

AGENCY INVENTORY ANALYSIS SERVICE CONTRACT INVENTORY CONSUMER PRODUCT SAFETY COMMISSION Fiscal Year 2020

Under section 743(e) of Division C of the Fiscal Year (FY) 2011 Consolidated Appropriations Act, Public Law No. 111-117, the U.S. Consumer Product Safety Commission's (CPSC's) agency inventory analysis includes a review of the contracts and information in the inventory, as set forth below:

1. The CPSC, in accordance with applicable laws and regulations, reviewed four contracts associated with the Special Interest Functions listed in the chart below, to determine whether any personal services contracts have been entered into and are being performed. These three Special Interest Functions were selected as Codes of Interest out of the 10 service codes with the largest obligation amounts for FY 2020.

PSCs	Special Interest Function	FY 2020 Obligation
D302	IT and Telecom – Systems Development	\$4,993,688.99
R426	Support- Professional: Communications	\$2,000,000.00
R699	Support – Administrative: Other	\$808,989.96

The review of the four contracts associated with these codes included a questionnaire checklist given to the Contracting Officer Representative (COR) for each contract. Based on the review, no personal services contracts have been entered into during this period.

2. The CPSC has given special management attention, as set forth in FAR 37.114, to functions that are closely associated with inherently governmental functions.
3. Based on the review of each “Special Interest Function contract” (as defined in FAR 7.5), the CPSC is not using contractor employees to perform inherently governmental functions.
4. The CPSC 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 function. These safeguards include reviewing the performance of CPSC CORs and Procurement Officials.
5. The CPSC 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.

6. The CPSC has ensured that there are sufficient internal agency resources to manage and oversee contracts effectively.

Responsible Officials:

Eddie Ahmad, Director, CPSC Division of Procurement Services, is the senior agency management official accountable for developing procurement policies, procedures, and training associated with OFPP Policy Letter 11-10, addressing the performance of inherently governmental and critical functions.

Cassandra Sterba, CPSC Contract Specialist, is the official responsible for ensuring that appropriate internal management attention is given to developing and analyzing service contract inventories.

Cassandra Sterba, Contract Specialist

2/22/2022
Date

Concurrence:

Eddie Ahmad, Director, Division of
Procurement Services

2/22/2022
Date

Plan for analyzing the FY 2021 data

In accordance with the Service Contract Inventory checklist of Submissions, Formats and Deadlines attached to the 12/19/2011 Memo from Daniel I Gordon, as revised by the FY 2019 Service Contract Inventory Checklist dated 9/25/2019, the Consumer Product Safety Commission is submitting the identified Special Interest Functions for FY 2021.

The functions are:

- DA01 IT and Telecom - Business Application/Application Development Support Services (Labor)
- R425 Support – Professional: Engineering/Technical
- R499 Support – Professional: Other

The highest total obligation for CPSC falls under codes DA01 IT and Telecom - Business Application/Application Development Support Services (Labor) and R425 Support-Professional: Engineering/Technical. Therefore, CPSC has decided to review Codes of Interest DA01 and R425 which represent services at CPSC with significant obligations in FY 2021, which also include a risk for personal services. CPSC intends to analyze both codes, as the agency has done in the past. In FY 2021, CPSC obligated \$5,045,347.50 to DA01, and obligated \$2,582,986.56 to R425.

Additionally, per OMB guidance for FY 2021, agencies are encouraged to analyze PSCs R499 (Support – Professional: Other), R699 (Support – Administrative: Other) and R799 (Support – Management: Other) in their plan, if the PSCs have not already been reviewed. CPSC reviewed R699 in FY 2020, but it did not have significant obligations for R499 or R799. CPSC has no significant obligations to R699 or R799 in FY 2021, however, CPSC obligated \$720,570.00 to code R499 in FY 2021 and will analyze that code.

CPSC's FY 2021 analysis will be of contracts under the codes listed above.