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**Management Assistance Report: The
Bureau of African Affairs Should Improve
Performance Work Statements and
Increase Subject Matter Expertise for
Trans-Sahara Counterterrorism
Partnership Projects**

MANAGEMENT ASSISTANCE REPORT

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Summary of Review

During an audit of Bureau of African Affairs (AF) monitoring and coordination of the Trans-Sahara Counterterrorism Partnership (TSCTP), which is currently underway, the Office of Inspector General (OIG) identified deficiencies in three projects selected for review. Specifically, OIG identified deficiencies with the performance work statements developed for contracts that support the execution of TSCTP projects, which ultimately led OIG to question \$14.6 million expended by the Department of State (Department). The purpose of this Management Assistance Report is to provide early communication of the deficiencies identified and to prompt corrective actions.

The TSCTP is intended to be a whole-of-government initiative created to build counterterrorism capacity, improve regional coordination, and address underlying drivers of radicalization in the Sahel and Maghreb regions of Africa. AF is responsible for formulating, managing, and overseeing the Department's TSCTP activities. Since TSCTP's establishment in 2005, AF has obligated \$481 million on 299 projects in support of this effort. Examples of projects include providing military-related equipment and training, constructing military-use facilities, and enhancing the local government's ability to adjudicate terrorism cases.

OIG identified three TSCTP projects, valued at approximately \$22.8 million, that had performance work statements that did not meet Department standards. The Foreign Affairs Handbook (FAH), 14 FAH-2 H-340, states that a performance work statement "describes results in clear, specific, and objective terms with measurable outcomes." However, OIG found that the performance work statements for the three projects reviewed were neither clear nor specific. For example, one project in Cameroon called for the construction of a barrier wall, but the performance work statement did not require the contractor to conduct a site survey prior to submitting a proposal, which in part, led to a section of the wall collapsing as a result of excessive rain. AF then expended an additional \$3.3 million for modifications and repairs. In another example, a contract called for the construction of an aircraft hangar in Niger, but because the performance work statement did not clearly state the dimensions of the apron (an area for aircraft to load or unload passengers or cargo and to refuel, park, or conduct maintenance on aircraft), the apron was built too small. AF expended an additional \$1.1 million, in part, to increase the apron's size. Finally, in the third example, a contract called for training and equipping military forces at Lake Chad in Cameroon, but because the performance work statement did not include correct requirements, the contractor purchased boats that were not appropriate for the project. As a result, the boats were never used for their intended purpose and \$10.2 million was wasted.

The deficiencies OIG found with the performance work statements occurred, in part, because the Contracting Officer's Representatives (COR) and program support contractors did not have the technical knowledge needed to develop well-defined performance work statements. Accordingly, OIG made seven recommendations in this report to prompt action to improve the development of performance work statements for TSCTP-supported projects and increase the level of subject matter expertise among personnel responsible for overseeing these projects. AF concurred with all seven recommendations. On the basis of

AF's response to a draft of this report, OIG considers the seven recommendations resolved, pending further action. A synopsis of AF's comments regarding the recommendations offered and OIG's reply follow each recommendation in the Results section of this report. AF's response to a draft of this report is reprinted in its entirety in Appendix A.

BACKGROUND

Approximately 650 million people live in West Africa and North Africa (in regions known as the Sahel and the Maghreb), areas that include many countries with unstable governments. Because of the lack of economic opportunities and weak or corrupt governments, people living in this region are vulnerable to radicalization and the influence of terrorist groups. The Department established the TSCTP in 2005 as a mechanism to work with willing governments to build counterterrorism capacity, improve regional coordination, and address the underlying drivers of radicalization. Intended as a whole-of-government initiative, the TSCTP draws on diplomatic, defense, and development tools and programs to build capacity and assist counterterrorism efforts. Along with the Department of Defense and the U.S. Agency for International Development, the Department has spent millions of dollars on TSCTP projects in partner countries. AF is responsible for formulating, managing, and overseeing TSCTP activities.¹ AF officials work with the Department of Defense's U.S. Africa Command, the Defense Security Cooperation Agency, and the Office of Security Cooperation at embassies to implement TSCTP projects.

As of March 2020, the Department implements TSCTP projects in 12 partner countries: Algeria, Burkina Faso, Cameroon, Chad, Libya, Mali, Mauritania, Morocco, Niger, Nigeria, Senegal, and Tunisia. From FY 2005 to FY 2019, AF obligated \$481 million to implement 299 TSCTP projects, with \$232 million (or approximately 50 percent of the total) obligated in the past 3 fiscal years. TSCTP projects range from assisting the Government of Chad with designing and implementing a plan to manage defectors from terrorist groups (such as Boko Haram) to providing training on casualty evacuation and care in Niger.

AF categorizes TSCTP projects by type (equipment provision and new equipment training, skills-based training, advising, seminars and workshops, infrastructure or small building projects, and technical assistance) and target capabilities (aviation, civil military operations, counter-improvised explosive device, communications, force generation, information surveillance and reconnaissance, logistics, maritime, medical, military intelligence, and military information support operations).

¹ Various Department bureaus, including the Bureaus of Counterterrorism, Diplomatic Security, Political-Military Affairs, Near Eastern Affairs, International Narcotics and Law Enforcement Affairs, and Office of Foreign Assistance Resources, implement the TSCTP program. The underlying audit for this management assistance report focused only on projects implemented by AF.

Oversight Roles and Responsibilities

The Federal Acquisition Regulation (FAR) establishes the uniform acquisition policies and procedures for the Federal Government. The Department supplements the FAR with the Department of State Acquisition Regulation, the Foreign Affairs Manual (FAM), the FAH, and Procurement Information Bulletins. The FAR describes the roles and responsibilities of Government personnel who are responsible for awarding, administering, and overseeing contracts. Contracting Officers in the Office of Acquisitions Management are responsible for negotiating, awarding, administering, modifying, terminating, and making related contract determinations and findings on behalf of the U.S. Government.² The Contracting Officer may designate a COR to assist with Contracting Officer duties.³

The COR is generally from the program office. AF is the designated program office for AF-implemented TSCTP projects. In addition to monitoring the contractor's progress, resolving technical issues, performing inspections, and accepting work on behalf of the U.S. Government, CORs are responsible in the pre-award phase for developing project requirements and writing the performance work statement. According to the FAH, the performance work statement "serves as the foundation" for the contract and should "clearly and unambiguously describe the tasks in terms of results the contractor is expected to accomplish" and "describe the required results in clear, specific, and objective terms with measurable outcomes."⁴ The FAM adds that the performance work statement "specifications are the heart of any acquisition."⁵ The FAM requires training for personnel responsible for writing contract requirements that are included in the performance work statements.⁶ Such training is necessary because, without an in-depth understanding of the technical needs associated with the contract, the performance work statement cannot serve its purpose of clearly defining the needed and expected work.

A Contracting Officer may also appoint a Government Technical Monitor or alternate COR to support the COR. A Government Technical Monitor can support one or more CORs, depending on the number of locations and the skills required for contract administration. The Department also uses contractors to provide support to TSCTP. These program support contractors are often responsible for overseeing projects and for monitoring, evaluating, and drafting contract requirements. In addition, some embassies have an Office of Security Cooperation, which is staffed with Department of Defense personnel. AF may rely on these personnel for oversight and support, including making site visits and submitting project proposals.

Purpose of the Ongoing Audit and the Management Assistance Report

This Management Assistance Report is intended to provide early communication of deficiencies OIG identified during its ongoing audit of AF's monitoring and coordination of TSCTP.

² 14 FAH-2 H-140, "Roles and Responsibilities in the Contracting Process."

³ 14 FAH-2 H-140 states, "Ideally, the contracting officer appoints the COR as soon as a requirement is initiated. That way, the COR assists in the solicitation process, and administers the contract after award."

⁴ 14 FAH-2 H-340, "The Performance Work Statement (PWS)."

⁵ 14 FAM 221.6 (a) "Performance-Based Statements of Work."

⁶ 14 FAM 221.6, "Performance-Based Statements of Work."

Specifically, OIG identified deficiencies with the performance work statements developed for contracts that support the execution of TSCTP projects that ultimately resulted in more than \$14.6 million in cost increases and wasted funds. OIG is reporting its findings, in accordance with generally accepted government auditing standards.

RESULTS

Finding A: Insufficient Performance Work Statements and Subject Matter Expertise Resulted in Questioned Costs of More Than \$14.6 Million

During OIG's audit of AF's monitoring and coordination of TSCTP, OIG identified three TSCTP projects that had poorly defined performance work statements that failed to meet Department standards. The FAH states that a performance work statement "describes the required results in clear, specific and objective terms with measurable outcomes."⁷ However, OIG found that the performance work statements for the three projects reviewed were neither clear nor specific. This deficiency led, in part, to additional expenditures of \$4.4 million to correct deficiencies with two TSCTP projects and \$10.2 million being wasted on a third project, including the purchase of equipment that did not meet the intended purpose of the project. Overall, OIG identified questioned costs of more than \$14.6 million. OIG determined that the performance work statements were poorly defined, in part, because CORs and program support staff did not have the technical knowledge necessary to prepare the statements in clear, specific, and objective terms that were consistent with Department standards.

Performance Work Statements Were Unclear and Not Specific

As stated above, the FAH and the FAM both emphasize the importance of the performance work statement. Because the performance work statement "serves as the foundation" for the contract, the FAH instructs that it should "clearly and unambiguously describe the tasks in terms of results the contractor is expected to accomplish" and "describe the required results in clear, specific, and objective terms with measurable outcomes." The FAM similarly explains that the performance work statement "specifications are the heart of any acquisition." AF, the program office, is responsible for developing the performance work statement and the FAM requires it to provide training for personnel responsible for writing requirements that are included in the statements.

As part of the ongoing TSCTP AF monitoring and coordination audit, OIG selected eight projects that AF was implementing in Niger, Cameroon, and Burkina Faso. The eight projects were selected on the basis of factors that included funding levels and risk. When in Cameroon and Niger, OIG learned of several problems related to the implementation of three of the eight projects. Upon further research, OIG concluded that the problems occurred, in part, because of poorly defined performance work statements that led to more than \$14.6 million in questioned costs. These expenditures may not have been necessary had the performance work statements been prepared with clear, specific, and objective terms with measurable outcomes. Table 1

⁷ 14 FAH-2 H-340, "The Performance Work Statement (PWS)."

summarizes the three TSTCP projects reviewed, the award amount of each contract, and the project cost increase or wasted funds associated with each.

Table 1: Cost Increase or Wasted Funds in Support of TSTCP Projects

Project	Contractor	Award Amount	Cost Increase or Wasted Funds
Cameroon HESCO Barriers	PAE	\$5,507,541	\$3,336,898
Niger C-130 Hanger	Relyant	\$7,161,718	\$1,127,802
Cameroon Regional Boat Capability Program	PAE	\$10,165,351	\$10,165,351
Total		\$22,834,610	\$14,630,051

Source: OIG generated from analyses of contract documents provided by AF.

Cameroon HESCO Barriers

In September 2015, the Department awarded a firm-fixed-price contract⁸ (Contract SAQMMA15F3938) for \$2,205,281 to PAE Government Services, Inc. (PAE), to construct two protection walls, using HESCO barriers for the Rapid Intervention Battalion's base in Maroua, Cameroon. A HESCO barrier is a wire mesh container with a heavy-duty fabric liner filled with concrete, soil, or sand.⁹ According to a Department official, the work was completed in June 2016, but a few months later, a section of the wall collapsed because of excessive rain during July and August 2016.

OIG concluded that the flaws in the contract award process—particularly flaws in the performance work statement—may have contributed to the collapse. In particular, the performance work statement prepared by AF did not provide bidders an opportunity to conduct a site survey before submitting their proposals. A site survey would have allowed the prospective contractors to view the site, compare the existing conditions to those included in the performance work statement, and seek clarification regarding discrepancies or omissions from the Contracting Officer prior to award. A site survey would have noted factors such as rainfall, soil condition, and drainage that played a role in the eventual collapse of the barrier in this case.¹⁰ In addition, OIG reviewed the contract and found that it did not include FAR Clause 52.236-3, "Site Investigations and Conditions Affecting the Work," as required. The FAR clause states, "The contracting officer should make appropriate arrangements for prospective offerors to inspect the work site and to have the opportunity to examine data available to the Government which may provide information concerning the performance of the work, such as boring samples, original boring logs, and records and plans of previous construction."¹¹ The

⁸ The Cameroon Base Expansion contract was one of eight tasks on Contract SAQMMA15F3938, which is a hybrid firm-fixed-price/cost reimbursable contract. The contract line item number for the Cameroon Base Expansion is firm-fixed-price.

⁹ Militaries often use a HESCO barrier as a temporary or semi-permanent blast wall against explosions or small arms.

¹⁰ FAR 52.236-3 (a) (3).

¹¹ FAR 36.210, "Inspection of Site and Examination of Data."

clause is required for fixed-price construction contracts valued at more than \$250,000, like the contract in this case.¹²

Additionally, the performance work statement did not require PAE to follow the HESCO manufacturer's engineering guidance for site preparation, foundation, fill material, compaction, or capping. In fact, some of the contract requirements contradicted the guidance from the HESCO manufacturer. For example, the performance work statement did not require the HESCO barrier exposed fill material to be capped, even though HESCO's guidance states, "Capping the exposed fill or otherwise protecting against saturation is . . . highly recommended for large structures, particularly those that will be in service for an extended period."¹³

After the section of the HESCO barrier collapsed, AF extended the contract and requested PAE conduct a site survey to develop solutions to address the circumstances that led to the collapse, at an additional cost of \$34,638. The Department then awarded PAE another contract (Contract SAQMMA17F3555) for \$3,302,260 in September 2017 to correct the damage to the HESCO barriers. Figure 1 shows the Rapid Intervention Battalion Base outer wall constructed with HESCO barriers.



Figure 1: Cameroon Rapid Intervention Battalion Base in Maroua, Cameroon. (Rapid Intervention Battalion photo, Sept. 2019)

OIG reviewed the performance work statement for the second contract and found that the performance work statement once again lacked specific details to ensure that AF could

¹² According to FAR "Subpart 36.5 Contract Clauses," "The contracting officer shall insert the clause at 52.236-3, Site Investigation and Conditions Affecting the Work, in solicitations and contracts when a fixed-price construction contract or a fixed-price dismantling, demolition, or removal of improvements contract is contemplated and the contract amount is expected to exceed the simplified acquisition threshold."

¹³ HESCO manufacturer's guidance states, "For structures which are expected to have a long service life, are in wind-affected areas or are adjacent to aircraft operating surfaces, it is important that loss of fill is prevented." The guidance further states that capping can be achieved in several ways, including covering the barriers with a waterproof membrane or topping with a layer of cement or concrete.

“monitor and evaluate the progress and final results of the project effectively,” as required by the FAH.¹⁴ For instance, the performance work statement did not provide specifics for road surface preparation, drainage channel reinforcement, or an indication of which portions of the HESCO barriers had been damaged. The COR responsible for developing the requirements for both contracts told OIG that he did not have technical expertise in construction or engineering. The COR stated, “Although the office’s technical expertise has become more robust, the level of detail and precision required for the [development of some] requirements requires access to more expertise.”

The Contracting Officer told OIG that it was common for AF to have bidders request multiple clarifications about the contract requirements listed in the solicitation. Although some questions are to be expected, in this case, OIG found that the inquiries were likely the result of an inadequate performance work statement. The Contracting Officer stated that, in some cases, even after AF responded, the requirements were still not clear. She said that, as a result of unclear requirements, AF often had to modify contracts several times. OIG reviewed the questions that the contractors submitted and the responses that AF provided regarding the requirements listed in the solicitation for both contracts. OIG found that contractors submitted six questions and AF made five revisions to the performance work statements as a result of the questions. The unanswered question concerned a requirement to build a gate. When a contractor asked AF to provide the dimensions for the gate, AF did not provide the requested dimensions, nor the height of the existing wall, the dimensions of the existing columns, and the length of the section to be removed for the gate’s construction.

After the contracts were awarded, OIG found other problems with the performance work statements. For example, the second contract did not clearly state requirements for excavation depth, grout sealing for the HESCO barriers, and surface preparation for the road.

The Contracting Officer told OIG that AF often relied on the contractor to determine requirements because AF staff did not have sufficient technical knowledge to do so. OIG found that many of the requirements for the second contract were copied verbatim from PAE’s proposed solution to the damaged wall. One PAE official stated that contract requirements were simply copied and pasted from one project to the next. He further stated that it was not the contractor’s responsibility to write the performance work statement and that AF should have within its bureau the required technical knowledge to develop well-written requirements.

Recommendation 1: OIG recommends that the Bureau of African Affairs review the decision to expend \$3,336,898 on revisions to contract SAQMMA15F3938 and make a determination as to whether the expenditures were necessary or reasonable.

Management Response: AF concurred with the recommendation, stating that the current AF TSCTP Program Manager “will review relevant documentation and speak to the key personnel involved with the project to review the decision and determine whether the

¹⁴ 14 FAH-2 H-340, “The Performance Work Statement.”

expenditure of funds was necessary or reasonable. The Program Manager will document and provide those findings and resulting recommendations to AF leadership.”

OIG Reply: On the basis of AF’s concurrence with the recommendation and actions planned, OIG considers the recommendation resolved, pending further action. This recommendation will be closed when OIG receives and accepts documentation demonstrating that AF has completed its review of the expenditures and made a determination as to whether the expenditures were necessary or reasonable.

Niger C-130 Hangar

In September 2018, the Department awarded Contract 19AQMM18F4856 for \$6,033,917 to Relyant Global, LLC. (Relyant), to construct a C-130 aircraft hangar for the Nigerien Air Force at a joint Nigerien and U.S. Air Force base in Agadez, Niger. In the final months of construction, Nigerien Air Force officials told Department officials that, because it did not have a specialized vehicle for maneuvering the aircraft, the apron was too small to be used for the operation and maintenance of a C-130 aircraft. The apron is an area for aircraft to load or unload passengers or cargo and to refuel, park, or conduct maintenance on aircraft.

OIG reviewed the performance work statement and found that it did not include the dimensions for the apron. OIG also reviewed other contract documents and found that in the pre-award phase, in which bidders ask for clarification of requirements before formally submitting their proposals, the contractors requested more information about the apron. However, in response to the contractors’ questions, AF officials stated, “The Government's expectation is for the Awardee - as the subject matter expert - to have the technical knowledge of those specifics.” Although OIG agrees with the general point that the contractor is expected to have appropriate technical knowledge, under the circumstances, AF should have more clearly and thoroughly communicated with the Nigerien Air Force in the pre-award phase in order to determine its exact needs for the hangar. As a result of unclear requirements in the performance work statement, the contract had to be modified in July 2019 to increase the size of the apron at a cost of \$609,450. Figure 2 shows the construction of the C-130 hangar in Agadez in September 2019.



Figure 2: C-130 hangar constructed by contractor Relyant in Agadez, Niger. (OIG photo, Sept. 2019)

Another contract modification in January 2019 added \$518,352 to address several deficiencies attributable to inadequacies in the performance work statement and lack of coordination. For example, the modification resulted in an additional \$63,664 to address issues associated with the hangar's electrical system.¹⁵ In particular, the modification required Relyant to provide mobile converters to enable the Nigerian Government to use U.S.-provided equipment and ensure usability of the facility. The original performance work statement incorrectly stated that wiring for the electrical system must meet African requirements, rather than U.S. requirements.

According to the Contracting Officer, the number of questions and revisions made to the performance work statement during the pre-award process showed that the CORs did not have applicable technical expertise. OIG reviewed the pre-award process (in which contractors bidding for the contract ask for clarification about the requirements before submitting formal proposals) and found that contractors submitted 10 questions for clarifications and AF made 8 revisions to the performance work statement as a result of the questions. However, OIG found several outstanding issues. For example, one contractor asked if the hangar should include restrooms, office space, and maintenance areas. AF updated the performance work statement to add these requirements but did not include information about electric, water, and sewer specifications needed to support these requirements.

¹⁵ Other aspects of the modification included extending the taxiway to connect to the existing runway and adding solar-powered pathway lighting.

OIG also notes that AF did not coordinate project requirements with officials at the U.S. Air Force base in Niger and, as a result, made incorrect assumptions. For example, according to the COR, the hangar's bathrooms could have connected to existing septic tanks at the U.S. Air Force base to reduce cost, but AF officials did not discuss this possibility with the contractors during the proposal process. As a result, the performance work statement did not specify that the bathrooms should connect to the U.S. Air Force base system, and Relyant installed new septic tanks. The COR said, in hindsight, AF likely paid more for the bathrooms than was necessary because the latrines could have plugged into septic tanks at the U.S. Air Force base. The COR further stated that several decisions were made that likely resulted in additional costs because support on the ground was not adequate.

Moreover, AF relied on Department of Defense Office of Security Cooperation officials for advice; however, these officials also did not have the subject matter expertise to answer technical questions. One Department of Defense official told OIG that she thought it was unreasonable for AF to expect personnel in Niger to answer technical questions about the contract requirements because they do not have any engineering expertise. The Department of Defense Office of Security Cooperation Chief said that the contract lacked clear and specific requirements for major design and engineering elements such as the electricity, the apron, and the taxiway.

Furthermore, emails between the Contracting Officer and the COR showed that AF initially relied on Relyant's cost proposal for the apron modification instead of conducting independent market research to determine the cost. According to the FAH, "Market research must be conducted...by the requirements office before new requirements documents are developed" ¹⁶ The COR told OIG that, although he has some construction expertise, he is "by no means an expert in construction." The Contracting Officer said that the COR relied on information from Relyant because the COR did not have the technical expertise to do the cost analysis. The Contracting Officer acknowledged that, without an independent cost analysis, the contractor has the advantage because the Government does not know if the price is fair or reasonable. In the C-130 hangar project, the lack of technical expertise ultimately manifested in a deficient performance work statement and resulted in increased costs.

Recommendation 2: OIG recommends that the Bureau of African Affairs determine whether the questioned costs of \$1,127,802 expended for modifications to Contract 19AQMM18F4856 were necessary or reasonable.

Management Response: AF concurred with the recommendation, stating that the current AF TSCTP Program Manager will "review relevant documentation and speak to the key personnel involved with the project to determine whether the expenditures were necessary or reasonable. The Program Manager will document and provide these conclusions and any resulting recommendations to AF leadership."

¹⁶ 14 FAH-2 H-324, "Market Research."

OIG Reply: On the basis of AF's concurrence with the recommendation and actions planned, OIG considers the recommendation resolved, pending further action. This recommendation will be closed when OIG receives and accepts documentation demonstrating that AF has completed its review of the expenditures and made a determination as to whether the expenditures were necessary or reasonable.

Cameroon Regional Boat Capability Program

In September 2017, the Department awarded contract SAQMMA17F4534 to PAE to train and equip the Cameroonian and Chadian military forces on Lake Chad. The contract was valued at \$10,165,351 and required PAE to provide the Cameroonian Navy with 3 boathouses, 3 ramps, 12 mud boats, 12 towing vehicles, other related equipment, and training. Figure 3 shows a boat house with a towing vehicle and mud boat in Lagdo, Cameroon.



Figure 3: Boat house in Lagdo, Cameroon, with towing vehicle and mud boat. (OIG photo, Sept. 2019)

During audit fieldwork in Lagdo in September 2019, OIG found that the 12 mud boats had not been used in any terrorist-related operations for which they were intended. The Department of Defense Office of Security Cooperation Chief stated that the boats were slower than other boats that operate on lake Chad and did not have adequate communications equipment. A site visit report submitted by AF officials also noted confusion among the Cameroonian military about the operational capabilities of the boats. OIG determined that, because the performance work statement did not include correct requirements, PAE purchased boats that were not appropriate for the project. The Department of Defense Office of Security Cooperation Chief noted the following challenges and deficiencies with the program that OIG also determined were a result of poorly defined performance work statements:

- The navy's communication ability was limited as the boats "use bridge-to-bridge radios, which can hardly be used when boat motors are running because of noise. This limits coordination efforts for more complex operations."
- One boathouse (where the boats are stored) was not constructed close to the lake and "is approximately 8km [or 5 miles] from the [lake] ramp. There are no security barriers between these points, and boats are transported with accompanying security escorts."
- The performance work statement did not consider essential sustainability for the equipment, such as spare parts, tools, and basic supplies to maintain boats, including proper oil and lubricants.
- Logistical support, including access to fuel at two of the three bases, was limited as the locations were very isolated territories. "Maintainers at [one base] must drive at least one hour . . . for supplies, and even then, must search for substitutes, as certain products (i.e., oils and lubricants) utilized [by the U.S.-made boats] are not available."
- The number of soldiers formally trained and allowed to operate the boats and related equipment was limited and reduced the number of personnel available for combat.
- The boats were unable to outrun smugglers and other criminals who operated faster boats on Lake Chad.

If the performance work statement had contained clear specifications—for example, where a boathouse should be constructed or details regarding the needed capabilities of the boats—these challenges could have been avoided.

OIG also reviewed the pre-award question-and-answer process and found that contractors submitted 21 questions asking for clarification on the performance work statement. AF made 19 revisions to the performance work statement in response to the questions. However, similar to the other TSTCP contracts described in previous sections, OIG found issues with the performance work statement prepared for the TSCTP project. For example, a bidding contractor asked the Department, "For tactical advantage, will the USG require the quieter, modified muffler system on the Gator tail boat engines?" The Department responded by saying it would amend the performance work statement to include a "removable, quieter, modified muffler system." However, the Department did not specify how quiet the muffler should be; as the Defense Office of Security Cooperation Chief noted above, radios could not be heard over the running boat motors because of noise.

In an August 2017 site visit to Cameroon, AF officials noted that the Department "anticipates confusion about the operational capabilities of the mud boats and the ability to mount high caliber weaponry." In addition, AF officials noted that "the [Cameroonian] Navy does not have an existing maintenance program or supply chain for the upcoming mud boat project and may require additional assistance." Although many of these limitations were recognized before the award was made, AF awarded the contract in September 2017. OIG concludes that, because the boats and related equipment purchased were not appropriate for the project, along with the challenges with the program noted above, the entire \$10.2 million spent on the program should be questioned.

Recommendation 3: OIG recommends that the Bureau of African Affairs review the decision to expend \$10,165,351 for the Regional Boat Capability Program in Cameroon to determine whether (a) the program is feasible and the equipment provided can be used to achieve the purpose of the award and b) the expenditure was reasonable or necessary.

Management Response: AF concurred with the recommendation, stating that AF's Monitoring and Evaluation team is "already at work on an in-depth review of the Regional Boat Capability Program that is intended to evaluate the program's viability." AF will "use the review's report to inform determination about the feasibility of the program and whether the expenditure of funds was necessary."

OIG Reply: On the basis of AF's concurrence with the recommendation, actions taken, and additional actions planned, OIG considers the recommendation resolved, pending further action. This recommendation will be closed when OIG receives and accepts documentation demonstrating that AF has completed its review of the Regional Boat Capability Program and made a determination as to whether the expenditures were necessary or reasonable.

Recommendation 4: OIG recommends that the Bureau of African Affairs (a) suspend future obligations on the Regional Boat Capability Program until a review (Recommendation 3) of the program is complete and (b) determine whether the funding should be continued if the program is not feasible and the equipment provided cannot be used to achieve the intended purpose.

Management Response: AF concurred with the recommendation, stating that "the Bureau will suspend additional obligations until the aforementioned review under Recommendation 3 is completed. Upon its completion, the Bureau will make a determination as to whether the funding should be continued if the program is determined to be infeasible and the equipment cannot be used to achieve the intended purposes."

OIG Reply: On the basis of AF's concurrence with the recommendation, actions taken, and additional actions planned, OIG considers the recommendation resolved, pending further action. This recommendation will be closed when OIG receives and accepts documentation demonstrating that AF has made a determination as to whether the funding should be continued if the program is determined to be infeasible and the equipment cannot be used to achieve the intended purposes.

CORs Lacked Technical Knowledge

The Federal Acquisition Certification for Contracting Officer's Representatives¹⁷ states that, to qualify for nomination as a COR or a Government Technical Monitor, individuals must have sufficient technical expertise in the contract subject matter and be certified as having an appropriate level of oversight experience. Moreover, the nomination must include a summary

¹⁷ Office of Management and Budget, Office of Federal Procurement Policy, "Revisions to the Federal Acquisition Certification for Contracting Officer's Representatives" (September 6, 2011).

of the nominee's assignment history, training history, work experience, licensing, and certifications that provides a basis for a determination by the program office that the nominee's skills are adequate for contract oversight.¹⁸ Lastly, the FAM requires the program office to provide training for employees responsible for developing contract requirements.¹⁹

OIG reviewed the COR nomination letters for the contracts reviewed in this report and found that the letters did not have sufficient information to determine the nominee's technical expertise. For example, although the nomination letters showed the nominee's completion of COR training, no other training was listed and the nomination letters did not contain the nominee's assignment history, licensing, or certifications required by the FAH. In addition, AF did not provide any information about the nominee's work experience, beyond a list of the nominee's responsibilities overseeing current contracts. When OIG asked the Contracting Officers why CORs were appointed with little to no experience in the subject matter, one officer explained that no one else in AF had the expertise to do the job.

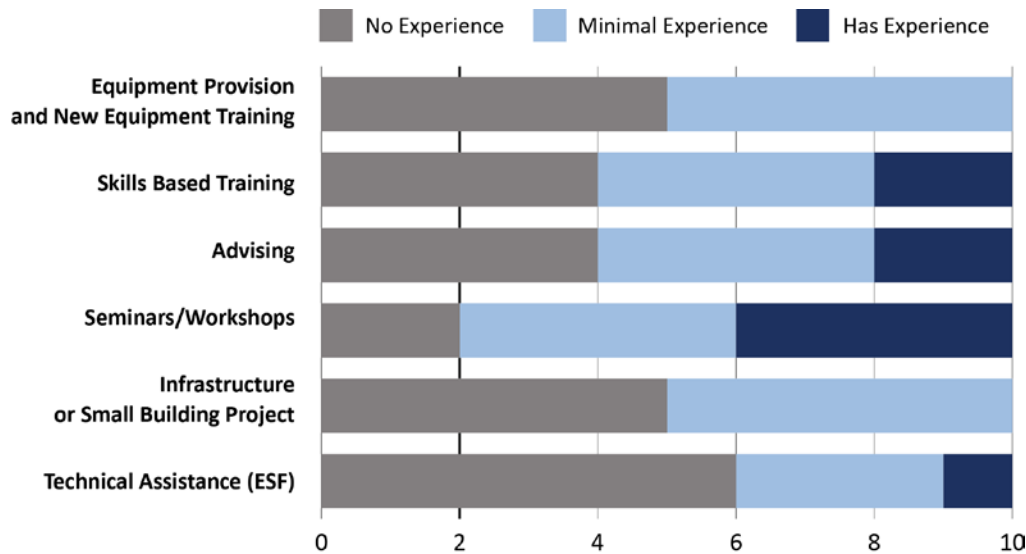
In addition to reviewing the COR nomination letters, OIG also sent questionnaires to four CORs and six program support contractors who were currently overseeing or had overseen TSTCP projects in the past. The questionnaire asked the CORs to self-identify their level of experience by project type (equipment provision and new equipment training, skills based training, advising, seminars and workshops, infrastructure or small building project, and technical assistance) and capabilities (aviation, civil military operations, counter-improvised explosive device, communications, force generation, information surveillance and reconnaissance, logistics, maritime, medical, military intelligence, and military information support operations).²⁰

OIG categorized responses received as "no experience," "limited experience," and "has experience." If a respondent claimed no experience with a TSTCP project type or capability, OIG categorized the response as "no experience." If a respondent stated that the experience was gained by serving as a COR on a previous contract, or did not provide evidence (such as training certificates or evidence of previous job experience) of work experience in a project type or capability in the past, OIG counted the response as "limited experience." If a respondent provided evidence of training, certifications, or previous job expertise in the type or capability, OIG considered that the person "has experience." Figure 4 and Figure 5, respectively, show the responses by project type and capability.

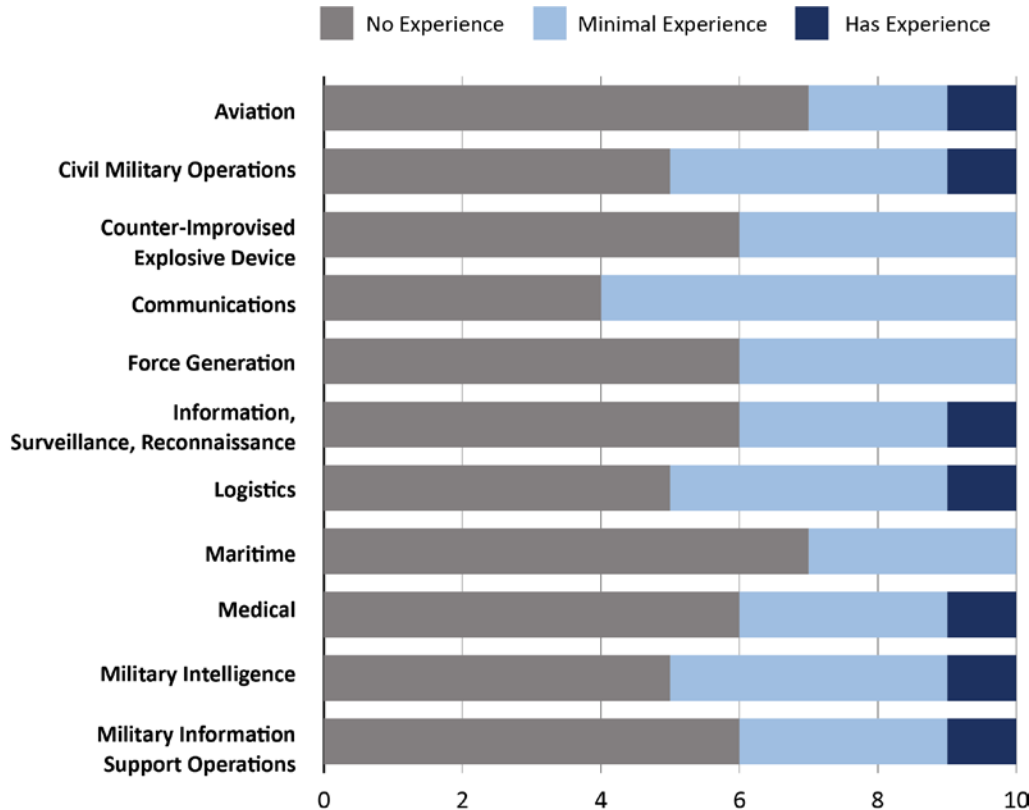
¹⁸ 14 FAH-2 H-143.2(1), "COR Appointment Procedures."

¹⁹ 14 FAM 221.6.d, "Performance-Based Statements of Work."

²⁰ OIG also followed up the questionnaire with interviews with the CORs and program support contractors.

Figure 4: CORs and Program Support Staff Level of Experience with TSTCP Projects by Type

Source: OIG generated from information provided by AF CORs and program support staff.

Figure 5: CORs and Program Support Staff Level of Experience with TSTCP Projects by Capability

Source: OIG generated from information provided by AF CORs and program support staff.

As noted in Figure 4, CORs and program support staff possess various levels of experience by TSTCP project type. With the exception of seminars and workshops, all project types have eight or more people with limited to no experience. Figure 5 notes that all CORs and program

support staff have limited or no experience in 4 of the 11 capabilities (counter-improvised explosive device, communications, force generation, and maritime).

The four CORs told OIG that they had general expertise such as conflict resolution, had former military experience, or had worked on similar contracts in the past. However, as shown in Figures 4 and 5, three CORs had limited to no experience in most TSTCP project types and capabilities. The COR with the most experience served as an alternate COR and only worked on AF-implemented TSTCP projects approximately 10 percent of the time. Moreover, the CORs stated that they had little or no training in performance work statement development. Most CORs said that they relied on program support contractors to draft the statements. When CORs received the draft, they edited it and provided comments. When OIG spoke with the program support contractors, they stated that they had general experience in security assistance and in countering violent extremism and that they were familiar with the geographic region. However, they demonstrated less experience in TSTCP project types and capabilities when compared with CORs. In fact, no program support staff member interviewed by OIG for this audit demonstrated solid experience in any of the capabilities. Additionally, only one program support contractor stated that she received training on performance work statement development in a previous job.

The CORs, Contracting Officers, and program support staff members OIG spoke with stated that AF needs more support to help them develop better performance work statements. Although additional training for CORs and program support staff would be beneficial, AF must leverage the expertise of other Government agencies and departments to fulfill the purpose of the TSTCP. TSTCP is intended to be a whole-of-government initiative created to build counterterrorism capacity, improve regional coordination, and address underlying drivers of radicalization in the Sahel and Maghreb regions of Africa. When technical expertise is lacking within AF, seeking assistance from Government partners that have the necessary expertise by TSTCP project type or capability is prudent and beneficial. The appropriate knowledge and expertise are necessary when preparing performance work statements. OIG is therefore offering the following recommendations.

Recommendation 5: OIG recommends that the Bureau of African Affairs establish and implement a policy to provide appropriate training to all contract personnel who contribute to the development of performance work statements, in accordance with the Foreign Affairs Manual, 14 FAM 221.6.d, "Performance-Based Statements of Work."

Management Response: AF concurred with the recommendation, stating that the Bureau will work with the Office of Acquisition Management "to determine options for providing training on the development of [performance work statements] to contract staff." AF will "work to codify these training procedures in a formal written policy, and ensure all staff supporting the development of [performance work statements] adhere to that policy."

OIG Reply: On the basis of AF's concurrence with the recommendation and actions planned, OIG considers the recommendation resolved, pending further action. This recommendation will be closed when OIG receives and accepts documentation demonstrating that AF has

implemented a policy to provide appropriate training to all contract personnel who contribute to the development of performance work statements.

Recommendation 6: OIG recommends that the Bureau of African Affairs establish and implement a process to (a) analyze all Trans-Sahara Counterterrorism Partnership projects for which it assigns Contracting Officer's Representatives (CORs) and determine the appropriate level of technical subject matter expertise needed for each, (b) document the analyses and determinations, (c) nominate only those CORs with the necessary technical expertise to prepare performance work statements and oversee the contract, and (d) verify that all COR written nomination letters presented to the Contracting Officer include the COR nominees' technical expertise, as required by the Foreign Affairs Handbook, 14 FAH-2 H-143.2, "COR Appointment Procedures."

Management Response: AF concurred with the recommendation, stating that AF will "develop a written procedure documenting how it will a) determine the appropriate level of technical subject matter expertise needed for each project, b) document the analyses and determinations, c) nominate CORs with the appropriate technical expertise, and d) verify that COR nomination letters include a description of the nominee's technical expertise. In those cases where the COR requires additional subject matter expertise, the COR nomination letter will reflect where and how that expertise will be provided to support the COR."

OIG Reply: On the basis of AF's concurrence with the recommendation and actions planned, OIG considers the recommendation resolved, pending further action. This recommendation will be closed when OIG receives and accepts documentation demonstrating that AF has developed a written procedure documenting how it will determine the appropriate level of technical subject matter expertise needed for each project, nominate CORs with the appropriate technical expertise, and verify that COR nomination letters include a description of the nominee's technical expertise.

Recommendation 7: OIG recommends that the Bureau of African Affairs 1. (a) establish and maintain a list of subject matter experts from U.S. Government entities participating in the Trans-Sahara Counterterrorism Partnership who can be assigned to assist with the development of performance work statements and contract oversight, (b) establish agreements with U.S. Government entities participating in the Trans-Sahara Counterterrorism Partnership to provide expertise, and (c) establish and implement a policy for Contracting Officer's Representatives to use subject matter experts in the development of performance work statements and contract oversight **OR** 2. the Bureau can determine where and how to seek subject matter expertise. Experts must be able to assist Contracting Officer's Representatives with the development of performance work statements and contract oversight.

Management Response: AF concurred with the recommendation, stating that AF "will develop a written procedure on where and how to seek subject matter expertise to support CORs in their development of performance work statements and contract oversight."

OIG Reply: On the basis of AF's concurrence with the recommendation and actions planned, OIG considers the recommendation resolved, pending further action. This recommendation will be closed when OIG receives and accepts documentation demonstrating that AF has developed a procedure on where and how CORs will seek subject matter expertise for the development of performance work statements and contract oversight.

RECOMMENDATIONS

Recommendation 1: OIG recommends that the Bureau of African Affairs review the decision to expend \$3,336,898 on revisions to contract SAQMMA15F3938 and make a determination as to whether the expenditures were necessary or reasonable.

Recommendation 2: OIG recommends that the Bureau of African Affairs determine whether the questioned costs of \$1,127,802 expended for modifications to Contract 19AQMM18F4856 were necessary or reasonable.

Recommendation 3: OIG recommends that the Bureau of African Affairs review the decision to expend \$10,165,351 for the Regional Boat Capability Program in Cameroon to determine whether (a) the program is feasible and the equipment provided can be used to achieve the purpose of the award and b) the expenditure was reasonable or necessary.

Recommendation 4: OIG recommends that the Bureau of African Affairs (a) suspend future obligations on the Regional Boat Capability Program until a review (Recommendation 3) of the program is complete and (b) determine whether the funding should be continued if the program is not feasible and the equipment provided cannot be used to achieve the intended purpose.

Recommendation 5: OIG recommends that the Bureau of African Affairs establish and implement a policy to provide appropriate training to all contract personnel who contribute to the development of performance work statements, in accordance with the Foreign Affairs Manual, 14 FAM 221.6.d, "Performance-Based Statements of Work."

Recommendation 6: OIG recommends that the Bureau of African Affairs establish and implement a process to (a) analyze all Trans-Sahara Counterterrorism Partnership projects for which it assigns Contracting Officer's Representatives (CORs) and determine the appropriate level of technical subject matter expertise needed for each, (b) document the analyses and determinations, (c) nominate only those CORs with the necessary technical expertise to prepare performance work statements and oversee the contract, and (d) verify that all COR written nomination letters presented to the Contracting Officer include the COR nominees' technical expertise, as required by the Foreign Affairs Handbook, 14 FAH-2 H-143.2, "COR Appointment Procedures."

Recommendation 7: OIG recommends that the Bureau of African Affairs 1. (a) establish and maintain a list of subject matter experts from U.S. Government entities participating in the Trans-Sahara Counterterrorism Partnership who can be assigned to assist with the development of performance work statements and contract oversight, (b) establish agreements with U.S. Government entities participating in the Trans-Sahara Counterterrorism Partnership to provide expertise, and (c) establish and implement a policy for Contracting Officer's Representatives to use subject matter experts in the development of performance work statements and contract oversight **OR** 2. the Bureau can determine where and how to seek subject matter expertise. Experts must be able to assist Contracting Officer's Representatives with the development of performance work statements and contract oversight.

APPENDIX A: RESPONSE FROM THE BUREAU OF AFRICAN AFFAIRS




United States Department of State

Washington, D.C. 20520

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April 13, 2020

TO: OIG – Tinh Nguyen, Deputy Assistant Inspector General, Middle East Region Operations

FROM: Bureau of African Affairs – Tibor P. Nagy 

SUBJECT: (U) Response to Draft OIG Report – Management Assistance Report: The Bureau of African Affairs Should Improve Performance Work Statements and Increase Subject Matter Expertise for Trans-Sahara Counterterrorism Partnership Projects

(U) The Bureau of African Affairs has reviewed the Draft Management Assistance Report. We provide the following comments in response to the recommendations contained in the report:

Recommendation 1: OIG recommends that the Bureau of African Affairs (AF) review the decision to expend \$3,336,898 on revisions to contract SAQMMA15F3938 and make a determination as to whether the expenditures were necessary or reasonable.

Management Response: The Bureau of African Affairs accepts the recommendation. The current AF/SA TSCTP Program Manager will review relevant documentation and speak to the key personnel involved with the project to review the decision and determine whether the expenditure of funds was necessary or reasonable. The Program Manager will document and provide those findings and resulting recommendations to AF leadership.

Recommendation 2: OIG recommends that the Bureau of African Affairs (AF) determine whether the questioned costs of \$1,127,802 expended for modifications to Contract 19AQMM18F4856 were necessary or reasonable.

Management Response: The Bureau of African Affairs accepts the recommendation. The current AF/SA TSCTP Program Manager will review relevant documentation and speak to the key personnel involved with the project to determine whether the expenditures were necessary or reasonable. The Program Manager will document and provide these conclusions and any resulting recommendations to AF leadership.

Recommendation 3: OIG recommends that the Bureau of African Affairs review the decision to expend \$10,165,351 for the Regional Boat Capability Program in Cameroon to determine whether (a) the program is feasible and the equipment provided can be used to achieve the purpose of the award and b) the expenditure was reasonable or necessary.

Management Response: The Bureau of African Affairs accepts the recommendation. AF/SA's Monitoring and Evaluation team is already at work on an in-depth review of the Regional Boat Capability Program that is intended to evaluate the program's viability. AF/SA will use the

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review's report to inform determination about the feasibility of the program and whether the expenditure of funds was necessary.

Recommendation 4: OIG recommends that the Bureau of African Affairs (a) suspend future obligations on the Regional Boat Capability Program until a review (Recommendation 3) of the program is complete and (b) determine whether the funding should be continued if the program is not feasible and the equipment provided cannot be used to achieve the intended purpose.

Management Response: The Bureau of African Affairs accepts the recommendation. The Bureau will suspend additional obligations until the aforementioned review under Recommendation 3 is completed. Upon its completion, the Bureau will make a determination as to whether the funding should be continued if the program is determined to be infeasible and the equipment cannot be used to achieve the intended purposes.

Recommendation 5: OIG recommends that the Bureau of African Affairs establish and implement a policy to provide appropriate training to all contract personnel who contribute to the development of performance work statements in accordance with the Foreign Affairs Manual, 14 FAM 221.6.d, "Performance-Based Statements of Work."

Management Response: The Bureau of African Affairs accepts the recommendation. The Bureau will work with the Office of Acquisition Management (AQM) to determine options for providing training on the development of PWS to contract staff. AF/SA will work to codify these training procedures in a formal written policy, and ensure all staff supporting the development of PWS adhere to that policy.

Recommendation 6: OIG recommends that the Bureau of African Affairs establish and implement a process to (a) analyze all Trans-Sahara Counterterrorism Partnership projects for which it assigns Contracting Officer's Representatives (CORs) and determine the appropriate level of technical subject matter expertise needed for each, (b) document the analyses and determinations, (c) nominate only those CORs with the necessary technical expertise to prepare performance work statements and oversee the contract, and (d) verify that all COR written nomination letters presented to the Contracting Officer include the COR nominees' technical expertise, as required by the Foreign Affairs Handbook, 14 FAH-2 H-143.2, "COR Appointment Procedures."

Management Response: The Bureau of African Affairs accepts the recommendation. AF/SA will develop a written procedure documenting how it will a) determine the appropriate level of technical subject-matter expertise needed for each project, b) document the analyses and determinations, c) nominate CORs with the appropriate technical expertise, and d) verify that COR nomination letters include a description of the nominee's technical expertise. In those cases where the COR requires additional subject matter expertise, the COR nomination letter will reflect where and how that expertise will be provided to support the COR.

Recommendation 7: OIG recommends that the Bureau of African Affairs 1. (a) establish and maintain a list of subject matter experts from U.S. Government entities participating in the Trans-Sahara Counterterrorism Partnership who can be assigned to assist with the development

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of performance work statements and contract oversight, (b) establish agreements with U.S. Government entities participating in the Trans-Sahara Counterterrorism Partnership to provide expertise, and (c) establish and implement a policy for Contracting Officer's Representatives to use subject matter experts in the development of performance work statements and contract oversight OR 2. the Bureau can determine where and how to seek subject matter expertise. Experts must be able to assist Contracting Officer's Representatives with the development of performance work statements and contract oversight.

Management Response: The Bureau of African Affairs accepts the recommendation. AF/SA will develop a written procedure on where and how to seek subject matter expertise to support CORs in their development of performance work statements and contract oversight.

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