

Rocky Flats Citizens Advisory Board Recommendation 97-2

to the U.S. Department of Energy

**Regarding the Implementation of the Performance-Based Contract
Between Kaiser-Hill and the Department of Energy**

Approved May 1, 1997

RFCAB's objective with this recommendation is to identify any contract implementation practices that result in barriers to the most efficient and safe cleanup of Rocky Flats. By identifying such barriers, the Department of Energy (DOE) can perform a more comprehensive contract evaluation of its own and the barriers can be eliminated for the remainder of the contract term and subsequent contracts.

RFCAB is supportive of the DOE's attempts to reform its contracting practices. It is imperative that work be done efficiently so that every available dollar can be used to safely clean up Rocky Flats. Because the five-year performance-based contract (PBC) between Kaiser-Hill and DOE is approaching the end of its second year, RFCAB recommends that an assessment of the contract's implementation be conducted.

Because the Rocky Flats/Kaiser-Hill PBC is a first of its kind, we believe a review is necessary to ensure the contract and its implementation are conducive to efficient operations at Rocky Flats and are meeting the goals of DOE's revised mission.

We would like to see general questions regarding the contracting system addressed, such as the effects of performance based contracting on:

- **the progression of cleanup;**
- **the deployment of innovative technologies;**
- **public and worker participation in decision making.**

Among the items specific to the Kaiser-Hill/DOE PBC that we would like to see addressed are:

1. **Whether the PBC adequately addresses nuclear safety and responsively addresses and**

corrects safety concerns, issues and occurrences at Rocky Flats;

- 2. Whether the PBC results in efficient use of available financial and workforce resources, and whether the site adequately monitors\ internal resource usage and performance;**
- 3. Whether the performance measure system - including the measures themselves as well as Kaiser-Hill's success in completing them - adequately reflects the site priorities. Also, whether contract goals are linked to site goals, a concern expressed in a recent GAO report (GAO/RCED- 97-18);**
- 4. Whether the GAO's concern (GAO/RCED - 97-18) that Kaiser-Hill's right to dispute DOE's determination of contract incentives compromises DOE's ability to place priorities on its contract work is warranted; and**
- 5. Whether the Rocky Flats Field Office's contract administration and oversight has been effective in ensuring the contract goals promote the most expedient, safe and thorough cleanup possible.**

RFCAB recommends that this assessment be done under the direction of the Department of Energy's Office of Environment, Safety and Health. Such an assessment should involve expertise from other areas inside and outside of the Department (e.g. the Office of the Inspector General, Army Corps of Engineers, academia). The assessment should also utilize an advisory panel of local stakeholders, including members of the Rocky Flats workforce. Stakeholders should have the opportunity to appoint outside specialists to the study team. The assessment should be convened no later than July 1, 1997 and completed no later than December 30, 1997.

The Rocky Flats Citizens Advisory Board is a community advisory group that reviews and provides recommendations on cleanup plans for Rocky Flats, a former nuclear weapons plant outside of Denver, Colorado.

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