



Department of Energy

Washington, DC 20585

AUG 08 2002

MEMORANDUM FOR DISTRIBUTION

FROM: ROBERT G. CARD 
UNDER SECRETARY FOR ENERGY, SCIENCE AND
ENVIRONMENT

SUBJECT: PERFORMANCE BASED CONTRACTS: ORDER REVIEW
TENTATIVE PANEL DECISIONS ON TEAM REPORT
RECOMMENDATIONS

As you know, the Performance Based Contracts Order Review project encompassed a review of Department of Energy (DOE) Orders having applicability to major site and facility management contracts in order to determine whether opportunities existed to further reduce the level of government "process" direction in performance-based contracts. The objectives of the project were to optimize DOE's application of performance based contracting techniques and to improve operating efficiency, as well as improve our focus on safety management.

For each Order, a team comprised of representatives of the Order Originating Office, affected Program Offices, and the Office of General Counsel or the Office of Procurement and Assistance Management attempted to identify requirements, standards, and process approaches that are unnecessary, inappropriate, duplicative, outdated, overly prescriptive or proscriptive or otherwise inconsistent with Government-wide contracting concepts. Teams were supported by comments and suggestions from DOE field offices and contractors. Each team submitted a report with recommendations to retain, modify, or eliminate the Order's direction to contractors. Each report was reviewed by a management Panel composed of the Under Secretary For National Nuclear Security, the Under Secretary for Energy, Science and Environment, the General Counsel, and the Director, Office of Management, Budget and Evaluation/Chief Financial Officer.

This memorandum provides you an opportunity to review the Panel's draft disposition document(s) pertaining to Orders for which you are the originating office. Please provide your comments, if any, to Michael L. Righi, Office of Procurement and Assistance Policy, via e-mail Michael.L.Righi@hq.doe.gov. A "no comment" response may be provided to Mr. Righi at (202) 586-8175. Comments must be received no later than August 15 to be considered.

It is the Panel's intent to distribute final disposition documents by the end of the month, following a briefing to the Defense Nuclear Facilities Safety Board.

Attachments



Distribution: *Heads of Departmental Elements*

Assistant Deputy Administration for Military Application
and Stockpile Operations (NNSA)
Departmental Representative to the Defense Nuclear Facilities Safety Board
Director, Office of Independent Oversight and Performance Assurance
Assistant Secretary, Office of Policy and International Affairs
Director, Office of Economic Impact and Diversity
Director, Office of Engineering and Construction Management
Director, Office of Financial Policy
Director, Office of Budget Operations Division
Director, Office of Administration
Director, Office of Procurement and Assistant Management
Director, Office of the Executive Secretariat
Director, Office of Management and Operations Support
Director, Office of Program Liaison and Financial Analysis
Director, Office of Security and Emergency Operations
Chief Information Officer
Assistant Secretary for Environment, Safety and Health
Assistant Secretary for Environmental Management
Director, Office of Science