

FCMR-AAP-A

27 July 2020

MEMORANDUM FOR DISTRIBUTION

SUBJECT: Procurement Advisory Notice (PAN) 20-02 Quality Assurance Surveillance Plans (QASPs)

1. <u>REFERENCES:</u>

a. Federal Acquisition Regulation (FAR) 37.604 Quality assurance surveillance plans and 46.102 Government Contract Quality Assurance

b. Defense Federal Acquisition Regulation Supplement Subparts 237.1 Service Contracts and 246.401 Government Contract Quality Assurance

c. Army Federal Acquisition Regulation Supplement (AFARS) 5137.5, Management Oversight of Service Contracts

2. <u>PURPOSE</u>: The purpose of this PAN is to emphasize the importance of contract administration and surveillance of contractor performance which is formally documented through the QASP.

3. <u>APPLICABILITY:</u> A QASP is required whenever a Contracting Officer's Representative (COR) is appointed to a service contract. However, a Contracting Officer (CO) can exempt the QASP requirement if a written justifiable reason is provided.

4. BACKGROUND:

a. The QASP is the key Federal Government developed surveillance process document that is applied to service contracts and is used to manage contractor performance assessment by ensuring that systematic quality assurance methods are utilized to validate that the contractor's quality control efforts are timely, effective, and are delivering the results specified in the contract or task order.

*This PAN supersedes PAN 20-02 Quality Assurance Surveillance Plans 5 February 2020

b. It is the policy of the Federal Government that agencies use performance-based contracting to the maximum extent practicable when acquiring services. Agencies shall carefully select acquisition and contract administration strategies, methods, and techniques that best accommodate the requirement.

c. The QASP and Performance Based Acquisitions are addressed in Federal Acquisition Regulation (FAR) Subparts 37.6 and 46.4, Defense Federal Acquisition Regulation Supplement Subparts 237.1, 246.1, and Army Federal Acquisition Regulation Supplement Subpart 5137.5. This policy is intended to supplement those sections and explain how they are implemented at this Activity. Nothing in this policy is intended to replace or conflict with the regulations cited. Contract Specialists and COs are encouraged to become familiar with the listed citations in addition to this policy.

5. DEFINITIONS:

a. Performance-Based Acquisitions (PBA) - Involves acquisition strategies, methods, and techniques that describe and communicate measurable outcomes rather than direct performance processes. It is structured around defining a service requirement in terms of performance objectives and providing contractors the latitude to determine how to meet those objectives. It is a method for acquiring what is required and placing the responsibility for how it is accomplished on the contractor.

b. Performance Work Statement (PWS) - The PWS should state requirements in general terms of what (result) is to be done, rather than how (method) it is done. The PWS gives the contractor maximum flexibility to devise the best method to accomplish the required result. The PWS must be written to ensure that all offerors compete equally. The PWS must also be descriptive and specific enough to protect the interests of the Federal Government and to promote competition. The clarity and explicitness of the requirements in the PWS will invariably enhance the quality of the proposals submitted. A definitive PWS is likely to produce definitive proposals, thus reducing the time needed for proposal evaluation. It is developed with the QASP.

c. Quality Control (QC) Plan - It explains the quality measures the contractor will undertake to perform the PWS. It is developed by the Contractor for their internal use to ensure performance and delivery of quality service(s). Often, the QC Plan is part of the Contractor's original proposal.

d. Quality Assurance Surveillance Plan (QASP) - The Federal Government's plan to assess contractor performance. The QASP is used to make sure that systematic quality assurance methods are used in administration of the service contract. The QASP details how and when the Federal Government will survey, observe, test, sample,

evaluate, and document Contractor performance according to the PWS. The QASP is written in conjunction with the PWS, because what is written into the PWS influences what is put into the QASP. After award, following the procedures in the QASP, the COR can determine if the Contractor-provided service meets the contract quality standards. The QASP is critical to efficient and effective contract administration and lays the groundwork for appropriate incentives, if applicable.

e. Performance Requirement Summary (PRS) - A PRS is not a QASP. The PRS contains information about the key services that a Contractor is required to perform; standards to enable the testing of the quality of a Contractor's performance; and surveillance methods to be used.

f. Contracting Officer's Representative (COR) - The COR is responsible for monitoring, assessing, recording, and reporting on the technical performance of the contractor. The COR is also responsible for making customers aware of contract requirements, investigating and validating customer complaints and ensuring the contractor takes appropriate corrective action.

6. PROCEDURES:

a. Basic Elements of a QASP

(1) Delineation of specific services to be surveilled.

(2) Methods of Surveillance.

(3) Frequency of Surveillance. The level of surveillance described in the QASP should be commensurate with the dollar value and complexity of the acquisition.

(4) Incentives or penalties for stellar or subpar performance (Optional).

b. Level of Surveillance

(1) The level of surveillance described in the QASP should be commensurate with the dollar value and complexity of the acquisition.

(2) A QASP for simple, small dollar services need not be complicated. Examples can be found in Appendix A.

(3) Development of a QASP for complex services should include the input of the requiring activity. It should be developed along with the PWS.

c. Writing the QASP

(1) A QASP does not detail how the contractor accomplishes the work. Instead, the QASP is created on the premise the contractor is responsible for management and quality control actions to meet the terms of the contract. It is the government's responsibility to be objective, fair, and consistent in evaluating performance. In addition, the QASP should recognize the unforeseen and uncontrollable situations, such as acts of God (e.g., bad weather, earthquakes) or situations resulting from a combat environment.

(2) The QASP is a living document, and the CO may review and revise it on a regular basis. However, the CO shall coordinate changes with the contractor. Updates must ensure the QASP remains a valid, useful, and enforceable document. The contractor and the CORs implementing the surveillance activities must receive copies of the original QASP and any subsequent revisions.

(3) There is no one proper format for the preparation of a QASP. The QASP must contain the elements in paragraph 5.a but the format can vary to fit a particular acquisition. Appendix B contains some samples of QASPs written for acquisitions that are more complex.

d. Methods of Surveillance

(1) The CO and COR should review the performance standards in the contract to determine if the selected monitoring methods are appropriate to monitor each performance standard to include verification, such as validation of contractor personnel education and years of relevant work experience to ensure the Government receives adequate services. Documentation must be maintained in the contract file that demonstrates the review and approval of contractor employees in key personnel positions for information assurance functional services. Within the QASP, multiple surveillance methods may be used. Inspection methods should be tailored to the type of service performed.

(2) Various methods exist to monitor performance. The COR will use one or more of the surveillance methods listed below. However, regardless of the surveillance method, the COR must always contact the CO when a defect is identified and inform he/she of the specifics of the problem.

(3) Contractor performance must be monitored in some fashion to determine the rate of success. As much as possible, human biases should be eliminated from the surveillance process. The objective is to assess the contractor's performance against

established performance standards. The following procedures are the most common methods of surveillance:

a. Random sampling. Receipt of acceptable performance is based on a percentage of successful assessments. Random sampling is the most appropriate method for frequently recurring, homogenous tasks. It estimates a contractor's overall level of performance.

b. Planned sampling. Evaluations are scheduled for specific intervals or dates. This sampling may be appropriate for tasks that occur infrequently.

c. One hundred percent inspection. Only appropriate for the most stringent requirements where health or safety is on the line. This process is very expensive.

d. Customer feedback. Allows end users to evaluate and provide feedback on the service received. This form of surveillance is useful for areas that do not lend themselves to observation. Because of this, evaluators can focus time in other areas. With this approach, it is important the end-users providing feedback understand the contract performance standards.

e. Unscheduled Inspections Impromptu and unexpected by the contractor.

(4) Surveillance results may be used as the basis for actions (to include payment deductions) against the contractor.

(5) When unacceptable performance occurs, the COR must inform the contractor in writing unless circumstances necessitate verbal communication. In any case, the COR must document the discussion and place it in the COR's file.

7. <u>QUESTIONS</u>: Submit all questions regarding this PAN to the Contract Execution Oversight mailbox at <u>usarmy.detrick.medcom-usamraa.mbx.policy@mail.mil</u>.

4 Encls

1. Simple QASP Sample

2. QASP Sample

3. Performance Requirement Summary

4. Sample Quality Assurance Monitoring Form

//original signed//

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Senior Contracting Official

USAMRDC PAN 20-02

APPENDIX A

SIMPLE QASP SAMPLE

QUALITY ASSURANCE SURVEILLANCE PLAN

INTRODUCTION: This Quality Assurance Surveillance Plan (QASP) has been developed to evaluate contractor actions while implementing this PWS. It is designed to provide an effective surveillance method of monitoring contractor performance for each listed objective.

The QASP provides a systematic method to evaluate the services the contractor is required to furnish.

This QASP is based on the premise the government desires to maintain a quality standard in operating, maintaining, and repairing facilities and that a service contract to provide the service is the best means of achieving that objective.

The contractor, and not the government, is responsible for management and quality control actions to meet the terms of the contract. The role of the government quality assurance is to ensure contract standards are achieved.

In this contract the quality control program is the driver for product quality. The contractor is required to develop a comprehensive program of inspections and monitoring actions. The first major step to ensuring a "self-correcting" contract is to ensure that the quality control program approved at the beginning of the contract provides the measures needed to lead the contractor to success.

Once the quality control program is approved, careful application of the process and standards presented in the remainder of this document will ensure a robust quality assurance program.

QUALITY ASSURANCE SURVEILLANCE ENVIRONMENTAL PROTECTION SERVICES

Performance Objective	Performance Threshold
Manage base environmental	Zero notice of
protection program	violations, 100% of
	time
Monitor wastewater and storm	Compliance within permit
water discharge	levels 100% of time
Identify, remove, and properly	100% of time
dispose of asbestos, lead based	
paint, and PCBs	
Maintain a Hazardous Waste	100% of time
Program	
Meet all requirements for an	100% of time
effective Pollution Prevention	
Program	
Submit recycling plan and	Submit plan within 30
maintain recycling program	days after contract
	start
Perform spill containment and clean	Contain and
up for hazardous material spills	cleanup spills 100%
	of time
Manage a base energy	Submit reports timely,
conservation program	100% of time
Prepare and coordinate environmental	Submit reports timely,
impact analysis with the government	100% of time

STANDARD: The performance thresholds established for each of the performance objectives are the number of defects permitted before the quality assurance (QA) person notifies the CO for appropriate action in accordance with FAR 52.212-4, Contract Terms and Conditions-Commercial Items or FAR 52.246-4, Inspection of Services - Fixed Price, as appropriate. (The numbers shown in the "Performance Threshold" column are examples only. Installations should enter the specific thresholds applicable to them. Ensure the thresholds are measurable.)

SURVEILLANCE: Government QA personnel will conduct monthly evaluations. Government QA personnel may also receive complaints from base personnel and

other Government representative(s) and pass them to the contractor's quality control inspector (QCI) for correction. Customer's complaints may be submitted by any form of communication, including fax and e-mail.

PROCEDURES:

Monthly Evaluations: The Government's QA person will visit the appropriate work area of the contractor and either observe the contractor performing the tasks or review documentation, as appropriate. The QA person will notify the contractor's supervisor of any defects in performance and permit the contractor to re-perform the service. If the contractor cannot or will not re-perform the defective service, the QA person will notify the CO if the performance thresholds are exceeded.

The QA person may also perform the monthly evaluations through evaluations of the contractor's quality assurance program, which was previously approved by the government. The contractor shall submit the monthly quality control schedule to the QA person before the first of each month. The QA person may perform inspections in any number of ways. The QA person may accompany the QCI on scheduled inspections and observe the QCI inspecting the service to ensure defects are corrected. The QA person may immediately inspect the same area as the QCI as soon as the QCI has completed the QC inspection to determine if any surveillance areas were overlooked. The QA person may inspect an area prior to QCI and compare results. The QA person will record defects if QCI fails to record performance defects and defects are not corrected. The QA person will notify the CO if the performance thresholds are exceeded.

Verification Procedures: The QA person must verify initial and replacement contractor employees in key personnel positions to ensure contractor employees providing the service meet qualification requirements identified for the labor categories specified in the task order and/or contract. Verification, such as validation of contractor personnel education and years of relevant work experience, ensures the Government receives adequate services, as identified in task order and/or contract performance requirements. Documentation must be maintained in the contract file that demonstrates the review and approval of contractor employees in key personnel positions for information assurance functional services.

Customer Complaints: Any base employee observing unacceptable services or quality of work for any of the above items should immediately contact the government quality

assurance person. The QA person will initially consider the complaint valid, verbally notify the QCI, and document the complaint. The QA person then lets the customer know when the defect should be corrected. The QA person advises the customer to contact the evaluator if the defect is not corrected. The QA person considers customer complaints resolved unless otherwise notified by the customer. It is the contractor's responsibility to obtain a copy of the written customer complaint from the government QA person. The QCI will be given two hours after verbal notification from the government evaluator to correct the unacceptable performance defect. If the QCI disagrees with the complaint and challenges the validity of the complaint, the QCI will notify the QA person. The QA person validates the complaint by investigating the defect. If the complaint is not valid, the QA will document the findings and notify the customer. The QA person retains a copy of the written complaint. After investigation, if the QA person determines the complaint as valid, the QA person informs the QCI. The QCI is given an additional hour to correct the defect. Defects will not be recorded if proper and timely correction of the unacceptable condition(s) is accomplished. The QCI shall return documentation to the QA person notifying them of the actions taken to remedy the situation. The QA documents the data for future recurring performance.

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APPENDIX B

QUALITY ASSURANCE SURVEILLANCE PLAN (QASP)

INTRODUCTION

This quality assurance surveillance plan (QASP) is pursuant to the requirements listed in the performance work statement (PWS) entitled [insert name of services]. This plan sets forth the procedures and guidelines [insert name of government monitoring/surveillance activity] will use in ensuring the required performance standards or services levels are achieved by the contractor.

Purpose

The purpose of the QASP is to describe the systematic methods used to monitor performance and to identify the required documentation and the resources to be employed. The QASP provides a means for evaluating whether the contractor is meeting the performance standards/quality levels identified in the PWS and the contractor's quality control plan (QCP), and to ensure that the government pays only for the level of services received.

This QASP defines the roles and responsibilities of all members of the integrated project team (IPT), identifies the performance objectives, defines the methodologies used to monitor and evaluate the contractor's performance, describes quality assurance documentation requirements, and describes the analysis of quality assurance monitoring results.

Performance Management Approach

The PWS structures the acquisition around "what" service or quality level is required, as opposed to "how" the contractor should perform the work (i.e., results, not compliance). This QASP will define the performance management approach taken by [insert name of program office/monitoring activity] to monitor and manage the contractor's performance to ensure the expected outcomes or performance objectives communicated in the PWS are achieved. Performance management rests on developing a capability to review and analyze information generated through performance assessment. The ability to make decisions based on the analysis of performance data is the cornerstone of performance management; this analysis yields information that indicates whether expected outcomes for the project are being achieved by the contractor.

Performance management represents a significant shift from the more traditional quality assurance (QA) concepts in several ways. Performance management focuses on assessing whether outcomes are being achieved and to what extent. This approach migrates away from scrutiny of compliance with the processes and practices used to achieve the outcome. A performance-based approach enables the contractor to play a large role in how the work is performed, as long as the proposed processes are within the stated constraints. The only exceptions to process reviews are those required by law (federal, state, and local) and compelling business situations, such as safety and health. A "results" focus provides the contractor flexibility to continuously improve and innovate over the course of the contract as long as the critical outcomes expected are being achieved and/or the desired performance levels are being met.

Performance Management Strategy

The contractor is responsible for the quality of all work performed. The contractor measures that quality through the contractor's own quality control (QC) program. QC is work output, not workers, and therefore includes all work performed under this contract regardless of whether the work is performed by contractor employees or by subcontractors. The contractor's QCP will set forth the staffing and procedures for self-inspecting the quality, timeliness, responsiveness, customer satisfaction, and other performance requirements in the PWS. The contractor will develop and implement a performance management system with processes to assess and report its performance to the designated government representative. The contractor's QCP will set forth the staffing and procedures for self-inspecting the quality, timeliness, responsiveness, customer satisfaction, and other performance to the designated government representative. The contractor's QCP will set forth the staffing and procedures for self-inspecting the quality, timeliness, responsiveness, customer satisfaction, and other performance requirements in the PWS. This QASP enables the government to take advantage of the contractor's QC program.

1.3.2 The government representative(s) will monitor performance and review performance reports furnished by the contractor to determine how the contractor is performing against communicated performance objectives. The government will make determination regarding incentives based on performance measurement metric data and notify the contractor of those decisions. The contractor will be responsible for making required changes in processes and practices to ensure performance is managed effectively.

ROLES AND RESPONSIBILITIES

The Contracting Officer

The contracting officer (CO) is responsible for monitoring contract compliance, contract administration, and cost control and for resolving any differences between the observations documented by the [Insert title of government authority for performance

management: "contracting officer's representative (COR), "administrative contracting officer (ACO)," "quality assurance representative (QAR)," or "program manager (PM)"] and the contractor. The CO will designate one full-time COR as the government authority for performance management. The number of additional representatives serving as technical inspectors depends on the complexity of the services measured, as well as the contractor's performance, and must be identified and designated by the CO.

The Contracting Officer's Representative

The contracting officer's representative (COR) is designated in writing by the CO to act as his or her authorized representative to assist in administering a contract. COR limitations are contained in the written appointment letter. The COR is responsible for technical administration of the project and ensures proper government surveillance of the contractor's performance. The COR is not empowered to make any contractual commitments or to authorize any contractual changes on the government's behalf. Any changes that the contractor deems may affect contract price, terms, or conditions shall be referred to the CO for action. The COR will have the responsibility for completing QA monitoring forms used to document the inspection and evaluation of the contractor's work performance. Government surveillance may occur under the inspection of services clause for any service relating to the contract.

IDENTIFICATION OF REQUIRED PERFORMANCE STANDARDS/QUALITY LEVELS

The required performance standards and/or quality levels are included in the PWS and in Attachment 1, "Performance Requirements Summary." [Adjust the following sentences to reflect the instant acquisition.] If the contractor meets the required service or performance level, it will be paid the monthly amount agreed on in the contract. If the contractor exceeds the service or performance level, it is eligible to receive an incentive or award fee as stated in the contract. Failure to meet the required service or performance level will result in a deduction from the monthly amount.

METHODOLOGIES TO MONITOR PERFORMANCE

Surveillance Techniques

In an effort to minimize the performance management burden, simplified surveillance methods shall be used by the government to evaluate contractor performance when appropriate. The primary methods of surveillance are [include those that apply]

- > Random monitoring, which shall be performed by the COR designated inspector.
- 100% Inspection Each month, the COR shall review the generated documentation and enter summary results into the Surveillance Activity

Checklist.

- Verification of initial and replacement contractor personnel providing the service to ensure all individuals meet qualification requirements identified for the labor categories specified in the task order and contract. Verification, such as validation of contractor personnel education and years of relevant work experience, ensures the Government receives adequate services, as identified in task order and contract performance requirements. Documentation must be maintained to demonstrate review and approval of contractor employees in key personnel positions for information assurance functional services.
- Periodic Inspection COR typically performs the periodic inspection on a monthly basis.

Customer Feedback

The contractor is expected to establish and maintain professional communication between its employees and customers. The primary objective of this communication is customer satisfaction. Customer satisfaction is the most significant external indicator of the success and effectiveness of all services provided and can be measured through customer complaints.

Performance management drives the contractor to be customer focused through initially and internally addressing customer complaints and investigating the issues and/or problems but the customer always has the option to communicate complaints to the [CO, COR], as opposed to the contractor.

Customer complaints, to be considered valid, must set forth clearly and in writing the detailed nature of the complaint, must be signed, and must be forwarded to the COR. The COR will accept those customer complaints and investigate using the Quality Assurance Monitoring Form – Customer Complaint Investigation, identified in Attachment 2.

Customer feedback may also be obtained either from the results of formal customer satisfaction surveys or from random customer complaints.

Acceptable Quality Levels

The acceptable quality levels (AQLs) included in Attachment 1, Performance Requirements Summary Table, for contractor performance are structured to allow the contractor to manage how the work is performed while providing negative incentives for performance shortfalls. For certain critical activities such as those involving [insert names of any critical services], the desired performance level is established at 100

percent. Other levels of performance are keyed to the relative importance of the task to the overall mission performance at [insert name of government activity receiving services].

QUALITY ASSURANCE DOCUMENTATION

The Performance Management Feedback Loop

The performance management feedback loop begins with the communication of expected outcomes. Performance standards are expressed in the PWS and are assessed using the performance monitoring techniques shown in Attachment 1.

Monitoring Forms

The government's QA surveillance, accomplished by the [insert COR, ACO, QAR, or PM], will be reported using the monitoring forms in Attachment 2. The forms, when completed, will document the government's assessment of the contractor's performance under the contract to ensure that the required results [or service or quality levels] are being achieved.

The [insert COR, ACO, QAR, or PM] will retain a copy of all completed QA surveillance forms.

ANALYSIS OF QUALITY ASSURANCE ASSESSMENT

Determining Performance

Government shall use the monitoring methods cited to determine whether the performance standards/service levels/AQLs have been met. If the contractor has not met the minimum requirements, it may be asked to develop a corrective action plan to show how and by what date it intends to bring performance up to the required levels. [Insert when appropriate: Failure to meet the AQL may result in a deduction from the monthly payment, using the deduction percentages shown in Attachment 1. Likewise, if the contractor exceeds the performance standards, an incentive or award fee will be paid, in accordance with the incentive fee or award fee plan included in the contract.]

Reporting

At the end of each month, the [Insert title of person who will prepare the report – COR, ACO, QAR, or PM] will prepare a written report for the [Insert title of government representative responsible for overall monitoring of performance – COR, ACO, QAR, or PM] summarizing the overall results of the quality assurance surveillance of the contractor's performance. This written report, which includes the contractor's submitted monthly report and the completed quality assurance monitoring form (Attachment 2), will

become part of the QA documentation. It will enable the government to demonstrate whether the contractor is meeting the stated objectives and/or performance standards, including cost/technical/scheduling objectives.

Reviews and Resolution

The [insert title of government representative responsible for overall monitoring of performance – COR, ACO, QAR, or PM] may require the contractor's project manager, or a designated alternate, to meet with the [insert CO, ACO, COR, QAS, or PM] and other government IPT personnel as deemed necessary to discuss performance evaluation. The [insert CO, ACO, COR, QAR, or PM] will define a frequency of in-depth reviews with the contractor, including appropriate self-assessments by the contractor; however, if the need arises, the contractor will meet with the [insert COR, ACO, QAR, or PM] as often as required or per the contractor's request. The agenda of the reviews may include:

- > Monthly performance assessment data and trend analysis
- Issues and concerns of both parties
- Projected outlook for upcoming months and progress against expected trends, including a corrective action plan analysis
- Recommendations for improved efficiency and/or effectiveness
- > [Insert if appropriate: Issues arising from the performance monitoring processes]

The QAR must coordinate and communicate with the contractor to resolve issues and concerns regarding marginal or unacceptable performance.

The [insert COR, ACO, QAR, or PM] and contractor should jointly formulate tactical and long-term courses of action. Decisions regarding changes to metrics, thresholds, or service levels should be clearly documented. Changes to service levels, procedures, and metrics will be incorporated as a contract modification at the convenience of the PCO/ACO.

Required Services (Tasks)	Performance Standards	Acceptable Quality Levels	Methods of Surveillance	Incentive (Positive and/or Negative) (Impact on Contractor Payments)

ATTACHMENT 1: PERFORMANCE REQUIREMENTS SUMMARY

ATTACHMENT 2: SAMPLE QUALITY ASSURANCE MONITORING FORM

SERVICE or STANDARD:
SURVEY PERIOD:
SURVEILLANCE METHOD (Check):
I Random Sampling □ 100% Inspection □ Periodic Inspection □ Customer Complaint
EVEL OF SURVEILLANCE (Check):
Monthly Quarterly
PERCENTAGE OF ITEMS SAMPLED DURING SURVEY PERIOD:%
ANALYSIS OF RESULTS:
Observed Service Provider Performance Measurement Rate:%
Service Provider's Performance (Check):
Does Not Meet Standards
Narrative of Performance During Survey Period:
PREPARED BY: DATE: