

Subject: ADVISORY AND ASSISTANCE SERVICES

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- 8-15-C Project Description and Justification for Non-Evaluation Advisory and Assistance Services
- 8-15-D Advisory and Assistance Services Quarterly Report

8-15-00 PURPOSE

This chapter implements OMB Circular No. A-120, " Guidelines for the Use of Advisory and Assistance Services" (Exhibit 8-15-A) and establishes policies and procedures governing the procurement, management, and control of non-evaluation advisory and assistance services (A&AS) contracts and purchase orders by the Department.

8-15-10 COVERAGE

- A. This chapter applies to A&AS acquired by contracts and purchase orders. The Federal Acquisition Regulation (FAR), Subpart 37.2, "Consulting Services," Health and Human Services Acquisition Regulation (HHSAR) Subpart 337.2, "Consulting Services," and this chapter provide the governing policies and procedures regarding the acquisition of A&AS.
- B. This chapter also applies to services obtained through advisory committees and their membership, personnel appointments, or acquisitions under OMB Circular No. A-76. The following additional guidance applies to those services:

1. The Federal Property Management Regulation (FPMR), 41 CFR Part 101-6.10, provides policies and procedures for advisory committees and their membership.
2. The Federal Personnel Manual, Chapter 304, "Employment of Experts and Consultants," and HHS Instruction 304-1, "Appointment of Experts and Consultants," provide policy and procedures regarding personnel appointments.
3. OMB Circular No. A-76, "Performance of Commercial Activities," and General Administration Manual (GAM) Chapter 18-10, "Performance of Commercial Activities in the Department of Health and Human Services", provide policies and procedures for obtaining commercial activities. Acquisitions reviewed in accordance with the A-76 process are exempt from this Chapter except when the services also meet the A&AS definition; in that case the contracting action (although otherwise exempt from this chapter) must be reported to the Departmental Contract Information System (DCIS) as an A&AS award.

8-15-20 DEFINITION

The definitions for A&AS are contained in paragraph 5 of OMB Circular A-120 (Exhibit 8-15-A). The Department has determined that Exhibit 8-15-B, "Purpose Codes (FPDS Product and Service Codes) for Advisory and Assistance Services", reflects the services which are included in OMB A-120. Therefore, these codes shall be used to determine whether particular services should be defined as A&AS. Research activity is not included in the definition of A&AS; however, management and support services in support of research activities are considered A&AS and are to be reported using the Purpose Codes in Exhibit 8-15-B.

8-15-30 MANAGEMENT CONTROLS

- A. The Assistant Secretary for Planning and Evaluation (ASPE) has overall responsibility for the approval, management, and control of evaluation A&AS projects prior to issuance of a Request for Proposals (RFP). The Department's Annual Evaluation Guidance will set forth review procedures for evaluation contract projects. Evaluation A&AS projects must be coded as A&AS contracts in the DCIS and as one of the Purpose Codes in Exhibit 8-15-B.

- B. The OPDIV and STAFFDIV Heads have overall responsibility for the approval, management, and control of non-evaluation A&AS projects. Each OPDIV and STAFFDIV Head shall develop and implement a system for the effective management and use of A&AS activities. The STAFFDIV Head may elect to use the system which is developed by the OPDIV Head instead of developing a separate system. As a minimum, the system shall provide for:
1. Assurance that the services are essential to the operation of the requesting unit, cannot be provided by in-house personnel, and are obtained at the lowest reasonable cost.
 2. Assurance that the requesting unit has sufficient funds available for the A&AS project for the initial period and is reasonably expected to have sufficient funds in the future years of the project.
 3. Notification to their respective budget offices, as early as possible, when A&AS projects are expected to have future adverse consequences, such as significant changes to section 514 requirements.
 4. Maintenance of records of all A&AS projects submitted to them for approval. A&AS projects are to be submitted using the format in Exhibit 8-15-C, Project Description and Justification for Non-Evaluation Advisory and Assistance Services for acquisitions estimated to be over \$250,000. OPDIVs and STAFFDIVs may elect to use the format in Exhibit 8-15-C, or may devise a simpler format for acquisitions up to \$250,000.
 5. Quarterly submission of a report listing the A&AS awarded during the quarter. The quarterly report, set forth in Exhibit 8-15-D, Advisory and Assistance Services Quarterly Report, shall be submitted to the Division of Acquisition Policy in the Office of Management and Acquisition's Office of Acquisition and Grants Management by the last day of the month following the end of the quarter. The report shall include all advisory committee memberships, personnel appointments, and procurements. It shall correspond to the A&AS budget allotments which are provided to the Deputy Assistant Secretary for Budget in the Office of the Assistant Secretary of Management and Budget in the Office of the Secretary. Each OPDIV/STAFFDIV/Regional Office shall submit totals of obligations and

expenditures (outlays) for the individual awards for the quarter. The quarterly reports are accumulated and a consolidated report is prepared and submitted to the Congress and the Comptroller General by the Office of the Secretary. The Comptroller General has been tasked to review the quarterly submissions of each Federal agency and Department; therefore, it behooves Department personnel to assure that the quarterly reports accurately reflect all A&AS.

6. Assurance that all A&AS acquisitions are properly coded and entered into the DCIS. All A&AS acquisitions must be coded with the Purpose Codes in Exhibit 8-15-B and no Purpose Codes listed in Exhibit 8-15-B can be used unless the contract is coded as an A&AS contract.
- C. OMB Circular A-120 requires the designation of a single official by each Department or agency to be responsible and accountable for assuring that the provisions of the Circular are met. For the Department, the Director, Office of Acquisition and Grants Management, in the Office of Management and Acquisition, is that official and is responsible for:
1. Conducting conformance and effectiveness audits, with the Office of Inspector General, to determine whether the OPDIVS and STAFFDIVS are properly conducting the A&AS reviews.
 2. Accumulating A&AS data through the DCIS for departmental awards of contracts.
 3. Performing random audits of contracting for A&AS by the OPDIVS/Regional Offices. These audits will concentrate on an organization's adherence to requirements of this chapter. Following each audit, a report will be prepared summarizing the findings and highlighting problems which are identified. The organization will be required to take the necessary corrective action on the problems.

8-15-40 APPROVAL OF ADVISORY AND ASSISTANCE SERVICES PROJECTS

- A. Approval authority and responsibility for A&AS projects will be as follows:

Threshold

Approval Level

Small Purchases

At least one level above requestor, but preferably no more than one level above requestor.

(The requestor is the program office sponsoring the project.)

Contracts

Head of the OPDIV or STAFFDIV; or, may be delegated to the chief official responsible for administration, * without further redelegation.

*-----
The Assistant Secretary for Health may redelegate this authority to the Heads of the Health Agencies with authority to redelegate to the chief official responsible for administration without further redelegation.

- B. Requests for A&AS projects which are both initiated (receipt of the Request for Contract) and awarded during the fourth quarter of the fiscal year must be approved by an official at least two organizational levels above the program project office sponsoring the activity, or by the OPDIV or STAFFDIV Head.
- C. Heads of the OPDIVs and STAFFDIVs must approve an award for a contract or purchase order if a former professional employee of the Department (employed by the Department within the preceding two years) will carry out, supervise, or be otherwise directly associated with the award, performance, or supervision of the contract or purchase order. This approval constitutes assurance that no collusion or conflict of interest exist with respect to the contract or purchase order. This is necessary to assure conformance with 5 CFR Part 737, which covers post-employment conflict of interest.
- D. Proposed projects may include A&AS activities as well as other activities, such as ADP, which require Departmental clearance. Separate approval must be obtained for each activity requiring Departmental clearance. See HHSAR 307.105-2, Special program clearances or approvals, for required clearances for proposed solicitations, contracts, and purchase orders.

8-15-50 ANNUAL SUBMISSION OF ADVISORY AND ASSISTANCE SERVICES
ESTIMATES TO CONGRESS

In accordance with 31 U.S.C. 1114, the Department is required to provide information to Congress in the budget justifications for consulting services. This information is to include a brief description of the need for these services and a list of those major programs that require consulting services. Specific instructions concerning this data is provided by the Office of the Assistant Secretary for Management and Budget annually.



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

January 4, 1988

HHS Exhibit 8-15-A
General Administration Manual
HHS Transmittal 88.02 (6/22/88)

Circular No. A-120

TO THE HEADS OF EXECUTIVE DEPARTMENTS AND ESTABLISHMENTS

SUBJECT: Guidelines for the Use of Advisory and Assistance Services

1. Purpose. This circular establishes policy, assigns responsibilities, and sets guidelines to be followed by executive branch agencies in determining and controlling the appropriate use of advisory and assistance services obtained from individuals and organizations. This circular supersedes OMB Circular No. A-120 "Guidelines for the Use of Consulting Services," dated April 14, 1980.

2. Background. OMB Bulletin No. 78-11, issued May 5, 1978, first required agencies to apply extra controls to the procurement of consultant services. Circular A-120, dated April 14, 1980, provided permanent guidance in lieu of the interim guidance provided by the Bulletin. A Model Control System for consulting services was issued on January 15, 1982, to provide further guidance, which was non-mandatory.

In 1984, the Cabinet Council on Management and Administration (CCMA) completed a study of consulting services to estimate expenditures, review definitions and existing controls, and propose reforms. The study resulted from continuing reports, by GAO and other agencies, of problems in the way the Government manages and uses consulting services.

This revision of Circular A-120 is being issued (1) to expand the coverage of the circular; (2) to mandate controls for the management and reporting of advisory and assistance services; and (3) to clarify the relationship between Circular A-120 and OMB Circular No. A-76 (Revised) "Performance of Commercial Activities," issued August 4, 1983.

3. Relationship to OMB Circular A-76. Activities that are reviewed in accordance with the A-76 process are exempt from the provisions of this circular except that when the functions performed by the contractor meet the definition of advisory and assistance services set forth in this circular, the contracting action must be reported in accordance with Sections 8.A. and 9.A. below. When A-76 contracts are renewed, they are also exempt from the provisions of this circular.

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4. Coverage. The provisions of this circular apply to advisory and assistance services obtained by the following arrangements:

- A. Personnel appointment;
- B. Procurement contract; and
- C. Advisory committee membership.

5. Definition. Advisory and Assistance Services are those services acquired from non-governmental sources by contract or by personnel appointment to support or improve agency policy development, decision-making, management, and administration, or to support or improve the operation of management systems. Such services may take the form of information, advice, opinions, alternatives, conclusions, recommendations, training, and direct assistance. Advisory and assistance services include consultant services provided by individuals, as defined in the Federal Personnel Manual, Chapter 304.

A. Advisory and assistance services include activities having any of the following characteristics:

(1) Individual Experts and Consultants. Individual experts and consultants are persons possessing special, current knowledge or skill which may be combined with extensive operational experience. This enables them to provide information, opinions, advice, or recommendations to enhance understanding of complex issues or to improve the quality and timeliness of policy development or decision-making. These named individuals may either work independently or be assembled into panels, commissions, or committees.

(2) Studies, Analyses, and Evaluations. Studies, analyses, and evaluations are organized, analytic assessments needed to provide the insights necessary for understanding complex issues or improving policy development or decision-making. These analytic efforts result in formal, structured documents containing data or leading to conclusions and/or recommendations. This summary description is operationally defined by the following criteria:

a. Objective: to enhance understanding of complex issues or to improve the quality and timeliness of agency policy development or decision-making by providing new insights into, understanding of, alternative solutions to, or recommendations on agency policy and program issues, through the application of fact finding, analysis, and evaluation.

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b. **Areas of application:** all subjects, issues, or problems involving policy development or decision-making in the agency. These may involve concepts, organizations, programs and other systems, and the application of such systems.

c. **Outputs:** outputs are formal, structured documents containing or leading to conclusions and/or recommendations. Data bases, models, methodologies, and related software created in support of a study, analysis, or evaluation are to be considered part of the overall study effort.

d. **Exclusions and exemptions:** a complete list of exclusions and exemptions from the provisions of this circular is attached.

(3) Management and Professional Support Services.

Management and professional support services take the form of advice, training, or direct assistance for organizations to ensure more efficient or effective operations of managerial, administrative, or related systems. This summary description is operationally defined in terms of the following criteria:

a. **Objective:** to ensure more efficient or effective operation of management support or related systems by providing advice, training, or direct assistance associated with the design or operation of such systems.

b. **Areas of application:** management support or related systems such as program management, project monitoring and reporting, data collection, logistics management, budgeting, accounting, auditing, personnel management, paperwork management, records management, space management, and public relations.

c. **Outputs:** services in the form of information, opinions, advice, training, or direct assistance that lead to the improved design or operation of managerial, administrative, or related systems. This does not include training which maintains skills necessary for normal operations. Written reports are normally incidental to the performance of the service.

d. **Exclusions and exemptions:** a complete list of exclusions and exemptions from the provisions of this circular is attached.

(4) Engineering and Technical Services. Engineering and technical services (technical representatives) take the form of advice, training, or under unusual circumstances, direct assistance to ensure more efficient or effective operation or maintenance of existing platforms, weapon systems, related systems, and associated software. All engineering and technical services provided prior to final Government acceptance of a

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complete "hardware system" are part of the normal development, production, and procurement processes and do not fall within the meaning of this category. Engineering and technical services provided after final Government acceptance of a complete hardware system are within the meaning of this category except where they are procured to increase the original design performance capabilities of existing or new systems or where they are integral to the operational support of a deployed system and have been formally reviewed and approved in the acquisition planning process.

6. Exclusions. The attachment lists the Government programs and activities that are excluded from the provisions of this circular unless agencies decide to include them (see Section 8A below).

7. Policy.

A. When essential to the mission of the agency, the proper use of advisory and assistance services is a legitimate way to:

(1) obtain outside points of view to avoid too limited judgment on significant issues;

(2) obtain advice regarding developments in industry, university or foundation research;

(3) obtain the opinions, special knowledge, or skills of noted experts whose national or international prestige can contribute to the success of important projects;

(4) enhance the understanding of, and develop alternative solutions to, complex issues;

(5) support and improve the operation of organizations;

(6) ensure the more efficient or effective operation of managerial or hardware systems; and

(7) secure citizen advisory participation in developing or implementing Government programs that, by their nature or by statutory provision, call for such participation.

B. Advisory and assistance services shall not be:

(1) used in performing work of a policy, decision-making, or managerial nature which is the direct responsibility of agency officials;

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(2) used to bypass or undermine personnel ceilings, pay limitations, or competitive employment procedures;

(3) awarded on a preferential basis to former Government employees;

(4) used under any circumstances specifically to aid in influencing or enacting legislation;

(5) procured through grants and cooperative agreements; and

(6) obtained for professional or technical advice which is readily available within the agency or another Federal agency, except when the contract is entered into pursuant to the procedures and provisions of Circular A-76.

C. No contracts for advisory and assistance services may be continued longer than five years without being reviewed for continued compliance with this circular.

8. Management Controls.

A. Each agency will assure that it maintains an accounting or information system which effectively monitors and reports advisory and assistance service activities.

B. Each agency's management control system for advisory and assistance services shall at a minimum comply with the Federal Acquisition Regulation. Agencies are encouraged to apply the same control system to other procurements which in their judgment require similar management attention, notwithstanding the exclusion of those functions or programs from the provisions of this circular.

C. Each agency will assure that for all advisory and assistance service arrangements:

(1) the elements of the management control system required by this circular have been observed, and all procurements under this circular are administered in accordance with the requirements of the Federal Acquisition Regulation;

(2) as prescribed by the Federal Acquisition Regulation, written approval of all advisory and assistance services arrangements will be required at a level above the organization sponsoring the activity. Additionally, written approval for all advisory and assistance service arrangements during the fourth fiscal quarter will be required at the second level or higher above the organization sponsoring the activity;

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(3) every requirement is appropriate and fully justified in writing. Such justification will provide a statement of need and will certify that such services do not unnecessarily duplicate any previously performed work or services;

(4) work statements are specific, complete, and specify a fixed period of performance for the service to be provided;

(5) acquisition of advisory and assistance services conform to the Competition in Contracting Act of 1984;

(6) appropriate disclosure is required of, and warning provisions are given to, the performer(s) to avoid conflict of interest;

(7) advisory and assistance service arrangements are properly administered and monitored to ensure that performance is satisfactory;

(8) the service is properly evaluated at the conclusion of the arrangement to assess its utility to the agency and the performance of the contractor; and

(9) to the extent practicable, contracts for these services require a written report. Such reports typically would document the services delivered and may, in part, take the form of software packages.

D. Delegations of Authority.

(1) Each agency head shall designate a single official reporting directly to him or her who shall be responsible and accountable for assuring that the acquisition of advisory and assistance services meets the provisions contained in this circular. The single official shall have minimum responsibility for the procurement of such services.

(2) Each agency will establish specific levels of delegation of authority to approve the need for advisory and assistance services based on the policy and guidelines contained in this circular. The senior official shall review each advisory and assistance services request which exceeds an amount to be determined by the agency.

E. Policy and procedures governing advisory committees and their membership as well as the procurement of advisory and assistance services are contained in General Services Administration regulations, 41 CFR, Part 101-6.

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F. The Federal Personnel Manual, Chapter 304, governs policy and procedures regarding personnel appointments.

G. The Federal Acquisition Regulation governs policy and procedures regarding contracts.

9. Data Requirements.

A. Contracted advisory and assistance services shall be reported to the Federal Procurement Data System (FPDS) in accordance with the instructions in the FPDS Reporting Manual.

B. Contract actions of \$25,000 or less reported on the Summary Contract Action Report (\$25,000 or less) (SF 281) are not covered by this reporting requirement.

C. The following data systems will continue to provide information on advisory and assistance service arrangements within the executive branch:

(1) Central Personnel Data File (CPDF), operated by the Office of Personnel Management, provides data on personnel appointments, segregating advisors, experts, and advisory committee members.

(2) The Federal Procurement Data System (FPDS) provides data on contract arrangements that are monitored by the management control system required by Section 8 of this circular.

(3) Advisory committee data is provided in accordance with Section 2 of Executive Order No. 12024 to fulfill the requirements of Section 6(c) of the Federal Advisory Committee Act, as amended (Public Law 92-463, 5 U.S.C., App.).

10. Effective Date. This circular is effective immediately.

11. Inquiries. All questions or inquiries should be submitted to the Office of Management Budget. Telephone number (202) 395-6903.


James C. Miller III
Director

Attachment



ATTACHMENT

EXCLUSIONS

- I. The following activities are excluded from the purview of Circular A-120.
1. Activities that are reviewed in accordance with the A-76 process. (Such activities must be reported in accordance with Sections 8.A and 9.A.)
 2. Architectural and engineering services of construction and construction management services.
 3. ADP/Telecommunications may be excluded if such functions and related services are controlled in accordance with 41 CFR 201, the Federal Information Resource Management Regulations.
 4. Research on theoretical mathematics and basic medical, biological, physical, social, psychological or other phenomena.
 5. Engineering studies related to specific physical or performance characteristics of existing or proposed systems.
 6. The day-to-day operation of facilities (e.g., the Johnson Space Center and related facilities) and functions (e.g., ADP operations, building maintenance, etc.).
 7. Government-owned, contractor operated facilities (GOCOs) (e.g., Oak Ridge National Laboratory, the Holston Army Ammunition Plant in Kingsport, Tennessee). However, any contract for advisory and assistance services other than the basic contract for operation and management of a GOCO shall come under the provisions of this circular.
 8. Clinical medicine.
 9. Those support services of a managerial or administrative nature performed as a simultaneous part of, and non-separable from, specific development, production, or operational support activities. In this context, non-separable means that the managerial or administrative systems in question (e.g., sub-contractor monitoring or configuration control) cannot reasonably be operated by anyone other than the designer or producer of the end-item hardware.

10. Contracts entered into in furtherance of statutorily mandated advisory committees.
11. Initial training, training aids, and technical documentation acquired as an integral part of the lease or purchase of equipment.
12. Routine maintenance of equipment, routine administrative services (e.g., mail, reproduction, telephone), printing services, and direct advertising (media) costs.
13. Auctioneers, realty-brokers, appraisers, and surveyors.

II. The following programs are excluded from the purview of Circular A-120.

1. The National Foreign Intelligence Program (NFIP).
2. The General Defense Intelligence Program (GDIP).
3. Tactical Intelligence and Related Activities (TIARA).
4. Foreign Military Sales.

PURPOSE CODES (FPDS PRODUCT AND SERVICE CODES)
APPLICABLE TO ADVISORY AND ASSISTANCE SERVICES

FEDERAL PROCUREMENT DATA SYSTEM

SECTION I. PART A - RESEARCH AND DEVELOPMENT

<u>Code</u>	<u>Meaning</u>
	<u>GENERAL SCIENCE AND TECHNOLOGY R&D (AJ)</u>
AJ16	Physical Sciences Management and Support
	<u>MEDICAL R&D (AN)</u>
AN16	Biomedical Management and Support
AN26	Drugs Dependency Management and Support
AN36	Alcohol Dependency Management and Support
AN46	Health Services Management and Support
AN56	Medical Health Management and Support
AN66	Rehabilitative Engineering Management and Support
AN76	Specialized Medical Services Management and Support
AN86	AIDS Research Management and Support
AN96	Other Medical Management and Support
	<u>OTHER RESEARCH AND DEVELOPMENT R&D (AZ)</u>
AZ16	Other Research and Development Management and Support

SECTION I. PART B - SERVICES

<u>Code</u>	<u>Meaning</u>
	<u>PROFESSIONAL SERVICES (R4)</u>
R404	Land Surveys, Cadastral Services (non-construction)
R405	Operations Research Services
R406	Policy Review/Development Services
R407	Program Evaluation Services
R408	Program Management/Support Services
R409	Program Review/ Development Services
R411	Real Property Appraisals Services (SIC 6531)

<u>Code</u>	<u>Meaning</u>
R412	Simulation
R413	Specifications Development Services
R414	Systems Engineering Services
R415	Technology Sharing/Utilization Services
R418	Legal Services
R419	Educational Services
R420	Certifications and Accreditations
R421	Technical Assistance (This is limited to assistance designed to assure more effective operations of managerial or administrative systems. It does not include technical assistance to grantees.)
R422	Telephone and Field Interview Services
R423	Intelligence Services
R425	Engineering and Technical Services
R426	Communications Services
R427	Weather Reporting/Observation Services
R428	Industrial Hygienics
R497	Personal Services
R499	Other Professional Services

SPECIAL STUDIES AND ANALYSES (R5)

B502	Air Quality Analyses
B503	Archeological/Paleontological Studies
B504	Chemical/Biological Studies and Analyses
B505	Cost Benefit Analyses
B506	Data Analyses (other than scientific)
B507	Economic Studies
B509	Endangered Species Studies - Plant & Animal
B510	Environmental Studies and Assessments
B513	Feasibility Studies (non-construction)
B516	Animal and Fisheries Studies
B517	Geological Studies
B518	Geophysical Studies
B519	Geotechnical Studies
B520	Grazing/Range Studies
B521	Historical Studies
B522	Legal Studies
B524	Mathematical/Statistical Analyses
B525	Natural Resource Studies
B526	Oceanological Studies
B527	Recreation Studies
B528	Regulatory Studies
B529	Scientific Data Studies
B530	Seismological Studies

<u>Code</u>	<u>Meaning</u>
B532	Soils Studies
B533	Water Quality Studies
B534	Wildlife Studies
B537	Medical and Health Studies
B538	Intelligence Studies
B539	Aeronautic/Space Studies
B540	Building Technology Studies
B541	Defense Studies
B542	Educational Studies & Analyses
B543	Energy Studies
B544	Technology Studies
B545	Housing and Community Development Studies
B546	Security Studies (Physical & Personal)
B547	Accounting/Financial Management Studies
B548	Trade Issues Studies
B549	Foreign Policy/National Security Policy Studies
B550	Organization/Administrative/Personnel Studies
B551	Mobilization/Preparedness Studies
B552	Manpower Studies
B553	Communications Studies
B554	Acquisition Policy/Procedures Studies
B555	Elderly/Handicapped Studies
B599	Other Special Studies and Analyses

MANAGEMENT SUPPORT SERVICES (R7)

R701	Advertising Services
R703	Accounting or Financial Services
R705	Debt Collection Services
R706	Logistics Support Services
R707	Contract, Procurement, and Acquisition Support Services
R708	Public Relations Service
R799	Other Management Support Services

TECHNICAL REPRESENTATIVE SERVICES (L)

LO** Technical Representative Services

**In these two positions, enter first 2 digits of FSC Code from Part C, or 99 for miscellaneous or general work. Asterisks are not to be entered as part of the code.

AMEF 25104
RHS STGFF MAN COORD DMP
ROOM 4300 COHEN BLEG
SEC INDEF AOE S.H.
WASHINGTON DC 20201

CCC

J

**PROJECT DESCRIPTION AND JUSTIFICATION FOR NON-EVALUATION
ADVISORY AND ASSISTANCE SERVICES**

1. **Proposing Office:** OPDIV/STAFFDIV/Regional Office, Agency, Bureau, Program Office.
2. **Date:** Date when Project Description and Justification was prepared; Indicate if it is a revision.
3. **Project Title, Description, and FPDS Codes:** List the project title and the applicable Federal Procurement Data System product and service codes. Include one or two paragraphs which briefly describe the project.
4. **Contact:** Name, title, address, and telephone number of the person responsible for responding to questions concerning this project.
5. **Reasons for Project:** Provide information on the origin and basis of the issues/problems which the project addresses, prior history of the project, and the specific purpose of the project. Describe completely why the project needs to be done. If the project is mandated, describe the source of the mandate; e.g., Congressional, Secretarial, etc. Cite the source document.
6. **Estimated Project Cost and Source of Funding:** Provide the estimated first year cost. If the project is planned to continue beyond the first year, provide the estimated annual costs for subsequent years. The estimated cost breakdown should include at least the following information: (a) Direct labor including categories of labor and estimated person hours; (b) Travel; (c) Material; (d) Subcontracts; and (e) Indirect Costs. Use other delineations as appropriate; e.g. consultants.
7. **Use of Government Employees:** Provide the rationale for not doing the project in-house. Specifically address the question of why the OPDIV, STAFFDIV, or Regional Office cannot accomplish part or all of the project with its own or other government resources. Indicate how many of the agency staff have the required expertise and specifically why they cannot be reallocated to the project.
8. **Coordination:** Identify the agencies, offices, and persons that have or will review the project. Indicate whether such review has occurred or will occur. If the former, indicate the views identified.

9. **Related Work:** Discuss any completed, current, or proposed work which bears on the approach or expected impact of the project. Specifically identify how the project will build on the strengths or weaknesses of such work and how the project will provide additional information not now available to the Department. Show that no products already exist which could meet the objectives of the project by checking, as appropriate, sources such as the National Technical Information Service; the Smithsonian Science Information Exchange; the Evaluation Documentation Center; the Policy Analysis Source Book; specialized information systems; and experts in other agencies. If the proposed contract is a continuation of a previous contract, include a description of what the previous contract accomplished. Please note that related projects are not limited to those performed by or under contract for the proposing organizational component.
10. **Approach:** Describe the approach to be used in the project. Include a discussion, whenever relevant, of the population to be examined; type of data to be examined or collected; data gathering methods; analytic tools or techniques; and relationship of the study population to the total universe. Describe why the specific alternative was selected. Indicate planned timeframe, key milestones, and end products. Include a copy of the technical statement of work.
11. **Application and Use of Findings:** Briefly describe (a) the relationships between expected project results and specific HHS programs; (b) how decision makers will use the project results; and (c) the effect on the population served. Describe plans to disseminate the final products.
12. **Cost Effectiveness:** Describe how the expected project results, actions, and effects are important or significant enough to justify the project costs.
13. **Projected Acquisition Schedule:**

Approval required by _____

Request for proposal release date _____

Award date _____
14. **Proposed by:** _____ **Title:** _____
Head of Program Office

ADVISORY AND ASSISTANCE SERVICES
QUARTERLY REPORT

A. Each advisory and assistance service award shall include the following information:

1. The name of the contractor, personnel appointees, and advisory committee members.
2. The amount of the contract.
2. The purpose of each contract.
3. The justification for the award of the contract.
4. The reason the work cannot be performed by civil servants.

B. Each reporting unit (each OPDIV and the Health agencies for PHS) shall provide information on compliance with the Section 514 limitations and shall include the following:

1. The Section 514 limitation for the OPDIV or Health agency for PHS.
2. Total obligations and expenditures (outlays) for the quarter.
3. Total cumulative obligations and expenditures (outlays) for the fiscal year.
4. Any anticipated problems in staying within the reporting unit's Section 514 limitations.

