



Office of the Federal Detention Trustee
United States Department of Justice
Procurement Division

OFDT Strategic Objective 1.1: Ensure Efficient Use of Detention
Space and Regulate Price Increases

Project Plan: Develop a Detention Services Schedule for all Detention Agencies

Approvals:

Date:

4/13/09

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Scott P. Stermer, Chief, Procurement Division and Project Manager developed and completed this plan. Implementation is contingent upon approval by the Deputy Trustee and the Trustee. Dissemination is as required and determined by the Division Chief.

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1. Background

Federal detention is a large component of criminal and immigration case processing by the United States Marshals Service (USMS) and Immigration and Customs Enforcement (ICE). Law enforcement initiatives along with increases in illegal immigration to the United States, have increasingly taxed the capability of the Department of Justice (DOJ) to effectively manage available detention resources and acquire additional resources to meet increasing demands.

The Office of the Federal Detention Trustee (OFDT) has created a National Clearinghouse for Detention Space Availability. This web-based database network serves as a Detention Services Network (DSNet) for State and Local governments and private detention space providers to electronically post vacancies, rates, services, administrative costs, availability, mode of transportation, medical facilities and services – a virtual electronic “menu” of detention services. It enables Federal users to find more cost-effective space where they need it (e.g., closer to courthouses, U.S. Attorneys, Federal prison facilities and prison transport hubs and avoid paying for costly transportation and services they do not need).

Currently, non-federal detention bed space for federal detainees is acquired at the best value to the government through Intergovernmental Agreements (IGA), where a daily rate is paid to state and local governments and facility-specific contracts with private service providers.

To help overcome some of the challenges in acquiring non-federal detention services, the Department of Justice Appropriations Act for 2001 (Public Law 106-553) contained the following provision:

“Sec. 119. Notwithstanding any other provision of law, including section 4(d) of the Service Contract Act of 1965 (41 U.S.C. 353(d)), the Attorney General hereafter may enter into contracts and other agreements, of any reasonable duration, for detention or incarceration space or facilities, including related services, on any reasonable basis.”

This authority allows for the use of non-traditional contract vehicles when acquiring detention and other related services.

2. Purpose, Scope, Objectives, and Performance Measures

The purpose of this project is to establish a Detention Services Schedule by awarding a series of contract(s) to multiple providers that agree to provide detention and other related services to the Government in accordance with the applicable laws and standards of confinement. In addition to detention services, the program will cover secure detention transportation (national and local), the use of secure modular units designed for detention, guard services (armed and unarmed) and emergency contingency options.

The scope of this project involves soliciting and awarding a series of Indefinite-Delivery Indefinite Quantity contracts which will provide USMS, ICE, and the Federal Bureau of Prisons (BOP) with a simplified process of acquiring detention or correctional services in varying quantities from private service providers.

The major objectives of the project are:

- Provide the USMS, ICE, and the BOP with a simplified process of acquiring detention or correctional services in varying quantities while obtaining volume discounts.
- Provide a means for private contractors to electronically post vacancies, rates, and services on the web-based Detention Services Network.
- Ease procurement burdens, shorten lead times, and reduce the time required to obtain private detention services.

The performance measures for this project are:

Strategy	Goal	Output	Baseline for each measure	2004	2005	2006	2007	2008	2009	2010	2011
Develop a Detention Services Schedule for all detention agencies	Hold Housing Costs at or Below Inflation	Per Day Jail Cost	IGA	\$57.85	\$57.97	\$59.77	\$60.49	\$62.37	\$64.30	\$66.29	\$68.35
			Private	\$77.23	\$78.60	\$81.47	\$83.37	\$86.79	\$90.35	\$94.05	\$97.91
			Total	\$61.87	\$61.78	\$63.35	\$64.74	\$97.00	\$69.32	\$71.70	\$74.24

3. Assumptions and Constraints

- To add an E-Commerce area to the DSNetwork by October 2006 all necessary requirements will be delivered and development resources available/procured to meet the timeline for implementation.
- Obtain a waiver to the Service Contract Act by April 2006. This will ensure operational stability when housing a combined Federal, State and local population.
- Determine the definition of an 'existing and operating private detention facility' in order to provide fair and even competition.
- Some data entry will be required by OFDT to ensure the appropriate level of facility contract information is populated in the DSNetwork database for DSS automation use.

4. Budget

The budget estimate is \$200,000 for program contract support and is programmed into the FY 2006/2007 OFDT Operating Budget Plan. A separate budget will be required to support the IT development.

5. **References**

- Concept Paper – Obtain Access to Private Industry’s Available Bed Space
- Briefing - Detention Services Schedule Program Private Industry Inter-Change Meetings
- Detention Services Schedule Program Project Overview Statement

6. **Definitions and Acronyms**

Term	Definition
Inter-Governmental Agreement	Formal agreements between Federal, state, and local agencies to house Federal detainees
Output	The internal activities of a program (i.e. the products and services delivered). What does the program do to achieve its goal or purpose? What does this PRODUCE? (identify when it is expected to be produced)

Acronym	Meaning
BOP	Bureau of Prisons
DHS	Department of Homeland Security
DOJ	Department of Justice
DSS	Detention Services Schedule
ICE	Immigration and Customs Enforcement
IGA	Inter-Governmental Agreement
OFDT	Office of Federal Detention Trustee
USMS	United States Marshals Service

Table 1. Definitions and Acronyms

7. **Project Organization**

7.1 **External Interfaces**

Liaison/Interface	Organization
Timothy Perry	ICE
Carla Flanagan	USMS
Paul Courtney	BOP

Table 2. Project Interfaces

7.2 **Roles and Responsibilities**

Role	Responsibilities	OFDT POC
Project Manager	Establish Procedures and Oversee Project Implementation	Chief, Procurement Division
Legal Advice & Counsel	Provide Legal Review & Assistance Throughout Development and Implementation of the Project	General Counsel

DSS Process Automation	Develop Web-based Information System	Chief, Information Technology Division
Detention Program and Standards	Develop Statement of Work, Technical Evaluations of Proposals, Standards Compliance	Chief, Detention Standards and Compliance Division

Table 3. Project Roles and Responsibilities

8. Start-up Plan

Award 20-year multiple indefinite delivery, indefinite quantity (IDIQ) contracts for private industry bed space which provides the most flexibility and is the most advantageous to the government. Because the contracting officer must determine whether multiple awards are appropriate as part of acquisition planning, use the sources sought acquisition method to identify interested private industry vendors.

9. Work Plan

9.1 Pricelists

- Contracts awarded to private industry firms will provide services at stated prices for given periods. Firms will publish a Schedule Pricelist on the web-based DSNetwork that will contain all services offered at their facility. The USMS, ICE, and BOP will review pricelists of at least three firms and place orders with the firm which represents the best value.
- Transportation and Guard services will be priced on a local facility basis.

9.2 Ordering Services

The USMS, ICE and BOP will place orders for detention services directly with a contractor in accordance with the terms and conditions of the pricelists. Orders for services from existing contracts will be placed through the DSNetwork using an established electronic communications format.

9.3 Updates

OFTD will refresh the schedule every 24 months to add contractors to the schedule. Contractors already on the schedule may request that OFTD add facilities at any time during the life of the contract.

9.4 Schedule

Date	Task	Dependency
08/04/05	Project Start Date	

01/05/06	Develop Draft Solicitation for Services	
02/16/06	Obtain Private Industry Comment on Draft Solicitation	
04/17/06	Public Announcement of the Solicitation	
05/01/06	Develop Final Solicitation	
06/01/06	Develop Schedule Use Policy	
06/01/06	Industry Proposal Development	
07/03/06	Evaluation and Negotiation	
07/10/06	Award of Contracts	
10/1/06	Add Electronic Ordering System to the DSNetwork	E-Commerce area is added and ready to use
10/1/06	Project End Date	

Table 4. Implementation Schedule

9.5 Project Deliverables

Deliverables	Projected/Finish Date
Solicitation for Services	January 2006
Contracts Awarded	July 2006
Schedule Use Policy	June 2006
Electronic Ordering System added to the DSNetwork	October 2006

Table 5. Key Project Deliverables

10. Control Plan

The Project Manager will monitor progress of the project, ensuring budget, resources, and schedule allocations are tracked on a monthly basis. Pertinent databases and project management files will be updated as required. The Project Manager will control and monitor any material and travel costs in accordance with OFDT guidelines. The Project Manager will provide twice monthly updates to the Trustee and the Deputy Trustee on the status of the project.

Information	Frequency	From Whom	To Whom	Medium
Status of Project	Bi-Weekly	Project Manager	Trustee, Deputy Trustee, Managers	Verbal Communication, and Bi-Weekly Reports

Table 6. Communication & Control Plan

11. Closeout Plan

This plan is closed when the last deliverable is finalized. At the end of the project, all documents, databases and other records become part of the project management file.

Document Control

CHANGE HISTORY

Revision	Release Date	Description [list of changed pages and reason for change]

Document Storage

This Document was created using Microsoft Word. The file is stored at G:\ODT\Acquisition Desk Book\DSS Project

Document Owner

Chief, Procurement Division, is responsible for developing and maintaining this document.