was awarded the Northern and Caribbean Region for both personal and non-personal services. Contracts Numbers: N00140-00-D-N570 and N00140-00-D-N571 respectively.

2. Choctaw Management/Service Enterprise was awarded services for the Western Region, personal and non-personal. Contract Numbers: N00140-00-D-N552 and N00140-00-D-N572.

3. Saratoga Medical Center, Inc received the awards for the Southern Region. Contract Numbers: N00140-00-D-N569 and N00140-00-D-N551.

Following is information on how personal versus non-personal services positions operate.

**Personal Services:** Contracts for personal services involve continuous, direct supervision and control of the contract employee either by government personnel in a supervisory position or by military personnel. However, they are not allowed to be supervised by an employee under a different contract. Although the personal services contracted employees are given specific

tasking and supervised directly by their government supervisor, they also answer to their company supervisor. There is, in effect, a type of dual supervision although programmatic supervision is what is known as a "governmental function," and is not provided by the company supervisor. The company supervisor provides administrative supervision, ensuring that the employee is paid and is provided appropriate "home office," corporate support. Under these circumstances, personnel appear to be government employees.

If you have problems involving a personal service contracted employee, it is best that you deal directly with the employee. However, coordination with the Contracting Officer's Representative (COR) is advisable if you encounter a persistent or severe problem.

Positions under the personal service contracts are:

- Counselors for Children Who Witness Violence
- Program Consultant/Social Worker
- Case Managers

**Non-personal Services:**

Non-personal services contract employees are rendering the service set forth in the contract. They are not subject to direct supervision and control of a government supervisor. Instead they are supervised only by their company's supervisor. They work directly for the civilian contractor and therefore in no way appear to be government employees.

A very basic description of the non-personal relationship is that the FSC/FAC Director, Deputy Director or other designated uniformed or civil service staff can provide the contract employee information, programmatic consultation or advice, and set work priorities. They cannot tell non-personal contract employees how to perform their work. Non-personal service employees can seek advice, ask opinions, etc., in order to ensure they are performing their jobs as well as possible. However, they cannot be directly supervised by Government staff.

The following positions are classified as non-personal services:

- Victim Service Coordinators
- Victim Service Specialists

- **New Parent Support Team Members**

Whether personal or non-personal employees, all contract staff must be cooperative and act as a member of the **TEAM** operating at the FSC or FAC. They must provide assistance and services as appropriate to the needs and priorities established by FSC/FAC management and must communicate frequently and positively with FSC/FAC management.

The COR will normally be the first person the FSC/FAC Directors contact with a contract question. The Navy Personnel Command (PERSCOM) Program Managers (PERS-661) will normally be contacted for program expertise and general contract questions; however, neither the COR nor the Program Managers have the authority to alter or otherwise modify the contract.

### **C. BACKGROUND CHECKS**

Background checks are required in accordance with DoD Instruction 1402.5. Each contract employee is required to have a Child Care National Agency check with Inquires (NACI) Investigations through OPM. Thereafter, a five year re-verification will be required to include a Installation Record Check (IRC) and a Defense Criminal Investigation Index (DCII) background check. Placement of contract personnel at individual sites will require each FSC/FAC Director to coordinate the contract employee's required security check with their local Human Resources Office in accordance with the attached Memorandum of Understanding between the Department of the Navy Fleet and Family Support Division, and U.S. Office of Personnel Management Investigations Service. All paperwork shall be completed within five working days of reporting to the FSCs/FACs.

Contract employees involved in providing "Child Care Services" must comply with the requirements set forth in DoD Instruction 1402.5, "Criminal History Background Checks on Individuals in Child Care Services." The following contract employees are required to comply with DoD Instructions 1402.5:

- Counselors for Children Who Witness Violence
- Program Consultant/Social Workers (Clinical)
- Victim Service Coordinators
- Victim Service Specialist
- New Parent Support
- Case Managers

#### D. CONTRACT ADMINISTRATION

1. Procuring Contracting Officer (PCO): The PCO is the Government official authorized by warrant to enter into the contract for the Government and has overall responsibility for the contract and is the only person authorized to modify the contract.

2. Contracting Specialist: The Contracting Specialist works directly for the Contracting Officer and handles the day-to-day administration of the contract.

3. Contracting Officer's Representative (COR): The COR is the Government's official appointed in writing by the PCO to act as the technical liaison between the contractor and the Procuring Contracting Officer. The COR is responsible for ensuring satisfactory performance and timely delivery within the financial constraints of the contract/delivery orders.

4. Technical Assistant (TA): The TA is appointed in writing by the Commanding Officer or his/her designee. The purpose of the TA is to assist the COR in routine administration. Duties of the TA include identifying contractor deficiencies, reviewing deliverables and recommending acceptance/rejection with supporting documentation. The TA will provide the COR with input regarding contractor's performance, clarification to the statement of work, and detailed written reports of any technical clarifications required to the Statement of Work. The TA may not provide technical direction directly to the contract management staff. The COR is still the single focal point and is responsible for monitoring the contract.

5. Program Managers: The PERS-661 Program Managers function as Technical Assistants to the COR assisting the COR in the administration of the contract. The PERS-661 Program Managers will normally be the first person the FSC Director will contact with a program related question. PERS-661 Program Managers do not have the authority to alter or otherwise modify the contract. However, they offer program expertise and general contract knowledge that will resolve most issues that arise. See Section H for points of contacts of PERS-661 Program Managers.

6. FSC/FAC Directors: The FSC/FAC Directors or designees are also designated Technical Assistants for each site. (See attached NAVSUP Instruction 4205.3B for the duties/responsibilities of a TA.) If contract questions or problems arise, all actions should be coordinated by the FSC/FAC Director prior to calling the PERS-661 Program Managers. If it is necessary for the FSC/FAC Director to contact the contractor directly, it is important to keep in mind that neither the FSC/FAC Director nor the Contractor can modify or otherwise change the contract in any way. The Contracting Officer is the only government official authorized to modify or otherwise change the contract.

7. Contractor: The Contractor(s) are responsible for providing the services required by the contract.

8. Contract Employee:

a. Personal Services: contract employees hired under the personal services contract are subject to continuous, direct supervision and control, like a permanent government employee. The government supervisor exercises control over the performance requirements set forth in the contract.

b. Non-Personal Services: contract employees hired under the non-personal services contract are rendering the service set forth in the contract. They are not subject to the direct supervision and control of a government supervisor; they are under the direct control of the Contractor. If questions or situations arise concerning employee's non-performance of contract requirements, the problem must be addressed with contract management, not the contract employee. The PERSCOM (PERS-661) Program Manager and the COR should also be notified of non-performance by a contract staff.

c. Contract Supervisor/Manager: is the person designated within the company to act as the contract supervisor/manager of the contract employee. This person is usually the company's point of contact.

#### **E. HANDLING PROBLEMS/QUESTIONS**

1. Employee Problems: These situations can range from tardiness to unethical behavior to poor performance. Dealing directly with the contract employee to correct most situations is

usually the best solution. If problems persist, the next step depends on whether the contract employee is performing personal or non-personal services.

a. If the employee is in a personal services position, notify the appropriate Program Manager in PERSCOM (PERS-661) and the COR.

b. Problems with contract employees in non-personal services positions should be handled by contacting their company supervisor and the COR.

2. Contract Questions/Problems: Questions relating to the contract itself should be forwarded to the appropriate PERSCOM (PERS-661) Program Manager and/or COR. Examples include questions concerning funding, the hiring process, procedures for background checks, roles and responsibilities, or contract do's and don'ts.

#### **F. ACCOUNTING FOR THE CONTRACT EMPLOYEE'S TIME, LEAVE, TRAVEL, AND TRAINING (PERSONAL AND NON-PERSONAL)**

Each contractor will have standard, company-wide ways of managing time cards/sheets, leave, travel, and training issues. Time cards/sheets will be completed by the contract employee and submitted to you or your designee to initial after review. Since the employee may not be paid if their time card/sheet is delayed, it may be more practical to provide a photocopy of the time card/sheet to you to be initialed and forwarded to the "home office" to avoid a possible delay. Questions about how time is recorded should be brought to the attention of contract management and the COR.

Each contractor will be directed to ensure employees coordinate their leave with the FSC/FAC Director or designee. Thus, leave requests will also be submitted for your review and initialing.

Local travel will not be reimbursed by the Government under these contracts as they were previously. Therefore, contract staff will not be providing courtesy review of the employee's reimbursement submissions.

#### **G. PERFORMANCE REVIEW (PERSONAL AND NON-PERSONAL)**

Each FSC/FAC Director will provide to the COR a quarterly review for each contract staff. The quarterly review will address contractor's performance, work habits, leave taken during that period, problems encountered, and any other pertinent information deemed necessary to properly evaluate the contractor's performance. A standard evaluation form will be submitted to each FSC/FAC Director to be used as part of the contractor's review. A sample Report of Contractor's Performance is attached as Appendix E.

**H. IMPORTANT POINTS OF CONTACT AT PERSCOM (PERS-661)**

**1. FAMILY ADVOCACY PROGRAM MANAGERS:**

**a. Counselors for Children Who Witness Violence Program/  
Program Consultant/Social Worker (Clinical)/Case Manager**

Dr. Terri Rau  
DSN: 882-4341  
Comm. (901) 874-4341  
E-Mail: [p661g@persnet.navy.mil](mailto:p661g@persnet.navy.mil)

**b. Victim Service Coordinator**

Ms. Jena Wathen  
DSN: 882-4360  
Comm: (901) 874-4360  
E-Mail: [p661g6@persnet.navy.mil](mailto:p661g6@persnet.navy.mil)

**c. New Parent Support Team Program**

Ms. Janet Fagen  
DSN: 882-4348  
Comm (901) 874-4348  
E-Mail: [p661g3@persnet.navy.mil](mailto:p661g3@persnet.navy.mil)

**d. Alternate POC**

Dr. Daniel McDonald  
DSN: 882-4346  
Comm. (901) 874-4346  
E-Mail: [p661t@persnet.navy.mil](mailto:p661t@persnet.navy.mil)

**2. Contracting Officer's Representatives:**

Ms. Dianne Twomey  
DSN: 874-4362

Comm: (901) 874-4362  
E-Mail: p661t4@persnet.navy.mil

**I. CONTRACTORS**

1. J & E Associates
2. Saratoga Medical Center
3. Choctaw Management/Services Enterprise

## QUICK REFERENCE GUIDE

### YOU ARE ENCOURAGED TO...

- Thoroughly read the portions of the contract applicable to your FSC/FAC (specifically, those applicable to the contract employees under your purview)
- Ask questions if something is not clear
- Educate your Commanding Officer to ensure he or she understands/supports this quality of life effort
- Educate those who will be working with the contract employee about the concepts discussed at this conference
- Get to know the contract employee and take steps to integrate them into your team
- Keep this Desk Top Guide close at hand and USE IT

### PLEASE BE AWARE WHEN...

- Handling problems with non-personal services contract employees; they work directly for the Contractor therefore the Contractor's regional representative should be involved
- Contacting any representative of the civilian Contractor; you are NOT authorized to take any action, directly or indirectly, that could change any of the following aspects of the contract: pricing, cost or fees; quantity/type of employees or equipment; hiring schedule; duties to be performed by non-personal services employees

- Appendix A: MOU between Department of Navy, Fleet and Family Support Division and U.S. Office of Personnel Management, Investigations Service.
- Appendix B: NAVSUP Instruction 4205.3B (COR & CTA Duties)
- Appendix C: NAVSUP Instruction 4205.3B, Sample CTA Appointment Letter.
- Appendix D: DoD Instructions 1402.5 (Background Checks)
- Appendix E: Sample Report of Contractor's Performance

MEMORANDUM OF UNDERSTANDING BETWEEN  
THE DEPARTMENT OF THE NAVY FLEET and FAMILY SUPPORT DIVISION  
AND  
U.S. OFFICE OF PERSONNEL MANAGEMENT, INVESTIGATIONS SERVICE

This Memorandum of Understanding (MOU) is made between The Department of the Navys' (DoN) Family Service Centers (FSC)/ Family Advocacy Centers (FAC) and the U.S. Office of Personnel Management (OPM), Investigations Service to conduct investigations on persons who have contact with children in the course of their work.

This agreement is effective for Appropriated Fund (APF) employees and for Contract employees in the Navy's FSCs/FACs. The paperwork required for APF employees includes a SF 85P, "Questionnaire for Public Trust", a SF 171 or other type of resume, and an Optional Form 306 " Declaration for Federal Employment" and the SF 87 fingerprint chart. The paperwork required of contract employees includes the SF 85P and the FD 258 fingerprint chart.

The Child Care National Agency Check with Inquires (NACI) investigations conducted will include the basic five-year standard coverage. This includes a national criminal history record check conducted by a fingerprint classification check through the FBI. Local law enforcement activities which will respond to requests for information via written inquiry are also contacted in locations where the subject has lived, worked, and/or attended school during the most recent five year period. In addition, OPM will coordinate a search of the State Criminal History Repository (SCHR) records for each unique state of residence that the subject indicates on his/her completed SF 85P. The FSCs/FACs will request the SCHR checks by using Position Code "H" in block "H" on the SF 85P.

If OPM receives all the essential information for a NACI request without the specific state required forms, OPM will conduct the NACI investigation and request the needed SCHR forms from the requesting FSC. OPM will give the requesting FSC 45 days to respond to this request. If OPM has not received the SCHR forms within 45 days, OPM will not delay the investigation for receipt of the forms.

OPM allows 60 days for the individual state repositories to respond to the SCHR request. If no response has been received from the SCHR after 60 days, OPM will not consider the SCHR item as being a required item for closing.

The individual Navy Family Service Centers/ Family Advocacy Centers Submitting Office Number (SON) and the Security Office Identifier (SOI) is assigned by OPM. It is important that these numbers are entered in blocks "J" and "L" respectively on the SF 85P

OPM will forward the results of the completed investigations to the SOI shown in block "L" on the SF 85P.

The individual FSCs/FACs agree to notify affected persons that the FSC/FAC is conducting these NACI investigations as part of its screening process. The individual FSCs/FACs also agree to provide these persons the required due process in cases where the checks contain information the FSC/FAC may use to eliminate the person from further consideration or continued employment.

The case price for each NACI investigation will be the basic cost of the NACI investigation (currently \$77.00), plus OPM's \$3.00 processing fee for each SCHR search, and the additional user fee charged by each state for the actual SCHR search. Currently the state fees range from no fees to \$35.00. The NACI and the SCHR fees are subject to change but this will not affect the validity of this MOU.

The background checks for APF employees are paid for by the Navy Criminal Investigation Services (NCIS) and are billed to:

The Navy Criminal Investigation Services, Building 111  
Attn: Code 21B Colleen Crowley  
Washington Navy Yard  
Washington, D.C. 20388

The background checks for Family Advocacy Program Contract employees administered by PERSCOM are paid for by the Navy Personnel Command PERS-661. The PERSCOM contracted employees will have the code "CON" entered in block "E" on the SF 85P and they are billed to:

Department of the Navy

PERS- 661 Senior Budget Analyst  
Navy Personnel Command - PERS-661  
5720 Integrity Drive  
Millington, TN 38055-6610

All other contract employees not under the PERSCOM contract will also have the code "CON" entered in block "E" on the SF 85P. FSCs/FACs requesting investigations for these contract employees must contact OPM to provide them with their billing address. OPM then will establish their OPAC/ Agency Locator Code (ALC) number which determines where the bill will be sent. This code will be entered in Block " N" on the SF 85 P. The FSCs/FACs also must provide OPM with a POC and address of their Security Office to establish a SOI that determines the location that will receive the results of the checks.

The OPM Point of Contact is:

Ms. Sandy McCall, Program Analyst  
U.S. Office of Personnel Management  
Investigations Service  
Federal Investigations Processing Center  
P.O. Box 618  
Boyers, PA 16018-0618

Phone Number: (724) 794-5612 ext. 240  
FAX Number: (724) 794-2891

FSC/FACs need to make reference to this Memorandum of Understanding when conducting business with OPM.

If the Department of the Navy Fleet and Family Support Division determines that there is no longer a need to accomplish the work outlined above, the agreement may be terminated via written notification to OPM.

The Fleet and Family Support Division Point of Contact is:

Laurinda Griffith, Quality Assurance Specialist  
Navy Personnel Command - PERS- 660QA1  
5720 Integrity Drive  
Millington, TN 38055-6600

Phone Number: (901) 874-4326  
FAX Number: (901) 874-2785



5. Is the employee receptive to suggestions/inputs?  
Yes \_\_\_\_\_ No \_\_\_\_\_. If No, explain

\_\_\_\_\_.

6. Is the employee on time in the delivery of services and reports? Yes \_\_\_\_\_ No \_\_\_\_\_.  
If No, explain: \_\_\_\_\_.

7. Were the customer's expectations met regarding contractor's performance? Yes \_\_\_\_\_ No \_\_\_\_\_.  
If No, explain: \_\_\_\_\_.

8. Were all task completed in a timely manner?  
Yes \_\_\_\_\_ No \_\_\_\_\_. If No, explain: \_\_\_\_\_.

9. Did the employee properly document records in the case management system following reported contact with clients, if required? Yes \_\_\_\_\_ No \_\_\_\_\_. If No, explain: \_\_\_\_\_.

10. List the number of hours the employee was absent during this reporting period. \_\_\_\_\_ Annual  
\_\_\_\_\_ Sick. Were these absent hours coordinated with the FSC/FAC Director or designee? Yes \_\_\_\_\_ No \_\_\_\_\_.  
\_\_\_\_\_.

11. Comments: \_\_\_\_\_  
\_\_\_\_\_.

\_\_\_\_\_  
Signature of TA