

ICE's Oversight of the Capgemini Contract Needs Improvement





OFFICE OF INSPECTOR GENERAL

Department of Homeland Security

Washington, DC 20528 / www.oig.dhs.gov

August 26, 2021

MEMORANDUM FOR: Tae D. Johnson
Acting Director
U.S. Immigration and Customs Enforcement

FROM: Joseph V. Cuffari, Ph.D.
Inspector General

SUBJECT: *ICE's Oversight of the Capgemini Contract Needs Improvement*

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for

For your action is our final report, *ICE's Oversight of the Capgemini Contract Needs Improvement*. We incorporated the formal comments provided by your office.

The report contains three recommendations aimed at improving ICE's management and oversight of the Capgemini contract and to recoup any fees paid for labor not provided. Your office concurred with all three recommendations. Based on information provided in your response to the draft report, we consider recommendations 1, 2, and 3 open and resolved. Once your office has fully implemented the recommendations, please submit a formal closeout letter to us within 30 days so that we may close the recommendations. The memorandum should be accompanied by evidence of completion of agreed-upon corrective actions and of the disposition of any monetary amounts. Please send your response or closure request to OIGAuditsFollowup@oig.dhs.gov

Consistent with our responsibility under the *Inspector General Act of 1978, as amended*, we will provide copies of our report to congressional committees with oversight and appropriation responsibility over the Department of Homeland Security. We will post the report on our website for public dissemination.

Please call me with any questions, or your staff may contact Bruce Miller, Deputy Inspector General for Audits, at (202) 981-6000.

Attachment

cc: Executive Associate Director, Management and Administration, ICE

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DHS OIG HIGHLIGHTS

ICE's Oversight of the Capgemini Contract Needs Improvement

August 26, 2021

Why We Did This Audit

We conducted this audit in response to a hotline complaint regarding Capgemini Government Solutions, LLC (contractor). Our objective was to determine to what extent U.S. Immigration and Customs Enforcement (ICE) implemented controls to ensure Capgemini provided qualified labor to perform contractual work.

What We Recommend

We made three recommendations that, when implemented, should improve ICE's management and oversight of the Capgemini contract and recoup any fees paid for labor not provided.

For Further Information:

Contact our Office of Public Affairs at (202) 981-6000, or email us at DHS-OIG.OfficePublicAffairs@oig.dhs.gov

What We Found

Although ICE had controls in place that required the contractor to provide qualified labor, ICE did not properly construct or monitor the contract. This occurred because ICE awarded a firm-fixed-price contract but required a labor-hour performance measurement to monitor and track work hours, which was not appropriate for this type of contract. The contractor also did not provide the number of staff ICE required for specific labor categories. As a result, ICE cannot ensure it received all services, and it may have overpaid \$769,869 in labor costs. Finally, ICE did not ensure the contractor met statement of work requirements for staff skill sets, education, and work experience, nor did it ensure all contractor staff worked at the designated place of performance.

ICE Response

ICE concurred with our recommendations. Appendix A contains ICE's management response in its entirety.



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Background

U.S. Immigration and Customs Enforcement's (ICE) mission is to promote homeland security and public safety through the criminal and civil enforcement of Federal laws governing border control, customs, trade, and immigration. In 2020, ICE received approximately \$8 billion in appropriated funds, primarily devoted to Homeland Security Investigations and Enforcement and Removal Operations (ERO).

ERO upholds and enforces U.S. immigration law by identifying, arresting, and removing undocumented non-U.S. citizens who are a danger to national security or public safety. This also includes individuals who enter the country illegally and undermine immigration laws or border control efforts. ERO's Custody Management Division is responsible for providing safe, secure, and humane conditions of confinement for undocumented non-U.S. citizens apprehended by ICE. To perform these functions, ERO frequently uses General Services Administration (GSA) Schedule blanket purchase agreements (BPA)¹ to provide contractor support for planning and management support tools, labor, and materials necessary for effective forecasting and reporting of detention capacity requirements. A BPA call is an order using an existing BPA to request a service or product provided under the established agreement. For this report, we refer to the BPA call as a contract.

On June 22, 2018, ERO re-awarded a contract² to Capgemini Government Solutions, LLC (contractor) for \$230,000, with a potential ceiling of nearly \$50.8 million and 5-year period of performance beginning July 1, 2018. ERO obligated nearly \$24.9 million between June 22, 2018, and March 11, 2021, for planning and detention management support services. The contract supports the use of best practices, forecast planning, and operational processes that optimize capacity utilization.

¹ A GSA Schedule BPA is an agreement established by a Government buyer with a schedule contractor to fill repetitive needs for supplies or services, under the Federal Acquisition Regulation (FAR 8.405-3). BPAs make it easier for the contractor and buyer to fill recurring needs with the customer's specific requirements in mind, while using the buyer's full buying power by taking advantage of quantity discounts, saving administrative time and reducing paperwork.

² Prior to the June 22, 2018 (current) contract, ICE signed a 1-year contract with Capgemini Government Solutions, LLC on April 29, 2015, for \$1,564,725. ICE extended the contract period of performance multiple times starting on April 16, 2016. The contract ended August 15, 2018, and the new contract included a 45-day transition period.



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ICE Did Not Effectively Construct or Monitor Its Government Service Contract

Although ICE had controls in place requiring the contractor to provide qualified labor, ICE did not properly construct or monitor the contract. This occurred because ICE awarded a firm-fixed-price (FFP) contract but required a labor-hour performance measurement for the number of available staff, which was not appropriate for this type of contract. In addition, the contractor did not provide the number of staff ICE required for specific labor categories. As a result, ICE cannot ensure it received all services, and it may have overpaid \$769,869 in labor costs. Finally, ICE did not ensure the contractor met the statement of work (SOW) requirements for staff skill sets, education, and work experience, nor did it ensure all contractor staff worked at the designated place of performance.

ICE Awarded a Firm-Fixed-Price Contract but Required a Labor-Hour Performance Measurement

When the Government uses an FFP contract, it pays a fixed price for the deliverables specified. An FFP contract places the risk on the contractor to complete the work with the resources quoted. The contractor is responsible for any additional costs. In contrast, when the Government acquires goods and services through a labor-hour contract, the cost is based on direct labor hours at a specified fixed hourly rate. Thus, labor hours are measured in this type of contract.

Although ICE awarded an FFP contract, it required the contractor to monitor labor hours of work performed in a Quality Assurance Surveillance Plan (QASP). A QASP uses performance measures to determine whether a vendor (contractor) is complying with contract deliverables. ICE included a requirement in the SOW that the QASP contain a measurement to “monitor and track weekly and monthly hours of work performed.” Figure 1 shows an excerpt from ICE’s SOW.



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Figure 1. Quality Assurance Surveillance Plan

A.10 Quality Assurance Surveillance Plan

The Contractor is required to develop a comprehensive monitoring procedure that includes the requirements listed below and to document its approach in a QASP. The contractor's QASP, upon approval by the Government, will be made a part of the resultant contract.

The proposed QASP should demonstrate at a minimum the following criteria:

- The method for inspection, evaluation, and measurement of performance
- Approach to produce concise, accurate, and timely deliverables
- Monitor and track weekly and monthly hours of work performed
- Consideration shall be granted to the Government if deliverables are not submitted on a timely basis

Source: ICE SOW dated June 22, 2018

Although the SOW required it, the FFP contract should not have included a requirement to monitor and track hours because the intent of such a contract is for a contractor to provide specific deliverables at a specified rate. Nevertheless, ICE did require this measurement, but the contractor did not include it in the QASP.

The contractor used Monthly Staffing Matrices (MSM) to prove it met the 95 percent staffing requirement in the QASP. Specifically, according to the contractor's QASP, "95 [percent or more] of the [FFP] personnel are staffed as reviewed in the Monthly Staffing Matrix." MSMs included contract staff names, task areas, labor categories, and monthly work availability. Table 1 shows an excerpt from the contractor's QASP describing the performance measure and method of inspection for contractor staff availability.



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Table 1. Monitoring Requirements from Contractor's QASP

A.4 Performance Measures (Weight)	Method for Inspection, Evaluation, and Measure of Performance	Approach to Produce Concise, Accurate and Timely Deliverables	Consideration if Deliverables are Not Submitted on a Timely Basis
A.4.1 Fully qualified personnel will be available onsite in accordance with the Contractor's proposed staffing plan. (50%)	95%+ of FFP personnel are staffed as reviewed in the Monthly Staffing Matrix.	100% of Personnel are staffed on Day-1, and team is cross-trained to cover and produce timely deliverables.	A rating of Deficient will result in a 10% withholding in the monthly invoice until compliance is established.

Source: Contractor QASP (excerpted from the Technical Quote, page 14)

**According to Section A.10 of ICE's SOW, the contractor's QASP will be made part of the resultant contract, upon approval by the Government.

Although we understood the meaning of the 95 percent staffing requirement in the contractor's QASP, we were unclear regarding the 100 percent availability that was shown in the contractor's MSMs. We interviewed ICE acquisition staff who had varied explanations as to the meaning. ICE staff stated that the hours worked did not matter because the contract is based on deliverables and whether the contractor met them. ICE staff later stated that the 100 percent shown in the MSMs meant contractor staff worked full-time on the contract, not that staff were merely available. In contrast, the contractor understood the SOW as just requiring that staff be available, and it met that requirement by showing the staff's availability on the MSMs.

Because of the differing interpretations, we used both ICE's and the contractor's understanding to determine whether the contractor met the SOW's hours worked requirement or the contractor's QASP availability requirement. Using the contractor's interpretation, we reviewed MSMs from August 2018 through December 2019, which showed the contractor met the QASP requirement for the 95 percent availability in all 17 months. However, when we used the requirement in the SOW and reviewed the contractor's timesheets, we found the contractor did not meet the 95 percent staffing level for 6 of the 17 months. We were unable to include six members of the subcontractor's staff because they did not provide timesheets. According to the subcontractor, its invoices were based on staff availability and not the timesheets, and the request to provide timesheets was "too burdensome."

ICE also included in the SOW the number of staff members it required for each labor category. For example, ICE required the contractor to provide certain numbers of consultants, managers, and senior consultants with various years of experience and other qualifications. To determine whether the contractor met this SOW requirement, we reviewed staffing matrices from August 2018



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through December 2019 and determined that the contractor did not always provide the correct number of staff. Specifically, the contractor's November 2018 staffing matrix showed the contractor exceeded the 95 percent requirement, providing 99.67 percent of staff overall, but did not always provide the correct number of staff for each category. For example, ICE required four consultant 3's but the contractor did not provide any in that month. Table 2 shows the staff required and provided, according to the November 2018 staffing matrix.

Table 2. November 2018 Staffing Requirement and Staff Provided by Labor Category

Labor Category	Staff Required	Staff Provided
Consultant 2	6	9.90
Consultant 3	4	0
Manager 1	6	7.0
Manager 2	6	5.95
Manager 3	2	2.10
Subject Matter Specialist 1	4	3.60
Senior Consultant 1	2	1.0
Senior Consultant 2	11	6.0
Senior Consultant 3	5	10.30
Total	46	45.85 (99.67%)

Source: DHS Office of Inspector General (OIG) analysis of November 2018 staffing matrix

Because the contractor did not provide the number of staff required by the SOW in specific labor categories, we calculated the cost of the unprovided staff in November 2018 and rolled down any excess to the lower labor of the same category. Our calculations showed that ICE paid about \$74,731 for labor it did not receive in November 2018. When we reviewed the August 2018 through December 2019 staffing matrices for the labor costs ICE paid, we found that ICE may have overpaid \$769,869 for labor not provided.

ICE Did Not Ensure Contractor Met All SOW Requirements for Staff

We did not find any evidence that the contractor falsified staff résumés, as had been alleged in the hotline complaint. However, we found the contractor did not meet SOW requirements for staff skill sets, education, work experience, and place of performance.

In awarding the contract, ICE used the GSA's Federal Supply Schedule (FSS).³ ICE's SOW incorporated the terms and conditions of the FSS and identified

³ Per the Federal Acquisition Regulation [FAR 8.402(a)], the FSS provides Federal agencies with a simplified process for obtaining commercial supplies and services at prices associated with volume buying. GSA directs and manages the FSS.



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specific component objectives that required knowledge and skill sets for staff to perform tasks in specific program areas. Although the contractor used the FSS as the basis for providing labor, the contractor did not meet the SOW's skillset, minimum education, and work experience requirements for all staff within specific labor categories.

We reviewed 36 of 45 résumés⁴ for staff listed on the August 2018 MSM and 35 of 45 on the December 2019 MSM and found, for those months, 11 and 15 staff members, respectively, did not have the SOW-required experience for specific skill sets. For example, a senior consultant 2 is required to accurately perform quantitative and qualitative analysis of data sets and summarize findings and recommendations in reports. However, the contractor staff's résumés for senior consultant 2s did not reflect this specific expertise.

We also reviewed the staff's minimum work experience and education to determine whether the contractor met that SOW requirement and found that 7 of 45 staff in both August 2018 and December 2019 MSMs did not meet the minimum work experience and education requirements. See Appendix B for SOW minimum qualification requirements.

Table 3. SOW Requirements for Minimum Work Experience and Education

	August 2018 Work & Education Experience		December 2019 Work & Education Experience	
Labor Category	Met	Not Met	Met	Not Met
Consultant 2	6	1	5	1
Consultant 3	2	2	2	2
Manager 1	6	0	6	0
Manager 2	6	1	5	1
Manager 3	1	1	2	0
SMS 1	3	0	4	0
Sr. Consultant 1	2	0	1	1
Sr. Consultant 2	7	2	8	2
Sr. Consultant 3	5	0	5	0
Total	38	7	38	7
Percent	84.44%	15.56%	84.44%	15.56%

Source: DHS OIG analysis of August 2018 and December 2019 resumes and staffing matrices

⁴ Of the 45 contract employees we reviewed on both the August 2018 and December 2019 MSMs who were available to work on the contract for both months, 36 worked in a program area that had specific experience requirements for August 2018 and 35 for December 2019.



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We also analyzed the August 2018 and December 2019 MSMs to determine whether the contractor would have met the SOW requirement if it applied the FSS-allowed substitution for education and labor requirements. Although FSS terms and conditions incorporated into the contract permitted a substitution, the SOW did not address it. Such a substitution would have allowed one additional staff to meet the requirements in each August 2018 and December 2019. This increases the qualified staff to 39 of 45 for each month.

ICE did not provide adequate oversight and instead relied on the contractor to provide qualified staff who met the SOW requirements. According to ICE personnel, although they will review the résumés of non-key contractor staff with performance issues, they only reviewed résumés of “key” staff. In August 2020, ICE began reviewing the résumés of all contractor staff to ensure that when staff were replaced, they met the minimum SOW requirements for specified labor categories. This improved ICE’s oversight regarding qualified staff meeting the SOW requirements. In addition, effective June 2021, ICE also required Project Status Reports from the contractor beginning May 2021.

In addition to the contractor’s staff not meeting the SOW skill sets, education, and work experience requirements as just explained, they also did not meet the place of performance requirements. The contract required the contractor to conduct all planning and detention management support services at ICE headquarters, unless the ICE contracting officer approved an exception. The contracting officer was not initially aware that two staff members worked offsite, but granted temporary authorization to do so from April 26, 2019, through June 30, 2019, and on June 26, 2020, made the exception permanent.

Recommendations

Recommendation 1: We recommend the ICE Head of Contracting Activity oversee the development and/or implementation of internal controls to ensure ICE procurement and program personnel properly construct and monitor the terms of the contract. Specifically, the requirements in the statement of work should align with the type of contract awarded.

Recommendation 2: We recommend the ICE Head of Contracting Activity direct contracting officer representatives perform oversight of the Capgemini Government Solutions, LLC contract, to include its subcontractor, and ensure compliance with statement of work contract terms.

Recommendation 3: We recommend the ICE Head of Contracting Activity:

- direct procurement and program staff to review the qualifications for skill sets, education, and work experience of all Capgemini Government



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Solutions, LLC employees currently working on the contract and remove unqualified staff; and

- ensure the contracting officer representative reviews all invoices paid to Capgemini Government Solutions, LLC between August 2018 and December 2019. The review should highlight any cost for labor not provided and determine any amounts to recover.

Management Comments and OIG Analysis

ICE concurred with the three recommendations in this report. Appendix A contains a copy of ICE's response in its entirety. ICE also provided technical comments to our draft report which we incorporated as appropriate. A summary of ICE's responses and our analysis follows.

ICE Response to Recommendation 1: Concur. ICE Office of Acquisition Management (OAQ) will coordinate the development and implementation of internal controls to ensure ICE procurement and program personnel properly construct and monitor the terms of the contract. ICE OAQ will work with all responsible program office officials and contracting officer's representatives (COR) to review and inspect COR files. The Head of Contracting Activity will instruct all ICE OAQ staff to ensure program staff and CORs are aware of their roles and responsibilities in the daily management of the Capgemini contract. The contracting officer will ensure that required annual reviews of all COR files occur and that any discrepancies are identified and corrected. Estimated completion date: March 31, 2022.

OIG Analysis: We consider ICE's actions responsive to the recommendation. The recommendation is resolved and open, pending receipt of documentation to support ICE's proposed actions.

ICE Response to Recommendation 2: Concur. The COR has completed several actions since audit interviews were concluded to address OIG's concerns and ensure that Capgemini and its subcontractor complied with the terms of the SOW. The contract's current COR:

- began reviewing résumés for all contractor staff in August 2020 to ensure that, as staff were replaced, they met the SOW requirements for specified labor categories;
- revised and implemented new contract language that allowed the two contractor employees to permanently work offsite;
- required subcontractor's daily timesheet summaries per person on each monthly invoice beginning with the April 2021 invoice;
- required work hours for all staff, including surge contract line item number and subcontractor employees, on each monthly invoice;



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- required a detail of work performed under the contract on the monthly Project Status Report; and
- revised contract language to specify the purpose of the contract more clearly.

OIG Analysis: As pointed out in our report, ICE took several actions to improve its oversight by reviewing résumés as the contractor replaced staff, permanently approved two contractor staff to work offsite, and required monthly Project Status Reports. However, ICE's specific action to revise and implement new contract language was outside the scope of our audit. We consider ICE's remaining actions responsive to the recommendation. The recommendation is resolved and open, pending receipt of documentation to support ICE's proposed action of requiring work hours for all staff, including subcontractors.

ICE Response to Recommendation 3: Concur. The COR will review the qualifications for skill sets, education, and work experience of all Capgemini employees currently working on the contract and remove any unqualified staff. The COR will also review all contract invoices paid between August 2018 and December 2019 and identify any cost for labor not provided and determine any amounts to recover. Estimated completion date: November 30, 2021.

OIG Analysis: We consider ICE's actions responsive to the recommendation. The recommendation is resolved and open, pending receipt of evidence showing ICE's review of the qualifications for skill sets, education, and work experience for all contractor employees and evidence of ICE's review of invoices paid between August 2018 and December 2019.

Objective, Scope, and Methodology

The Department of Homeland Security Office of Inspector General was established by the *Homeland Security Act of 2002* (Public Law 107-296) by amendment to the *Inspector General Act of 1978*.

The objective of this audit was to determine to what extent ICE implemented controls to ensure Capgemini provided qualified labor for work performed under the terms of its contracts. The scope of our audit included the greatest value, active contract.⁵ We reviewed the following when identifying pertinent criteria related to our audit objective:

- Federal Acquisition Regulation
- *General Services Administration Acquisition Manual*

⁵ We audited BPA call 70CDCR18FC0000021.



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- *Department of Homeland Security Acquisition Manual*, October 2009
- *Department of Homeland Security Acquisition Regulation*, February 2019
- Federal Supply Schedule (GS-10F-0037N), October 18, 2017–October 17, 2020
- Federal Supply Schedule (GS-10F-0037N), October 18, 2012–October 17, 2017
- *DHS Contracting Officer Representative Guidebook*, October 2019
- Statement of Work for the contract, June 22, 2018
- August 16, 2018 through December 31, 2019 contract

We used Federal Procurement Data System – Next Generation (FPDS-NG) to obtain the obligated costs for the contract. Federal regulation mandates all Federal agencies to report data for contract actions in FPDS-NG. This data is verified and validated by the Chief Procurement Officer and the Chief Acquisition Officer. We also reviewed usaspending.gov to obtain background contract information and verify contract data provided by ICE. Although we used the data extracted from FPDS-NG and usaspending.gov, we did not materially rely on it to support our findings, conclusions, or recommendations in this report.

We conducted interviews with ICE and Capgemini staff. We also reviewed the following documents:

- *Business and Program Solutions for Law Enforcement*, HSCEMS-14-A-00005, July 24, 2014;
- all contract modifications;
- contractor staffing matrices, resumes, and timesheets; and
- records of investigation (pre-employment background checks).

We used the contractor's MSMs to identify the employees working on the contract for the months of August 2018 and December 2019 and requested copies of their résumés. We conducted three separate reviews of these résumés to determine whether employees met contract requirements to perform work. We used the following criteria for the three reviews:

- specific tasks and deliverables for each program area;
- minimum experience needed to qualify for each labor category; and
- the swapping of education and experience, where permitted by the FSS.

We used the MSMs and timesheets to conduct additional analyses for all months in our scope to:

- determine whether contractor staff met the 95 percent availability as stated in the QASP;



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- determine whether contractor staff met the 95 percent availability when measured according to the SOW; and
- calculate how much ICE paid for labor not received on this contract. We used the MSMs to determine the availability of contractor staff not the “hours” staff worked. Therefore, we determined the MSMs were reliable for our calculations.

The subcontractor did not provide timesheets for its six staff members. The missing timesheets did not impact our findings or conclusions. We also reviewed the Electronic Questionnaire for Public Trust Positions and background investigation paperwork for each employee to identify if résumés were falsified.

We identified control weaknesses in the control environment and monitoring internal control components. We assessed internal controls and compliance with laws and regulations necessary to satisfy the audit objective in the body of this report. However, because we limited our review to the control environment and monitoring components, other internal control deficiencies may have existed at the time of our audit.

We conducted this performance audit between November 2019 to May 2021 pursuant to the *Inspector General Act of 1978, as amended*, and according to generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based upon our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based upon our audit objectives.



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Appendix A ICE Comments to the Draft Report

Office of the Chief Financial Officer

U.S. Department of Homeland Security
500 12th Street, SW
Washington, DC 20536



**U.S. Immigration
and Customs
Enforcement**

MEMORANDUM FOR: Joseph V. Cuffari, Ph.D.
Inspector General
Office of Inspector General

FROM: Stephen A. Roncone
Chief Financial Officer and
Senior Component Accountable Official

**STEPHEN A.
RONCONE** Digitally signed by
STEPHEN A. RONCONE
Date: 2021.07.29
08:42:12 -04'00'

SUBJECT: Management Response to Draft Report: "ICE's Oversight of
the Capgemini Contract Needs Improvement"
(Project No. 20-002-AUD-ICE)

Thank you for the opportunity to review and comment on this draft report. U.S. Immigration and Customs Enforcement (ICE) appreciates the work of the Office of Inspector General (OIG) in planning and conducting its review and issuing this report.

ICE is pleased to note OIG's positive recognition that ICE had controls in place requiring the contractor to provide qualified labor. ICE remains committed to deliver quality acquisition solutions in support of ICE and Department of Homeland Security missions.

The draft report contained three recommendations with which ICE concurs. Attached find our detailed response to each recommendation. ICE previously submitted technical comments addressing several accuracy, contextual, and other issues under a separate cover for OIG's consideration.

Again, thank you for the opportunity to review and comment on this draft report. Please feel free to contact me if you have any questions. We look forward to working with you again in the future.

Attachment

www.ice.gov



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Appendix A (continued)
ICE Comments to the Draft Report

Management Response to Draft Report: "ICE's Oversight of the Capgemini Contract Needs Improvement" (Project No. 20-002-AUD-ICE)
Page 2

**Attachment: Management Response for Recommendations
Contained in 20-002-AUD-ICE**

OIG recommended that the ICE Head of Contracting Activity:

Recommendation 1: Oversee the development and/or implementation of internal controls to ensure ICE procurement and program personnel properly construct and monitor the terms of the contract. Specifically, the requirements in the statement of work should align with the type of contract awarded.

Response: Concur. ICE Office of Acquisition Management (OAQ) will coordinate the development and implementation of internal controls to ensure ICE procurement and program personnel properly construct and monitor the terms of the contract. ICE OAQ will work with all responsible program office officials and contracting officer representatives (COR) to review and inspect COR files. The Head of Contracting Activity will instruct all ICE OAQ staff to ensure program staff and CORs are aware of their roles and responsibilities in the daily management of the Capgemini contract. The Contracting Officer will ensure that required annual reviews of all COR files occurs and that any discrepancies are identified and corrected. Estimated Completion Date (ECD): March 31, 2022.

Recommendation 2: Direct contracting officer representatives perform oversight of the Capgemini Government Solutions, LLC contract, to include its subcontractor, and ensure compliance with statement of work contract terms.

Response: Concur. The COR has completed several actions since audit interviews were concluded to address OIG's concerns and ensure that Capgemini Government Solutions and its subcontractor complied with the terms of the statement of work (SOW).

The contract's current COR began reviewing the résumés of all contractor staff in August 2020 to ensure that as staff were replaced, they met the SOW requirements for the specified labor categories. This resume review process became an established part of the government's monitoring to ensure contractors met position requirements and expectations as described by ICE.

Additionally, as noted in the OIG report, the COR implemented new contract language in the Option Year signed on June 26, 2020. The revised language made permanent the previous temporary authorization allowing two contract staff to work offsite. The two contract staff had been granted temporary authorization beginning on April 26, 2019.

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Appendix A (continued)
ICE Comments to the Draft Report

Management Response to Draft Report: "ICE's Oversight of the Capgemini Contract Needs Improvement" (Project No. 20-002-AUD-ICE)
Page 3

Lastly, beginning with Capgemini's April 2021 invoice, the COR initiated a requirement that Capgemini include its subcontractor's daily timesheet summaries per person on each monthly invoice. The COR also required that work hour calculations be included for all staff, including surge CLIN and subcontractor employees, on each monthly invoice, and that effective June 2021, the contractor include in its monthly Project Status Report a section detailing work performed under the contract. The current option year's contract language was also amended to specify the purpose of the contract more clearly.

Based on the completed corrective actions, ICE requests the OIG consider the recommendation resolved and closed, as implemented.

Recommendation 3: (a) Direct procurement and program staff to review the qualifications for skill sets, education, and work experience of all Capgemini Government Solutions, LLC employees currently working on the contract and remove unqualified staff; and, (b) Ensure the contracting officer representative reviews all invoices paid to Capgemini Government Solutions, LLC between August 2018 and December 2019. The review should highlight any cost for labor not provided and determine any amounts to recover.

Response: Concur. The COR will conduct a review of the qualifications for skill sets, education, and work experience of all Capgemini employees currently working on the contract, and remove any unqualified staff. The COR will also review all contract invoices paid between August 2018 and December 2019 and identify any cost for labor not provided and determine any amounts to recover. ECD: November 30, 2021.



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Appendix B

Statement of Work Minimum Requirements for Staff

Qualifications

A.12 Contractor Personnel

The contractors shall have the following minimum qualifications for each of the following positions:

All Manager positions besides managing, guiding, and directing will also be responsible for completing work products and work with team members to accomplish tasks in a timely manner. Degrees must be from an accredited institution.

Manager 1

Minimum of five years' experience leading projects with demonstrated ability to manage a project and to provide guidance and direction for specific projects or sub-tasks; Bachelor's Degree.

The Manager 1 is the deputy to the Manager 2, and also helps facilitates the workflow of client deliverables through the other resources on the team. He/She is responsible for reviewing draft deliverables, including verifying data queries and reporting. The Manager 1 is also responsible for analyzing business processes and recommending improvements. The Manager 1 will support high-level, strategic planning, and complete high-profile and/or quick turnaround tasks

Manager 2

Minimum of eight years' experience leading projects with demonstrated ability to manage a project and to provide guidance and direction for specific projects or sub-tasks; Bachelor's Degree.

The Manager 2 is responsible for overall management of the project team. He/She serves as the primary conduit between leadership and the contracting team. He/She is responsible for facilitating the workflow of client deliverables and providing final oversight and quality assurance on reports and briefings materials. The Manager 2 will be relied upon for high-level, strategic planning, and completing high-profile and/or quick turnaround tasks.

Manager 3

Minimum of ten years' experience leading projects with demonstrated ability to manage a project and to provide guidance and direction for specific projects or sub-tasks; Bachelor's Degree.

The Manager 3 is responsible for management of a project team. He/She serves as a conduit between the contracting team and contracting leadership. He/She is responsible for facilitating the workflow of client deliverables and providing team level oversight and quality assurance on reports and briefings materials.



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Appendix B (continued)

Statement of Work Minimum Requirements for Staff Qualifications

Senior Consultant 1

Minimum of three years' experience in support program management and familiarity with client issues, assistance with design issues, leading client teams, analysis of project data, and development of appropriate deliverables; Bachelor's Degree.

Senior Consultant 2

Minimum of four years' experience in support program management and familiarity with client issues, assistance with design issues, leading client teams, analysis of project data, and development of appropriate deliverables; Bachelor's Degree.

Senior Consultant 3

Minimum of five years' experience in support program management and familiarity with client issues, assistance with design issues, leading client teams, analysis of project data, and development of appropriate deliverables; Bachelor's Degree.

Resources at the Senior Consultant 3 level are primarily responsible for providing quantitative and qualitative reporting. They must have strong knowledge of ICE ERO's data systems, and be able to define queries to extract the appropriate data sets. They must also be able to accurately perform quantitative and qualitative analysis of these data sets and summarize findings and recommendations in reports.

Consultant 2

Minimum of two years' experience in consulting or relevant work experience and skills, with ability to provide support and contribute to the analysis, design, development, testing, implementation, and documentation of systems and/or software and development of project deliverables; Bachelor's Degree.

Resources at the Senior Consultant 2 level are primarily responsible for providing quantitative and qualitative reporting. They must have strong knowledge of ICE ERO's data systems, and be able to define queries to extract the appropriate data sets. They must also be able to accurately perform quantitative and qualitative analysis of these data sets and summarize findings and recommendations in reports. One of the Senior Consultants must excel in graphic design, as they are responsible for producing professional flyers, fact sheets, facility posters, and leadership presentations.



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Appendix B (continued)

Statement of Work Minimum Requirements for Staff Qualifications

Consultant 3

Minimum of three years' experience in consulting or relevant work experience and skills, with ability to provide support and contribute to the analysis, design, development, testing, implementation, and documentation of systems and/or software and development of project deliverables; Bachelor's Degree.

The Consultant 3 provides program support both through data and policy analysis. He/She is responsible for conducting policy and program research to inform decision making. He/She is also a more experienced data analyst, responsible for analyzing data and providing projections.

Subject Matter Specialist 1

Minimum of eight years' experience in designated field or discipline. Possesses significant experience providing solutions to an organization's challenges and participates in the development of solutions by leveraging knowledge of the designated field or discipline; Master's Degree.

The subject matter specialist resources require a unique skillset, combining the analytical skillset of a consultant with specialized knowledge of a particular domain. These resources must demonstrate deep knowledge of areas tangentially related to civil confinement, such as religion, disability, and immigration law. SMS 1's are expected to conduct quantitative and qualitative analysis, as well as demonstrate effective technical writing skills.



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Appendix C

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