



PERFORMANCE WORK STATEMENT (PWS)

UC Program Services Data Analytics

1/10/2023

DRAFT



1.0 General

1.1 Introduction

The Office of Refugee Resettlement (ORR) Unaccompanied Children (UC) Program is seeking data analytics consultant(s) with senior level expertise in child welfare and child immigration systems and services, as well as high-level expertise in data analytics and data system architecture creation; to develop outcome measures and different system process measures to yield performance information on child safety, well-being, and timely family reunification outcomes.

1.2 Objective

The purpose of this contract is to deliver data driven systems and process findings to inform on how services and steps in the service processes impact child experiences, to gain a better understanding of impacts during influxes and other impacting events including quality, success, and delayed discharges. The successful contractor will work closely with ORR's UC Program leadership for the following objectives:

Objective One: Identify and prioritize performance measures impacting child health, safety, and experiences while in ORR custody, including safe and timely discharge and family reunifications and while using post release services

Objective Two: Use data analytic techniques to analyze raw data and records to identify primary impacts and trends, combining key components to predict and inform strategies for planning, decision making, and carrying out high performing program services.

Objective Three: Collaborate with key internal and external stakeholders to develop or enhance existing dashboards to capture key performance indicators and create a map of data sources and a methodology for matching the many data systems available.

1.3 Scope of ORR UC Program Work

When unaccompanied children are apprehended by other federal agencies (usually by the department of homeland security immigration officials) they are transferred to the care and custody of ORR. The ORR UC Program promptly places unaccompanied children in the least restrictive setting that is in the best interest of the child. ORR takes into consideration the unique nature of each child's situation and incorporates child welfare principles when making placement, clinical, case management, and release decisions that are in the best interest of the child. A major ORR objective is to improve the knowledge, skills and abilities of



professionals working with unaccompanied children. When making a placement decision, the UC Program supervisory and management staff manage and oversee the following types of shelter facility care for unaccompanied children.

List of Governing Laws, Statutes, Settlement Agreements and Policies:

- Homeland Security Act of 2002 Section 462
- Flores Settlement Agreement in 1997
- Trafficking Victims Protection Act of 2000 and its reauthorization acts
- William Wilberforce Trafficking Victims Protection Reauthorization Act (TVPRA) of 2005 and 2008
- Standards To Prevent, Detect, and Respond to Sexual Abuse and Sexual Harassment Involving Unaccompanied Children
- Saravia Settlement Agreement
- Lucas R. Settlement Consent Decree
- ORR Unaccompanied Children Policies can be found at:
<https://www.acf.hhs.gov/orr/policy-guidance/unaccompanied-children-program-policy-guide>
- Complete and detailed legal background and authority can be found at:
<https://www.acf.hhs.gov/orr/policy-guidance/unaccompanied-children-program>

Overview of Shelter care Definitions (In order of most restrictive to least restrictive):

Secure Care: A secure or locked level of care for unaccompanied children who have been charged with or convicted of a criminal offense, or are chargeable with such an offense, or whose alleged conduct poses a threat to self or others. The determination of which unaccompanied children meet secure placement criteria is made by ORR, and assignment of physical custody to a care provider is made as immediately as possible by ORR. Secure levels of care are licensed in their respective state to operate as a secure facility that houses juveniles with issues surrounding violence and criminal behavior. Secure care providers provide temporary and safe custody of unaccompanied children who meet the placement criteria as defined here:

Diagnostic Center Care: Provides humane and secure environments for unaccompanied children who have conflicting mental health diagnosis or limited information regarding violent criminal behavior that delivers comprehensive evaluations by licensed medical practitioners to determine least restrictive placement options as alternative to secure placement in juvenile detention. Diagnostic centers provide temporary and safe custody of unaccompanied children for diagnostic purposes not to be utilized for more than 30 days or otherwise periods of time prescribed by a licensed medical provider. The purpose of Diagnostic Center care is to accept and accurately assess unaccompanied children with undiagnosed or misdiagnosed mental health issues.



Psychiatric Residential Treatment Facility Care: A secure unit to provide a humane and therapeutic environment for unaccompanied children between the ages of 12 – 17 with serious psychiatric or psychological issues that result in aggressive behaviors towards others and themselves, and behaviors that cannot be managed in Residential Treatment Center placement. Unaccompanied children who meet criteria for Psychiatric Residential Treatment Facility Care receive care and custody, assessment and diagnosis, and treatment and discharge plans.

Residential Treatment Center Care: Care that provides a humane and therapeutic environment for unaccompanied children with serious mental health issues, while delivering comprehensive services. Residential treatment care provides temporary and safe custody of unaccompanied children between the ages of 12 - 17 with serious psychiatric or psychological issues or underlying mental health symptoms or diagnosis that cannot be addressed in an outpatient setting.

Staff Secure Care: Supervised care and living quarters that provide a humane and therapeutic environment for unaccompanied children ages 12 – 17 who have behavioral and/or criminal issues that require close supervision, but do not require placement in a secure setting, while delivering comprehensive services. Staff secure care provides temporary and safe custody of unaccompanied children with behavioral and/or criminal issues that require close supervision.

Therapeutic Group Home Care: Therapeutic care that provides a humane and therapeutic environment for unaccompanied children; while delivering comprehensive mental health services; and when appropriate, transfer to least restrictive setting. Therapeutic Foster or Group Home Care provides temporary and safe custody of unaccompanied children between the ages 12 to 17 who are not a danger to self or others and who would benefit from enhanced behavioral health services or who require a smaller care setting, but do not require Residential Treatment Center level of care.

Influx Center Facility Care (ICF): Immediate shelter care includes unlicensed influx care facilities (ICFs). ICF shelter care is for unaccompanied children who are at least 13 years of age and expected to be released to a family member or sponsor family within 30 days. Youth placed in ICF care do not have any known special needs including mental health or identified disabilities, behavioral health issues, medical issues or dental issues that would be better served at an alternative setting; and speak English or Spanish as preferred language. ICF shelter care does not serve pregnant or parenting unaccompanied children or unaccompanied children who might be a danger to themselves or others and have not having been charged with or convicted of a criminal offense.



Community Based Care (Transitional; Long-term; and Therapeutic Foster Care):

This continuum of care includes basic and therapeutic foster family settings as well as supervised independent living group home settings for unaccompanied children (UC), which are funded and administered by ORR. It aims to place and support the most vulnerable children in ORR care most effectively. ORR gives priority for community-based care to tender age children, pregnant or parenting UC, and children with special needs, children who are projected to have an extended stay in ORR care or who have no identified sponsor, and children who are moving towards independent living or close to aging out of ORR care. Community-Based Care is a new program model which will eventually phase out the terms *long-term foster care (LTFC)* and *transitional foster care (TFC)* provided at 45 CFR § 411.5.

However, unaccompanied children may be placed in community-based care setting designed for long-term care, such as community-based foster care or extended care group homes. A child is a candidate for long term care when they are expected to have a protracted stay of four months or more in ORR custody because they do not have a viable sponsor and a legal service provider has identified the child or youth as potentially eligible for immigration relief, and the child is under the age of 17 and 6 months at the time of placement. ORR also considers a long-term care placement on a case-by-case basis for an unaccompanied alien child who will have a longer stay due to other circumstances. ORR considers other circumstances when making decisions for long-term community-based care including: the child's age and mental, emotional, behavioral, and physical health needs; child's ability and commitment to live in a family and community-based setting; availability of an appropriate placement to meet the child's needs.

While making placement decisions that fit and support the unique and individual needs of each unaccompanied child in ORR custody, the UC Program leadership, supervisory and management staff must ensure and oversee that all types of shelter facilities for unaccompanied children deliver high quality services. A summary of required comprehensive services UC Program leadership and supervisory, management and field specialist staff are responsible to ensure compliance with is provided here.

Overview of Required Comprehensive Services:

Consistent with federal law, ORR places children while in our care in the least restrictive setting that is in the best interest of the child, considering potential flight risk and danger to self and others. Presently, all ORR funded state-licensed and influx care facility services include:

Acculturation and Adaptation Services are required for unaccompanied children in ORR custody and included activities aimed at development of social and interpersonal skills that contribute to the ability for unaccompanied children to live independently and responsibly in the community.



Planned Activities shall ensure unaccompanied children participate in activities according to a recreation and leisure time plan that includes daily outdoor activities, weather permitting, of at least one (1) hour per day of large muscle activity and one (1) hour per day of structured leisure time activities other than television. Activities shall be increased to a total of three (3) hours daily on weekends and on other days when school is not in session. Recreation and leisure time activities are separate from the required physical education during school day instruction.

Case Management Services are administered through a case management system that tracks and monitors the progress of unaccompanied children on a regular basis to ensure children receive the full range of program services in an integrated and comprehensive manner. Case management services are provided seven (7) days a week and ensure continuity during holidays. Case managers ensure safe and timely release of minors with viable ORR approved sponsors.

Disabilities Services are provided for unaccompanied children with a verified disability. Disabilities services include evaluation services for children suspected of possessing a disability. If an unaccompanied child is found to have a disability, then an Individual Education Plan (IEP) is developed by qualified education staff and a 504 Services plan shall be implemented. In addition, if the behaviors/symptoms displayed by a child is tied to the reasons they are in the stepped-up facility, local programs must explain the reasons that the current placement is appropriate and cannot be met at a less restrictive level of care.

Education Services are provided daily for a minimum of six (6) hours Monday – Friday, year-round and are appropriate to each child's level of development, education, and communication skills. Instruction time is administered in a structured classroom setting designed for unaccompanied children and concentrate primarily on the development of basic academic competencies and secondarily on English language training. The program consists of instruction, education materials, and other reading materials in the following academic areas: science, social studies, mathematics, reading, writing, physical education and shall provide appropriate leisure time reading in other languages. In some cases, unaccompanied children in ORR custody attend the local school programs.

Group Counseling Sessions occur twice a week at a minimum for unaccompanied children in ORR custody. One (1) of the sessions may be substituted by family or house meetings. At least one (1) of the sessions provides psycho-educational curriculum that may be adjusted according to child population needs. Session topics are designed and catered to the level of care population.

Individual counseling is provided for all unaccompanied children in care, at least one (1) individual counseling session per week by a qualified clinician. Counseling sessions meet specific objectives of assessing and responding to mental health needs; reviewing progress; establishing



new short-term objectives; and addressing the development progress, immediate concerns, and crisis-related needs of each unaccompanied children.

Individualized Needs Assessments are provided for all unaccompanied children in care to include individualized ongoing assessments. The first Initial Intake Assessment is completed within 24 hours of admission; and an assessment of risk is conducted within 72 hours and updated every 30 days to include a psychosocial summary noting and evaluating current medical information, and an assessment for trauma and human trafficking.

Individual Service Plans (ISP) are comprehensive and realistic plans for all unaccompanied children in accordance with each child's needs, as determined by the assessments and assessment of any trafficking concerns. ISPs are implemented and closely coordinated through an operative clinical assessment and intervention plan and, through ORR's case management system and are completed within five (5) days of admission and every 30 days thereafter. In cases where human trafficking is suspected or confirmed, the care provider refers the child to ACF's Office on Trafficking in Persons and provide or refer the child for other services to ensure they have access to all services guaranteed by TVPRA of 2008.

Legal Services and Rights to Privacy are rights afforded to all unaccompanied children in ORR custody and care. Local ORR funded shelters and care programs are provided with ORR-supplied information regarding availability of free legal assistance, the right to be represented by counsel at no expense to the federal government, the right to a removal hearing or a bond hearing before an immigration judge, the right to apply for legal relief or to request voluntary departure in lieu of removal, and the rights of victims of trafficking under TVPRA of 2008. The ORR has a nation-wide contract for the provision of legal services. The contractor's responsibility is to coordinate with the legal services contractor to provide the legal services for unaccompanied children in the contractor's care. The contractor's responsibility is to ensure children have access to the legal support services so they can perform "Know Your Rights" presentations, legal screenings, private meetings, and phone calls.

Medical Services are required and ORR funded shelter and care programs establish relationships with local health care providers who shall accept ORR's fee-for-service payment system (if not directly hired by the contractor); and who shall follow ORR's medical and dental guidelines for the following services: Complete medical examination (including screening for infectious diseases) shall be completed within two (2) business days (48 hours, excluding weekends and federal holidays) of admission, per ORR stay in custody including appropriate immunizations in accordance with the United State Advisory Committee on Immunization Practices Immunization Schedule; family planning services; Initial dental exam 60 – 90 days after admission; follow-up immunizations; and emergency health care services.



Mental Health Services are provided and include regular on-site individual and group counseling sessions, and to have an ability to access community mental health services for unaccompanied children with special needs. Community mental health services include psychiatric evaluations and or psychological evaluations, treatment, medication assessments and management, crisis intervention, in-patient acute psychiatric care, and other clinical interventions as identified by ORR. ORR provides funding to employ on site clinicians who shall meet with unaccompanied children at a minimum one time a week for individual sessions; and they shall also perform clinical groups no less than 1x a week and shall organize a community group 1x a week for US.

Nutritional Services are provided in accordance with U.S. Department of Agriculture and Health and Human Services (HHS) nutritional guidelines and state licensing requirements. The contractor shall establish procedures to accommodate dietary restrictions, food allergies, health issues, and religious or spiritual requirements.

Comprehensive Program Orientation is provided for all unaccompanied children within 48 hours of admission to an ORR shelter or care facility and covers the program's services, rules (written and verbal), and all other pertinent information about the facility and program expectations. Orientations are provided in formats accessible to unaccompanied children who are limited English proficient, deaf, visually impaired, or otherwise disabled, as well as those who have limited reading skills; and care providers ensure effective communication for unaccompanied children with communication disabilities.

Rules and Behavior Management standards are formulated by local shelter and care programs with consideration for the range of ages and maturity levels of unaccompanied children in each shelter or level of care program and cultural sensitivity towards all unaccompanied children. Standards are evidenced-encompass strength-based behavior management and trauma-informed care approaches such as using conflict resolution, problem-solving skills, and de-escalation techniques helping children and youth learn accountability and self-control. Each shelter posts basic rules in both English and Spanish.

Religious Access is required to be provided or arranged for access to religious services and counseling of the unaccompanied child's choice when possible. Unaccompanied children entering ORR custody come from a wide array of cultures, practices, languages, and beliefs. Local shelter and care programs maintain cultural awareness and have systems in place to provide opportunities for unaccompanied children to observe and practice their spiritual or religious beliefs.

Visitation and Phone Call opportunities are provided for unaccompanied children to communicate with family members and/or sponsors, in a private setting. There is no limit on the length of calls for unaccompanied children with their attorneys of record. Unaccompanied



children are allowed to call both family members and sponsors living in the United States and abroad. Unaccompanied children also have a right to receive visitors. Attorneys of record are required to have reasonable access to unaccompanied children, and care providers must exhaust all efforts to utilize video calls over audio-only calls, where the family, sponsor and/or other approved contacts have access to video calling technology.

Transportation services are provided for unaccompanied children to local airports and to local services and appointments, such as medical and dental appointments, immigration court hearings, or community services as part of the Individual Service Plan (ISP).

Overview of UC Program Leadership, Supervisor, Management and Field Specialists:

Leadership Positions are responsible to ORR Executive leadership and drive the UC Program Mission, Objectives and Outcomes. Leadership positions serve in a critical role impacting UC Program operations quality and compliance and directly supervise top UC Program managers; and are decision makers regarding program operational improvements and policy changes necessary for compliance with laws, regulations and settlement agreements and overall program efficacy.

Management Positions are responsible for leading divisions, teams and work groups assigned specific roles and job duties for the delivery of program services for unaccompanied children in ORR custody. Supervisory staff are responsible for recruitment and hiring of talent and filling key positions within the UC Program federal workforce. Supervisory staff are also responsible for ensuring productive and quality workflow, resolving challenges, mitigating work productivity risks, as well as to manage UC Program federal management and team lead staff.

Supervisory Positions are responsible for planning, organizing, staffing, and managing different divisions of work, and work of specialized teams and workgroups of UC Program services and play decisional roles with management of work and overseeing management and compliance of unaccompanied children program operations.

Field Specialists are Subject Matter Experts (SME) with varied expertise in child welfare, licensing, and other expert knowledge that oversee quality and compliance of local shelter care and services.

1.4 Background

On March 1, 2003, Section 462 of the Homeland Security Act of 2002, transferred responsibilities for the care and placement of unaccompanied alien children from the Commissioner of the Immigration and Naturalization Service to the Director of the ORR. Since then, ORR has cared for more than 560,000 children, incorporating child welfare values as well as the principles and provisions established by the Flores Settlement Agreement in



1997, the Trafficking Victims Protection Act of 2000 and its reauthorization acts, the William Wilberforce Trafficking Victims Protection Reauthorization Act (TVPRA) of 2005 and 2008. Unaccompanied children apprehended by the Department of Homeland Security (DHS) immigration officials are transferred to the care and custody of ORR. ORR promptly places unaccompanied children in the least restrictive setting that is in the best interest of the child, taking into consideration danger to self, danger to the community, and risk of flight. ORR takes into consideration the unique nature of each child's situation and incorporates child welfare principles when making placement, clinical, case management, and release decisions that are in the best interest of the child. A major ORR objective is to improve the knowledge, skills and abilities of professionals working with unaccompanied children. An unaccompanied child:

- Has no lawful immigration status in the United States
- Is under 18 years of age
- Has no parent or legal guardian in the United States or no parent or legal guardian in the United States is available to provide care and physical custody

Overview of Unaccompanied Children Program

ORR assumes the following responsibilities while caring for unaccompanied children entering the United States:

- Assuring the safety and well-being of all unaccompanied children while they are in ORR care and custody
- Making and implementing placement decisions.
- Ensuring best interests of all unaccompanied children are considered in decisions related to care and custody.
- Providing home assessments for the sponsor homes of certain at-risk categories of unaccompanied children.
- Overseeing the provision of Post Release Services for certain categories of children.
- Overseeing the infrastructure and personnel of ORR-funded care provider facilities.
- Conducting on-site monitoring visits of ORR-funded care provider facilities and ensuring compliance with ORR national care standards.
- Collecting, analyzing, and reporting statistical information on unaccompanied children.
- Providing training to federal, state, and local officials who have substantive contact with unaccompanied children.
- Providing training to staff of NGOs providing shelter, care, and services to all unaccompanied children.
- Developing procedures for age determinations and conducting these



determinations along with DHS.

- Granting specific consent for state court jurisdiction over children.
- Cooperating with the Department of Justice's Executive Office for Immigration Review to ensure that sponsors of unaccompanied children receive legal orientation presentations.
- Ensuring, to the greatest extent practicable, that all unaccompanied children in custody have access to legal representation or counsel.
- Releasing unaccompanied children to qualified sponsors and family members determined capable of providing for the child's physical and mental well-being.
- Collecting, analyzing, and reporting statistical information.
- Granting specific consent for state court jurisdiction over children.

ORR helps unaccompanied children gain access to legal representation through the legal access contract that provides legal services in accordance with the Flores Settlement Agreement, the TVPRA, and other associated legal documents. Through the legal services contract, children receive presentations about their rights and individualized legal screenings. The project also builds pro bono legal representation capacity. Many unaccompanied children meet conditions that make them eligible for legal relief to remain in the United States. They may qualify for:

- Asylum
- Special visas for children who have been abused, neglected, or abandoned by the parents or guardian
- Special visas for victims of severe forms of trafficking and other types of crime
- Adjustment of status for those who have a legal resident or citizen family member

Following apprehension by a federal agency (usually the DHS), unaccompanied children are transferred to the care and custody of ORR while awaiting immigration proceedings. Unaccompanied children have many inter-related reasons for undertaking the difficult journey of traveling to the United States, which may include rejoining family already in the U.S., escaping violent communities or abusive family relationships in their home country, or finding work to support their families in home countries. The age of these unaccompanied children, their separation from parents and relatives, and the hazardous journey they take make them especially vulnerable to human trafficking, exploitation, and abuse. Most unaccompanied children are cared for through a network of state licensed ORR-funded care providers, most of which are located close to areas where immigration officials apprehend large numbers of immigrants entering the U.S. The majority of these provider facilities are state licensed and must also meet ORR requirements to ensure a high level of quality care. Most of the care provider organizations currently operate



under funding awarded through local cooperative agreements. In addition, ORR may place some unaccompanied children in individual out-of-network agreements, who partner with care provider organizations to provide services for unaccompanied children with special care demands. The Flores Settlement Agreement (FSA) requires ORR to provide certain services to unaccompanied children while they are in government custody. While in ORR custody, unaccompanied children are required to receive an array of services, including residential care and supervision, clothing, food, individual and group counseling, medical/mental health care, legal services, case management, education/English as a Second Language, recreation, vocational education, acculturation, and access to religious services. While most services are available on site, referrals to community-based providers are made when needed. Services are provided by multilingual staff in a manner that is sensitive to the language and culture of the populations served. Service provision is tailored to each unaccompanied child to maximize opportunities for success both while in care, and upon discharge from the program.

1.5 Type of Purchase Order Contemplated

The government intends to award a firm-fixed purchase order.

1.6 Period of Performance

Base Period: June 1, 2024 – May 31, 2025
Option Period One: June 1, 2025 – May 31, 2026
Option Period Two: June 1, 2026 – May 31, 2027
Option Period Three: June 1, 2027 – May 31, 2028
Option Period Four: June 1, 2028 – May 31, 2029

1.7 Place of Performance

The work to be performed under this purchase order shall be performed from the contractor's worksite and ORR Headquarters located in the Mary E. Switzer building, 330 C Street SW, Washington DC 20201 for limited number of in-person meetings as necessary to participate in meetings and interview federal staff.



1.8 Recognized Holidays

The following provides information on recognized holidays for the purpose of the PWS. If submittal of any documentation (e.g., deliverables, submittals, etc.) deadlines fall on a holiday, the workday prior to the holiday shall apply as the deadline for submittal.

United States (US) Federal Holidays

The Contractor is not required to perform requirements of this PWS on Federal Holidays.

US Federal Holidays	
New Year's Day	January 1 st
Martin Luther King's Birthday	3 rd Monday in January
Presidents' Day	3 rd Monday in February
Memorial Day	Last Monday in May
Juneteenth National Independence Day	June 19 th
Independence Day	July 4 th
Labor Day	1 st Monday in September
Columbus Day	2 nd Monday in October
Veterans Day	November 11 th
Thanksgiving Day	4 th Thursday in November
Christmas Day	December 25 th

In addition to days designated as holidays, the Government observes the following days:

- Any other day designated by Federal Statute
- Any other day designated by Executive Order
- Presidential Inauguration Day
- Any other day designated by the President's Proclamation

It is understood and agreed between the Government and the Contractor that observance of such days by Government personnel shall not otherwise be a reason for an additional period of performance, or entitlement of compensation except as set forth within the purchase order. If Government personnel are unavailable due to furlough or any other reason, the Contractor shall contact the CO or the COR to receive direction.



2.0 Specific Requirements/Tasks

2.1 PARTICIPATE IN CONTRACT POST-AWARD ORIENTATION

The contractor shall participate in a post-Award orientation meeting that serves as an introduction between the contractor and federal personnel who shall be involved with the contractor's administration of this purchase order and shall provide an opportunity to discuss technical, management, and security and reporting procedures. The post-Award meeting shall be held within five (5) business days after purchase order award. The post-Award meeting shall be for a full half-day and may be scheduled as virtual. The post-Award meeting shall provide time to review the purchase order tasks and deliverables together and discuss key issues impacting the successful launch of the base year of the purchase order. A list of subject matter items the contractor shall be prepared to discuss during the post-Award meeting include, but are not limited to:

- Overview of contract requirements.
- Contractor's key personnel and any vacancies in key personnel positions.
- Monthly invoice requirements.

2.1.1 POST-AWARD ORIENTATION MEETING REPORT

The Contractor shall submit a draft post-Award meeting report summarizing issues discussed, any resolutions or action items resulting from the post-Award meeting. The Contractor shall submit a draft post-Award orientation meeting report to the Contracting Officer Representative (COR) and Contracting Officer (CO) no later than (NLT) five (5) business days after the post-Award meeting for review. The COR and CO shall return the draft report to the contractor within three (3) government business days of receipt with any comments, questions, or requests for clarifications. The contractor shall fully address the government's comments, questions, and requests for clarifications, and submit a final report to the CO and COR NLT three (3) business days after receiving the draft report with government comments.

2.2 CHILD SAFETY, WELL-BEING, AND TIMELY DISCHARGES AND FAMILY REUNIFICATION PERFORMANCE MEASURES

The Contractor shall identify and prioritize performance measures impacting child health and safety, and experiences while in ORR custody, including safe and timely discharge and family reunifications and while utilizing Post Release Services (PRS). The Contractor consultant(s) must have high levels of expertise and experience in child welfare and immigration systems designed



for children and youth birth to age eighteen (18); to include experience with examining impacts of safety and well-being for pregnant and parenting children. Contract consultant(s) shall:

1. Identify and examine ORR UC Program services and policies related to and with the highest impact to child safety and wellbeing, timely discharges and family unifications and Post Release Services (PRS).
2. Utilize a strategy that encompasses a series of case reports and data point studies as part of their system for review.
3. Include evidentiary standards to develop metrics and decipher what are key performance measures impacting the health and safety and experiences of children while they are in ORR custody and while utilizing Post Release Services (PRS).
4. Be responsible for correlating and report on relationships between each key performance measure lifted from existing ORR data systems and reporting mechanisms to identify and inform cause and effects of processes and policies designed to ensure child safety, well-being, and timely discharges, family unification outcomes and post release services
5. Employ a well-designed methodology for identifying and describing performance measure improvements and recommendations to enhance data architecture to incorporate a data analytics system that is automated and informing.
6. Performance measures shall be accompanied by a description of each measure based on evidentiary standards and describe then the relationships between measures and why analysis of each performance action or service identified is critical and pertinent to child safety, health, and timely discharge and family unifications.
7. Identify compliance and desired outcome factors, and quality metrics within the overall existing system of services, data collection and records that are critical to ensuring 100% child safety, well-being, and timely discharges and family reunifications for UC; utilize these findings to draft recommendations based on evidentiary standards of review.
8. Provide regular interactive reports to UC Program Leadership, COR and FAL to inform leadership on an adequate and regular schedule.

2.3 DATA ANALYTICS SYSTEM ADVISEMENT

The Contractor shall study and analyze the capacity and value of existing data points collected and recorded in a system maintained and utilized by ORR management and field specialists for documenting, record keeping, and reporting and informing on status of UC Program outcomes, as well as for noting and synthesizing trends for informed planning, and development of short- and long-term goals for program planning and improvements. Contractor consultant(s) shall:



1. Utilize expert advisement in analyzing existing raw data and records to identify primary impacts and trends, combining key components to predict and inform strategies for planning, decision making, and carrying out high performing program services.
2. Propose additional data points and informing relationships between data points and program operation policy, and child outcomes which should be taken into consideration for improved program monitoring of performance outcomes and informing management decision making.
3. Collaborate with key internal and external stakeholders to achieve and validate expert observations which explain and support proposed data architecture improvements and recommendations based on evidentiary standards and source documentation.
4. Document review and analysis observations to identify and describe impact of existing gaps in data points that may be identified, as well as impacting record-keeping practices and policies.
5. Provide analysis and consideration of relationships to action-based policies existing or new recommendations based on data points in the record. For example, how do data points exist and inform daily work decisions of UC Program management and field specialists; and how does or can the data analytics be applied to inform UC Program leadership on a regular and automated basis, and in real time for all critical issues impacting an individual child's safety, wellbeing and safe and timely discharge and family unification.

The Contractor's system of studying opportunities for improvement in development or use of data analytics shall produce source documented recommendations for UC Program leadership that will positively impact and improve capacity of existing record keeping and reporting that informs timely, responsive actionable management inquiries, directives, or changes to ensure resolution or improved situations. Contractor consultant(s) shall:

1. Evaluate database automations to ensure all barriers and necessary service decisions and actions impacting child safety, health, and timely discharges and family unifications are timely recognized, highlighted, tracked, and satisfactorily resolved.
2. Ensure all recommendations, improvement opportunities, and advisement on data analytics capture key performance indicators and map data sources and a methodology for matching the many data systems improvements available.

2.4 KEY PERSONNEL

The following staff positions are identified as key personnel. The Contractor shall ensure that candidates filling key personnel positions meet minimum requirements to include any subject matter or skill certifications for qualifications to perform the position responsibilities and shall



ensure descriptions of key position minimum requirements are contained in signed job descriptions for each key personnel position. Each job description shall include a section on essential functions as mandated by American with Disabilities Act (ADA). If there is a change in a key personnel position listed below during the period of performance of this purchase order, the Contractor shall submit notification to the COR and Federal Acquisition Leads (FAL's) along with credentials for the proposed candidate to fill the position for ORR's concurrence.

Project Manager

The Project Manager shall serve as the lead data analyst and project lead for analyzing raw data and record keeping practices and systems to find trends and answer key questions pertaining to program operations and data informed strategies to ensuring child safety, health, timely discharge, and safe successful family unifications for children in ORR custody. This position will lead the project work to identify and answer business, performance and service questions related to ensuring child safety, health, and timely discharges, and produce reports on historical trends and recommendations for improved quality indicators and performance measures that support informed decision making for UC Program leadership and predict future needs for successful program planning. Including but not limited to recommendation for information updates including automation considerations for management and reporting value, and ensuring strategies align with industry best practices.

Project Manager minimum qualifications include:

- Relevant bachelor's degree with high level of expertise in child welfare and immigration services; a degree or relevant experience working with statistics and program evaluation and improvement metrics. Preference of master's degree in child Welfare or related field.
- Strong background in analytics platforms (Power BI and Tableau), data architecture/framework, data warehouses, algorithmic programming, and data visualization; and experience with diagnoses of models-in-use and steps to transform/adapt those models for greater utility.
- Minimum of five to ten years of professional experience overseeing child welfare and child immigration services and relevant experience developing and overseeing program performance and evaluations for program improvement related to child health and safety.
- Working experience with childcare licensing and accreditation regulations and quality childcare and shelter programming; including immigration and adoption systems.
- Strong understanding of application of data analytics for informing management.
- Excellent analytical, communication, and problem-solving skills.
- Strong organizational and leadership skills.

Performance Data Analytics Strategist



The Performance Data Analytics Strategist shall apply working expert experience in child welfare and immigration services to design templates for applying latest approaches to data analytic activities of existing raw data bases and policies for developing and implementing data strategies to update and improve performance indicators utilized to monitor and measure performance outcomes related to child safety, health, and timely discharges and family unifications. This position will serve as lead for designing project initiatives for data analytics, including development of recommendations for data and digital architecture improvements, and reporting on trends and recommendations for improved automations. Including but not limited to information automations considerations for management and reporting value, and ensuring strategies align with industry best practices.

This position shall stay up to date with latest approaches for developing and implementing data strategies that are innovative and impactful.

Performance Data Analytics Strategist minimum qualifications include:

- Bachelor's degree in child welfare or related degrees in computer science, statistics, or data information systems; prefer master's degree with at least five to ten years of industry related professional experience with applied data analytics in the child welfare and immigration field and program services or like, similar state-wide or local child welfare systems and programs. Familiar with childcare licensing and accreditation regulations and quality childcare programming.
- Working experience in analytics platforms (Power BI and Tableau), data architecture/framework, data warehouses, algorithmic programming, and data visualization; and experience with diagnoses of models-in-use and steps to transform/adapt those models for greater utility.
- Strong problem solving, analytical and critical thinking skills.
- Strong understanding of application of data analytics for informing management.
- Excellent analytical, communication, and problem-solving skills.
- Strong organizational and leadership skills.

Child Welfare, Immigration and Adoption Subject Matter Expert (SME)

The Child Welfare, Immigration and Adoption Subject Matter Expert shall support evaluation of performance indicators and existing performance measures use and applications within existing data infrastructure and dashboard for collecting data and preserving program operation records. This position shall utilize expert precision and working knowledge of child welfare and immigration systems to support analysis of existing performance measures, data analytic strategies currently used, reporting, both qualitative and quantitative collected information and



data that will inform improvements to existing data architecture and dashboard; including interpreting statistical and numerical data to assess and compare performance with performance measures and indicators. Including supporting recommendations and designs for improvement of data architecture to ensure future strategies align with industry best practices and yield high impact for monitoring and ensuring child safety, health and timely discharges and family unifications.

Child Welfare, Immigration and Adoption SME Minimum Qualifications include:

- Bachelor's degree in child welfare; early childhood development; social work or child psychology and counseling; or closely related field and strong working knowledge of child welfare, immigration and adoption systems and best practices.
- Minimum of five (5) years of experience working in a state or local child welfare system directly with local programs or state funded systems, and experience with foster care, adoption, and childcare licensing systems governing laws, statutes, and regulations.

2.5 PARTICIPATE IN QUALITY ASSURANCE MEETINGS

The Contractor shall develop and propose a system for keeping UC Program leadership informed of work on a regular standing basis. The system shall be inclusive of written plans, routine reports, and include process for email communications; and include at a minimum regular touch points via video conferencing, Teams chat, phone calls, zoom or other video conferencing regarding. An agenda shall be produced and provided in advance to UC Program leadership and other UC Program staff who may be included in a scheduled meeting. For each formal scheduled meeting, the Contractor shall keep meeting minutes and share with the COR and Federal Acquisition Lead (FAL). In addition, the Contractor shall meet monthly with the COR and FAL's to discuss contract progress and work, and any contract issues, or more frequently as issues or concerns with the contract might arise. These meetings shall contribute to satisfactory delivery of the contract requirements and to mitigate any challenges or concerns early as to avoid any negative impact of contract deliverables. These Quality Assurance meetings shall be part of the Government's Quality Assurance Surveillance Plan (QASP). These meetings will also serve as part of the Government's Performance Requirements Summary (PRS) which defines desired services to make determinations if the Contractor exceeds, meets, or does not meet requirements under this Contract.

2.6 COMMUNICATION, RECORD MANAGEMENT & RETENTION PLAN

The Contractor shall ensure a written plan for ensuring secure management and retention of all records, reports, correspondence, and information produced by this project to support data



analytics and data architecture improvements. The Contractor shall submit the written plan with protocols and procedures for communication, record management and retention for review to the COR and FAL within ten (10) business days of contract award. The written plan must ensure all official communication, records, and minutes from official and working meetings are maintained on Government issued laptops and are protected as part of the official project performance file. There must be established administrative and physical controls to prevent unauthorized access to both electronic and any paper records maintained related to the work of this project; including identification of data infrastructure findings of gaps or risks in data management and use; and all recommendations for data architecture improvements and automated reporting and for informing actionable improvements. Project work shall not be shared with any unauthorized ACF or ORR personnel or staff and shall not be shared with any entity outside of ACF or ORR. The Contractor shall provide notification to the COR and FAL of any updated process or protocols to the written plan within one business day of making any updates or changes to the plan.

2.7 SUBMIT PROBLEM NOTIFICATION REPORTS

The Contractor shall notify the COR and Federal Acquisition Lead (FAL) of any problems, or potential problems pertaining to any of the requirements of the PWS immediately or no more than one (1) calendar day of the problem being identified. Notifications shall include at a minimum a description of the problem or pending problem with deliverables, status of services, and include plans or recommendation for resolution. Notification reports shall include any issues related to conducting the work described within this PWS, including any changes to key personnel conducting contract work.

2.8 ADVANCED TRAVEL REQUESTS

This requirement does not require any routine travel. However, the contractor shall travel for two meetings annually at ORR Headquarters located at 330 C. Street SW, Washington DC 20120 required for events such as senior leadership briefings, in-person workdays or other considerations to be determined. In these instances, the Contractor shall submit request for travel approval at least five (5) government business days in advance of planned travel to the COR for approval. Invoices for travel not approved by the COR will not be approved. Travel requests shall include the name and associated labor category of the traveler, the purpose of travel, location, and anticipated travel expenses (airfare, transportation, meals & incidental expenses, hotels, and other expenses) for each travel event. All long-distance travel must be approved by the COR prior to performance. There shall not be any cause for emergency travel situations with requirements of this contract.



2.9 ANNUAL REPORT

The Contractor shall provide an Annual Report to the CO, COR, and Federal Acquisition Lead (FAL) that describes the activities and assignments that occurred during the project year. The Annual Report must be submitted within 60 business days of the end of each 12-month period of performance funded under this requirement.

3.0 GENERAL INFORMATION

3.1 Hours of Operation

The Contractor is responsible for conducting business, between the hours of 8:00 AM to 5:00 PM Eastern Time (ET) except Federal holidays or when the Government facility is closed due to local or national emergencies, administrative closings, or similar Government directed facility closings.

3.2 Federal Acquisition Lead (FAL)

The FAL will work closely with the Contractor to serve as the federal subject matter expert on Unaccompanied Children Program Operations; and serve as the liaison to the Contractor for clarifications on governing regulations, UC policy, for information regarding current data and record keeping systems; functions and purpose of data and records, including any statute, laws, regulation, ORR policy or settlement agreements driving data management and systems. The FAL will serve as the point of contact for the Contractor on information about types of systems, databases, records management, reference tools and other data sources utilized for documentation and retrieval of necessary information regarding unaccompanied children in ORR custody; and the FAL will work closely with the COR to ensure performance under this contract.

3.3 Organizational Conflict of Interest

The Contractor or any subcontractor personnel performing work under this contract may have current or subsequent Organizational Conflict of Interests (OCI) as defined in FAR Subpart 9.5. The Contractor shall notify the Contracting Officer immediately whenever it becomes aware that such access or participation may result in any actual or potential OCI and shall promptly submit a plan to the Contracting Officer to avoid or mitigate any such OCI. The Contractor's mitigation plan shall be determined to be acceptable solely at the discretion of the Contracting Officer and in the event the Contracting Officer unilaterally determines that any such OCI cannot be satisfactorily avoided or mitigated, the Contracting Officer may affect other remedies as they deem necessary, including prohibiting the contractor from participation in subsequent contracted requirements which may be affected by the OCI.



3.4 Contractor Travel

Contractor travel for two (2) in-person meetings annually at Office of Refugee Resettlement (ORR) Headquarters, 330 C Street SW, Washington DC 20201 is allowed for attendance at Government required meetings as described within this PWS. The Contractor shall be required to travel CONUS and within the National Capital Region (NCR) during the performance of this contract to attend meetings as necessary for accomplishing tasks within this PWS. Contractor shall be authorized travel expenses consistent with the substantive provisions of the Joint Travel Regulation (JTR) and the limitation of funds specified in this contract.

3.5 Data Rights:

The Government has unlimited rights to all documents/material produced under this purchase order. All documents and materials, to include the source codes of any software, or produced under this purchase order shall be Government owned and are the property of the Government with all rights and privileges of ownership/copyright belonging exclusively to the Government. These documents and materials may not be used or sold by the contractor without written permission from the Contracting Officer. All materials supplied to the Government shall be the sole property of the Government and may not be used for any other purpose. This right does not abrogate any other Government rights.

3.6 Security Requirements

Baseline Security Requirements Applicability. The requirements herein apply whether the entire contract or portion thereof, includes either or both of the following:

Access (Physical or Logical) to Government Information: A Contractor (and/or any subcontractor) employee will have or will be given the ability to have, routine physical (entry) or logical (electronic) access to government information as required to perform their work. Access is contingent upon positive adjudication of background check.

Operate a Federal System Containing Information: A Contractor (and/or any subcontractor) shall operate a federal system and information technology containing data that supports the ACF mission. In addition to the Federal Acquisition Regulation (FAR) subpart 2.1 definition of "information technology" (IT), the term as used in this section includes computers, ancillary equipment (including imaging peripherals, input, output, and storage devices necessary for security and surveillance), peripheral equipment designed to be controlled by the central processing unit of a computer, software, firmware and similar procedures, services (including support services), and related resources.



Safeguarding Information and Information Systems: IAW the Federal Information Processing Standards Publication (FIPS) 199, Standards for Security Categorization of Federal Information and Information Systems, the Contractor (and/or any subcontractor) shall:

Protect government information and information systems in order to ensure:

- a. Confidentiality, which means preserving authorized restrictions on access and disclosure, based on the security terms found in this purchase order, including means for protecting personal privacy and proprietary information.
- b. Integrity, which means guarding against improper information modification or destruction, and ensuring information non-repudiation and authenticity; and
- c. Availability, which means ensuring timely and reliable access to and use of information.

Provide security for any Contractor systems, and information contained therein, connected to an HHS network, or operated by the Contractor on behalf of ACF regardless of location.

Adopt and implement the policies, procedures, controls, and standards required by the HHS Information Security Program to ensure the confidentiality, integrity, and availability of government information and government information systems for which the Contractor is responsible under this purchase order to which the Contractor may otherwise have access under this purchase order.

Information Security Categorization. IAW FIPS 199 and National Institute of Standards and Technology (NIST) Special Publication (SP) 800-60, Volume II: Appendices to Guide for Mapping Types of Information and Information Systems to Security Categories, Appendix C, and based on information provided by the Information System Security Officer (ISSO), Chief Information Security Officer (CISO), or other security representative, the risk level for each Security Objective and the Overall Risk Level, which is the highest watermark of the three factors (Confidentiality, Integrity, and Availability) of the information or information system. The Contractor shall work with the ACF security team to categorize information or information systems. The categorization can change at any time throughout the lifecycle of the system. The contractor shall ensure proper controls are implemented based on the categorization.

Controlled Unclassified Information (CUI). CUI is defined as “information that laws, regulations, or Government-wide policies require to have safeguarding or dissemination controls, excluding classified information.” The Contractor (and/or any subcontractor) shall comply with Executive Order 13556, Controlled Unclassified Information, (implemented at 3 CFR, part 2002) when handling CUI. 32 C.F.R. 2002.4(aa) As implemented the term “handling” refers to “...any use of CUI, including marking, safeguarding, transporting, disseminating, re-using, and



disposing of the information.” 81 Fed. Reg. 63323. All sensitive information that has been identified as CUI by a regulation or statute, handled by this solicitation/award, shall be:

- a. marked appropriately
- b. disclosed to authorized personnel on a Need-To-Know basis
- c. protected IAW NIST SP 800-53, Security and Privacy Controls for Information Systems and Organizations applicable baseline if handled by a contractor system operated on behalf of the agency, or NIST SP 800- 171, Protecting Controlled Unclassified Information in Nonfederal Information Systems and Organizations if handled by internal Contractor system; and
- d. returned to ACF control, destroyed when no longer needed, or held until otherwise directed. Destruction of information and/or data shall be accomplished IAW NIST SP 800- 88, Guidelines for Media Sanitization.

Protection of Sensitive Information. For security purposes, information is or may be sensitive because it requires security to protect its confidentiality, integrity, and/or availability. The Contractor (and/or any subcontractor) shall protect all government information that is or may be sensitive IAW OMB Memorandum M-06-16, Protection of Sensitive Agency Information by securing it with a FIPS 140-2 validated solution.

Confidentiality and Nondisclosure of Information. Any information provided to the Contractor (and/or any subcontractor) by ACF or collected by the Contractor on behalf of ACF shall be used only for the purpose of carrying out the provisions of this purchase order and shall not be disclosed or made known in any manner to any persons except as may be necessary in the performance of the purchase order. The Contractor assumes responsibility for protection of the confidentiality of Government records and shall ensure that all work performed by its employees and subcontractors shall be under the supervision of the Contractor. Each Contractor employee or any of its subcontractors to whom any ACF records may be made available or disclosed shall be notified in writing by the Contractor that information disclosed to such employee or subcontractor can be used only for that purpose and to the extent authorized herein. The confidentiality, integrity, and availability of such information shall be protected IAW HHS and ACF policies. Unauthorized disclosure of information shall be subject to the HHS/ACF sanction policies and/or governed by the following laws and regulations:

- a. 18 U.S.C. 641 (Criminal Code: Public Money, Property or Records);
- b. 18 U.S.C. 1905 (Criminal Code: Disclosure of Confidential Information);
- c. 44 U.S.C. Chapter 35, Subchapter I (Paperwork Reduction Act).



Each Contractor (and/or any subcontractor) employee having access to non-public government information under this agreement shall complete the ACF non-disclosure agreement.

Internet Protocol Version 6 (IPv6). All procurements using Internet Protocol shall comply with OMB Memorandum M-05-22, Transition Planning for Internet Protocol Version 6 (IPv6).

Websites and Digital Services. All new and existing public-facing government websites shall comply with the Integrated Digital Experience Act (IDEA).

Government Websites. All new and existing public-facing government websites shall be securely configured with Hypertext Transfer Protocol Secure (HTTPS) using the most recent version of Transport Layer Security (TLS). In addition, HTTPS shall enable HTTP Strict Transport Security (HSTS) to instruct compliant browsers to always assume HTTPS to reduce the number of insecure redirects and protect against attacks that attempt to downgrade connections to plain HTTP. For internal facing websites, the HTTPS is not required, but it is highly recommended.

Standard for Encryption.

The Contractor (and/or any subcontractor) shall:

- a. Comply with the HHS Standard for Encryption of Computing Devices and Information to prevent unauthorized access to government information.
- b. Encrypt all sensitive federal data and information (i.e., PII, protected health information [PHI], proprietary information, etc.) in transit (i.e., email, network connections, etc.) and at rest (i.e., servers, storage devices, mobile devices, backup media, etc.) with FIPS 140-2 validated encryption solution.
- c. Secure all devices (i.e.: desktops, laptops, mobile devices, etc.) that store and process government information and ensure devices meet HHS and ACF- specific encryption standard requirements. Maintain a complete and current inventory of all laptop computers, desktop computers, and other mobile devices and portable media that store or process sensitive government information (including PII).
- d. Verify that the encryption solutions in use have been validated under the Cryptographic Module Validation Program to confirm compliance with FIPS 140- 2. The Contractor shall provide a written copy of the validation documentation to the COR prior to implementation of the solution.
- e. Use the Key Management system on the HHS personal identification verification (PIV) card or establish and use a key recovery mechanism to ensure the ability for authorized personnel to encrypt/decrypt information and recover encryption keys. Encryption keys shall be provided to the COR upon request and at the conclusion of the purchase order.



Privacy Threshold Analysis (PTA)/Privacy Impact Assessment (PIA). When applicable, the Contractor shall assist the ACF Senior Official for Privacy (SOP) or designee with conducting a PTA for the information system and/or information handled under this purchase order to determine whether a full PIA needs to be completed.

a. If the results of the PTA show that a full PIA is needed, the Contractor shall assist the ACF SOP or designee with completing a PIA for the system or information within 30 days after completion of the PTA and IAW HHS policy and OMB M-03-22, Guidance for Implementing the Privacy Provisions of the E-Government Act of 2002.

b. The Contractor shall assist the ACF SOP or designee in reviewing the PIA at least every three years throughout the system development lifecycle (SDLC)/information lifecycle, or when determined by the agency that a review is required based on a major change to the system, or when new types of PII are collected that introduces new or increased privacy risks, whichever comes first.

SECURITY TRAINING

Mandatory Training for All Contractor Staff:

All Contractor (and/or any subcontractor) employees assigned to work on this purchase order shall complete the applicable HHS/ACF Contractor Information Security Awareness, Privacy, and Records Management training (provided upon purchase order award) before performing any work under this purchase order. Thereafter, the employees shall complete HHS/ACF Information Security Awareness, Privacy, and Records Management training at least annually, during the life of this purchase order. All provided training shall be compliant with HHS training policies.

Role-based Training.

All Contractor (and/or any subcontractor) employees with significant security responsibilities (as determined by the program manager) shall complete role-based training annually commensurate with their role and responsibilities IAW HHS policy and the HHS Role-Based Training (RBT) of Personnel with Significant Security Responsibilities Memorandum.

Training Records:

The Contractor (and/or any subcontractor) shall maintain training records for all its employees working under this purchase order IAW HHS policy.

Rules of Behavior:

The Contractor (and/or any subcontractor) shall ensure that all employees performing on the purchase order comply with the HHS Information Technology General Rules of Behavior.



All Contractor employees performing on this purchase order shall read and adhere to the Rules of Behavior (RoB) before accessing Department data or other information, systems, and/or networks that store/process government information, initially at the beginning of the purchase order and at least annually thereafter, which may be done as part of annual ACF Information Security Awareness Training. If the training is provided by the Contractor, the signed RoB shall be provided as a separate deliverable to the CO and/or COR per defined timelines.

Incident Response.

Federal Information Security Management Act (FISMA) defines an incident as “an occurrence that (1) actually or imminently jeopardizes, without lawful authority, the integrity, confidentiality, or availability of information or an information system; or (2) constitutes a violation or imminent threat of violation of law, security policies, security procedures, or acceptable use policies. The Contractor (and/or any subcontractor) shall comply with ACF’s Incident Response Policy dated July 10, 2018, including any subsequent updates. In the event of a suspected or confirmed incident or breach, the Contractor (and/or any subcontractor) shall:

Protect all sensitive information, including any PII created, stored, or transmitted in the performance of this purchase order to avoid a secondary sensitive information incident.

Notify affected individuals only as instructed by the CO or designated representative.

Report all suspected and confirmed information security and privacy incidents and breaches to the ACF Incident Response Team (IRT), COR, CO, ACF Standard Operating Procedure (SOP) (or his or her designee), and other stakeholders, including incidents involving PII, in any medium or form, including paper, oral, or electronic as defined in ACF’s Incident Response Policy.

Provide full access and cooperate on all activities as determined by the Government to ensure an effective incident response, including providing all requested images, log files, and event information to facilitate rapid resolution of sensitive information incidents. This may involve disconnecting the system processing, storing, or transmitting the sensitive information from the Internet or other networks or applying additional security controls. This may also involve physical access to contractor facilities during a breach/incident investigation.

Position Sensitivity Designations

All Contractor (and/or any subcontractor) employees shall obtain a background investigation commensurate with their position sensitivity designation that complies with Parts 1400 and 731 of Title 5, Code of Federal Regulations (CFR). The following position sensitivity designation levels apply to this solicitation/ purchase order: Tier: 2, Non- sensitive Public Trust (Moderate Risk).



Roster

The Contractor (and/or any subcontractor) shall submit a roster by name, position, e-mail address, phone number and responsibility, of all staff working under this acquisition where the Contractor shall develop, have ability to access, or host and/or maintain a government information system(s). The roster shall be submitted to the COR and/or CO within 3 calendar days of the effective date of this purchase order. Any revisions to the roster because of staffing changes shall be submitted within 24 hours of the change. The COR shall notify the Contractor of the appropriate level of investigation required for each staff member. If the employee is filling a new position, the Contractor shall provide a position description and the Government shall determine the appropriate suitability level.

Homeland Security Presidential Directive (HSPD)-12

The Contractor (and/or any subcontractor) and its employees shall comply with computing and security standards including:

- a. Federal Information Security Management Act (FISMA) 2002, otherwise known as the "E-government Act of 2002"
- b. Homeland Security Presidential Directive (HSPD) 12: Policy for a Common Identification Standard for Federal Employees and Contractors.
- c. Office of Management and Budget (OMB) Memorandum (M)05-24; and Federal Information Processing Standards Publication (FIPS PUB) Number 201, FAR Subpart 4.13 (https://acquisition.gov/sites/default/files/current/far/compiled_html/subpart_4.13.html), FAR Subsection 52.204-9 and HHS HSPD-12 policy

The Contractor shall refer to the HHS-OCIO Policy for Information Systems Security and Privacy, dated July 30, 2014, The Contractor shall become familiar with the HHS Departmental Information Security Policies, which may be found at <https://www.hhs.gov/about/agencies/asa/ocio/cybersecurity/index.html>.

The HHS Cybersecurity Program develops policies, procedures, and guidance to serve as a foundation for the HHS information security program. These documents implement relevant Federal laws, regulations, standards, and guidelines that provide a basis for the information security program at the Department. The Contractor shall become familiar with HHS Cybersecurity Program guidelines as presented at <https://www.hhs.gov/about/agencies/asa/ocio/cybersecurity/information-security-privacy-program/index.html>.



Security Requirements for Government Owned/Government Operated (GOCO) and Contractor Owned/Contractor Operated (COCO) Resource Federal Policies.

The Contractor (and/or any subcontractor) shall comply with all applicable federal laws such as: the HHS Information Security and Privacy Policy (IS2P); Federal Information Security Modernization Act (FISMA) of 2014, (44 U.S.C. 101); National Institute of Standards and Technology (NIST) Special Publication (SP) 800-53, Security and Privacy Controls for Federal Information Systems and Organizations; Managing Information as a Strategic Resource; and other applicable federal laws, regulations, NIST guidance, and Departmental policies.

Government Access for Security Assessment.

In addition to FAR 52.239-1 Privacy or Security Safeguards in the purchase order, the Contractor (and/or any subcontractor) shall afford the Government access to the Contractor's facilities, installations, operations, documentation, information systems, and personnel used in performance of this purchase order to the extent required to carry out a program of security assessment (to include vulnerability testing), investigation, and audit to safeguard against threats and hazards to the confidentiality, integrity, and availability of federal data or to the protection of information systems operated on behalf of HHS

a. At any tier handling or accessing information, consent to and allow the Government, or an independent third party working at the Government's direction, without notice at any time during a weekday during regular business hours contractor local time, to access contractor and subcontractor installations, facilities, infrastructure, data centers, equipment (including access to all servers, computing devices, and portable media), operations, documentation (whether in electronic, paper, or other forms), databases, and personnel which are used in performance of the purchase order. The Government includes the U.S. Department of Justice, U.S. Government Accountability Office, and the HHS Office of the Inspector General (OIG). The purpose of the access is to facilitate performance inspections and reviews, security, and compliance audits, and law enforcement investigations. For security audits, the audit may include such items as buffer overflows, open ports, unnecessary services, lack of user input filtering, cross site scripting vulnerabilities, Structured Query Language (SQL) injection vulnerabilities, and any other known vulnerabilities.

b. At any tier handling or accessing protected information, fully cooperate with all audits, inspections, investigations, forensic analysis, or other reviews or requirements needed to carry out requirements presented in applicable law or policy. Beyond providing access, full cooperation also includes disclosure to investigators of information sufficient to identify the nature and extent of any criminal or fraudulent activity and the individuals responsible for that activity. It includes timely and complete production of requested data, metadata, information,



and records relevant to any inspection, audit, investigation, or review, and making employees of the contractor available for interview by inspectors, auditors, and investigators upon request. Full cooperation also includes allowing the Government to make reproductions or copies of information and equipment, including, if necessary, collecting a machine or system image capture.

c. Segregate Government protected information and metadata on the handling of Government protected information from other information. Commingling of information is prohibited. Inspectors, auditors, and investigators shall not be precluded from having access to the sought information if sought information is commingled with other information.

d. Cooperate with inspections, audits, investigations, and reviews.

Servers, Desktops, Laptops, and Other Computing Devices Required for Use by the Contractor:

The Contractor (and/or any subcontractor) shall ensure that all IT equipment (e.g., laptops, desktops, servers, routers, mobile devices, peripheral devices, etc.) used to process information on behalf of ACF are deployed and operated IAW approved security configurations and meet the following minimum requirements:

a. Encrypt equipment and sensitive information stored and/or processed by such equipment IAW ACF encryption standards.

b. Ensure end user devices do not store or process data outside of an IT system.

c. Maintain the latest operating system patch release and anti-virus software definitions within 14 days for critical, 30 days for high, 60 days for medium, 90 days for low from the release date of patch.

d. Validate the configuration settings after hardware and software installation, operation, maintenance, update, and patching and ensure changes in hardware and software do not alter the approved configuration settings; and

e. Automate configuration settings and configuration management IAW HHS security policies

f. Configuring its systems to allow for periodic HHS vulnerability and security configuration assessment scanning; and

g. Using Security Content Automation Protocol (SCAP)-validated tools with USGCB Scanner capabilities to scan its systems at least monthly and report the results of these scans to the CO and/or COR, Project Officer, and any other applicable designated POC.

RECORDS MANAGEMENT OBLIGATIONS



Applicability:

All Contractors whose employees create, work with, or otherwise handle Federal records, regardless of the medium in which the record exists. Federal Records as defined in 44 U.S.C. § 3301, means all recorded information, regardless of form or characteristics, made or received by a Federal agency under Federal law or in connection with the transaction of public business and preserved or appropriate for preservation by that agency or its legitimate successor as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the United States Government or because of the informational value of data in them. Federal records include: ACF records, applies to records created, received, or maintained by Contractors pursuant to their awarded purchase order and may include documentation associated with deliverables. A federal record does not include personal materials.

Requirements:

Contractor shall comply with all applicable records management laws and regulations, as well as National Archives and Records Administration (NARA) records policies, including the Federal Records Act (44 U.S.C. 21, 29, 31, 33), NARA regulations at 36 CFR Chapter XII Subchapter B, and those policies associated with the safeguarding of records covered by the Privacy Act of 1974 (5 U.S.C. 552a). These policies include the preservation of all records, regardless of form or characteristics, mode of transmission, or state of completion. Electronic information system means an information system that contains and provides access to computerized Federal records and other information (36 CFR 1236.2). In case of conflicts, NARA records policies take precedent over ORR policies and guidance.

The following types of records management controls are needed to ensure that Federal records in electronic information systems can provide adequate and proper documentation of agency business for as long as the information is needed. Agencies shall incorporate controls into the electronic information system or integrate them into a recordkeeping system that is external to the information system itself. (36 CFR 1236.10)

- a. **Reliability:** Controls to ensure a full and accurate representation of the transactions, activities, or facts to which they attest and can be depended upon during subsequent transactions or activities.
- b. **Authenticity:** Controls to protect against unauthorized addition, deletion, alteration, use, and concealment.
- c. **Integrity:** Controls, such as audit trails, to ensure records are complete and unaltered.
- d. **Usability:** Mechanisms to ensure records can be located, retrieved, presented, and interpreted.



e. Content: Mechanisms to preserve the information contained within the record itself that was produced by the creator of the record.

f. Context: Mechanisms to implement cross-references to related records that show the organizational, functional, and operational circumstances about the record, which will vary depending upon the business, legal, and regulatory requirements of the business activity.

g. Structure: Controls to ensure the maintenance of the physical and logical format of the records and the relationships between the data elements.

Disposition:

IAW 36 CFR 1222.32, all data created for Government use and delivered to, or falling under the legal control of, the Government are Federal records subject to the provisions of 44 U.S.C. chapters 21, 29, 31, and 33, the Freedom of Information Act (FOIA) (5 U.S.C. 552), as amended, and the Privacy Act of 1974 (5 U.S.C. 552a), as amended and shall be managed and scheduled for disposition only as permitted by statute or regulation.

Maintenance of Records:

IAW 36 CFR 1222.32, Contractor shall maintain all records created for Government use or created while performing the CC MA- and/or delivered to, or under the legal control of the Government and shall be managed IAW Federal law. Electronic records and associated metadata shall be accompanied by sufficient technical documentation to permit understanding and use of the records and data.

The Contractor shall not create or maintain any records containing any non-public HHS or ACF information that are not specifically tied to or authorized by the purchase order.

The Contractor shall not retain, use, sell, or disseminate copies of any deliverable that contains information covered by the Privacy Act of 1974 or that which is generally protected from public disclosure by an exemption to the Freedom of Information Act.

Alienation or Unauthorized Destruction of Records:

ACF and its contractors are responsible for preventing the alienation or unauthorized destruction of records, including all forms of mutilation. Records may not be removed from the legal custody of ACF or destroyed except for IAW the provisions of the agency records schedules and with the written concurrence of the Head of the Contracting Activity. Willful and unlawful destruction, damage or alienation of Federal records is subject to the fines and penalties imposed by 18 U.S.C. 2701. In the event of any unlawful or accidental removal, defacing, alteration, or destruction of records, Contractor shall report it to ACF immediately. The agency shall report promptly to NARA IAW 36 CFR 1230.



Notification of Inadvertent or Unauthorized Disclosure of Information:

The Contractor shall immediately notify the appropriate Contracting Officer upon discovery of any inadvertent or unauthorized disclosures of information, data, documentary materials, records, or equipment. Disclosure of non-public information is limited to authorized personnel with a need-to-know as described in the purchase order. The Contractor shall ensure that the appropriate personnel, administrative, technical, and physical safeguards are established to ensure the security and confidentiality of this information, data, documentary material, records and/or equipment is properly protected. The Contractor shall not remove material from Government facilities or systems, or facilities or systems operated or maintained on the Government's behalf, without the express written permission of the Head of the Contracting Activity. When information, data, documentary material, records and/or equipment is no longer required, it shall be returned to ACF control, or the Contractor shall hold it until otherwise directed. Items returned to the Government shall be hand carried, mailed, emailed, or securely electronically transmitted to the Contracting Officer or address prescribed in the purchase order. Destruction of records is EXPRESSLY PROHIBITED.

Consent to Engage in Contractual Relationship with Disclosure of Information:

The Contractor shall obtain the Contracting Officer's approval prior to engaging in any contractual relationship (sub-contractor) in support of this purchase order requiring the disclosure of information, documentary material and/or records generated under, or relating to, this contract. The Contractor (and any sub-contractor) is required to abide by Government and HHS and ACF guidance for protecting sensitive, proprietary information, classified, and controlled unclassified information.

Use of Government IT Equipment:

The Contractor shall not be provided Government IT equipment only access to Government IT systems.

Section 508 of the Rehabilitation Act of 1973:

In 1998, Congress amended the Rehabilitation Act of 1973 to require Federal agencies to make their electronic and information technology (EIT) accessible to people with disabilities. The law (29 U.S.C § 794 (d)) applies to all Federal agencies when they develop, procure, maintain, or use electronic and information technology. Under Section 508, agencies shall give disabled employees and members of the public access to information comparable to the access available to others.

The U.S. Access Board is responsible for developing Information and Communication Technology (ICT) accessibility standards to incorporate into regulations that govern Federal



procurement practices. On January 18, 2017, the Access Board issued a final rule that updated accessibility requirements covered by Section 508, and refreshed guidelines for telecommunications equipment subject to Section 255 of the Communications Act. The final rule went into effect on January 18, 2018.

The rule updated and reorganized the Section 508 Standards and Section 255 Guidelines in response to market trends and innovations in technology. The refresh also harmonized these requirements with other guidelines and standards both in the

U.S. and abroad, including standards issued by the European Commission, and with the World Wide Web Consortium (W3C) Web Content Accessibility Guidelines (WCAG 2.0), a globally recognized voluntary consensus standard for web content and ICT.

<https://www.section508.gov/manage/laws-and-policies>

The Architectural and Transportation Barriers Compliance Board (Access Board) issued final guidelines for accessibility, usability, and compatibility of telecommunications equipment and customer premises equipment covered by section 255 of the Telecommunications Act of 1996. Section 255 of the Communications Act, as amended by the Telecommunications Act of 1996, requires telecommunications products and services to be accessible to people with disabilities. Manufacturers shall ensure that products are “designed, developed, and fabricated to be accessible to and usable by individuals with disabilities” when it is readily achievable to do so. Accessibility guidelines issued by the Board under Section 255 address the telecommunications products covered including:

- a. wired and wireless telecommunication devices, such as telephones (including pay phones and cellular phones), pagers, and fax machines.
- b. other products that have telecommunication service capability, such as computers with modems
- c. Equipment that carriers use to provide services, such as a phone company’s switching equipment.

4.0 GOVERNMENT FURNISHED PROPERTY/EQUIPMENT/INFORMATION

The Contractor shall be provided government issued laptops.

The Contractor shall be provided government materials and services:

Services: The Government shall provide Federal Acquisition Leads (FALs) to provide information and assistance to the Contractor on ORR policy, procedures, guidance, and



governing statutes, laws, regulations, settlement agreements and internal ORR policy governing data collection, use of data, and data infrastructures and use.

Materials: The Government shall provide existing Standard Operating Procedures and Policies, Federal Statutes, current settlement agreements, and ORR Field Guidance.

5.0 CONTRACTOR FURNISHED ITEMS AND RESPONSIBILITIES

The Contractor shall furnish all supplies and equipment, other than the Government issued laptops for the Program Manager, Performance Data Analytics Strategist, and Subject Matter Expert. The Contractor shall provide office space and equipment, and services required to perform work under this contract.

Materials: The Contractor shall provide and furnish all materials, supplies, and equipment, other than Government issued laptops necessary to meet the requirements under this PWS.

Equipment: The contractor shall furnish all equipment needed to meet the requirements under this PWS; other than government issued laptops and email addresses for contractors hired on this contract and conducting business and work under this contract.

6.0 PERFORMANCE EVALUATION

During the life of this contract, Contractor performance shall be evaluated on an interim and final basis pursuant to FAR Subpart 42.15. The Contractor Performance Assessment Reporting System (CPARS) shall be utilized for these reviews. Information on CPARS can be located at <http://www.cpars.gov>.

7.0 METHODS OF SURVEILLANCE

The Government may use a variety of surveillance methods to evaluate the Contractor's performance. Surveillance results shall be taken into consideration when leaving past performance information for work under this purchase order in the Contractor Performance Assessment Reporting System (CPARS).

PERFORMANCE REQUIREMENTS SUMMARY (PRS)

Performance standards define desired services. The Government performs surveillance to determine if the contractor exceeds, meets, or does not meet these standards. The PRS includes performance standards. The Government shall use these standards to determine contractor performance.



Required Services (Tasks)	Performance Standards	Acceptable Quality Levels	Methods of Surveillance	Positive and/or Negative Incentive
Quality Assurance Meetings	Regular schedule of communication regarding status of work; communications shall contribute to satisfactory delivery of requirements and mitigate challenges or concerns early as to avoid any negative impact on deliverables.	Clear, transparent written and oral communication updates weekly for UC Program Leadership and FAL; updates shall be noteworthy and informing so ORR senior leadership and FAL understand status of ongoing work and to avoid surprises or concealment of information or challenges; monthly with COR.	100% review of correspondence via email, Teams chat, phone calls, zoom or video conferencing regarding status of work; and regularly schedule of briefings on progress audit, advisement and assistance work at least weekly.	Positive or Negative Past Performance (CPARS) Evaluations
Submit Problem Notification Reports	Notify COR and the assigned FAL of any foreseen or actual challenges immediately with requirements or no later than one (1) calendar day of problem identification; including description of problem or pending problem, status of project work, and recommendation or plans for resolution.	Notification reports shall include clear descriptions and details of anticipated or identified issues with purchase order work; and be submitted within one (1) government business day of identification.	100% inspection by COR and FAL to review, approve any corrective actions or plans to adjudicate anticipated or realized problems or concerns.	Positive or Negative Past Performance (CPARS) Evaluations
Annual Reports	Provide Annual Report describing complete list of activities and assignments executed during period of performance; and submit within 60 days of end of period of performance.	Written clear and succinct details of all purchase order activities and performance for entire period of performance. May be submitted electronically and/or in bound hard copy.	100% inspection by ORR Senior Leadership; UC Program Leadership; COR and FAL's.	Positive or Negative Past Performance (CPARS) Evaluations



<p>Overall Contract Management; Organization and Timeliness of Work</p>	<p>Compliance with tasks in PWS and timely execution of contract activities and reports; specifically timely submission of monthly invoices reflecting accurate costs and deliverables; submission of any local travel for COR approval five business days prior to upcoming month and long-distance travel approved by COR prior to performance.</p>	<p>Work executed in organized, timely, and responsive manner without tardiness, excessive review and editing of reports, written communications required by FAL's or federal staff; monthly invoices submitted on time without need for requests or concerns re: accuracies.</p>	<p>100% inspection: COR to review monthly invoices and cost reports.</p>	<p>Positive or Negative Past Performance (CPARS) Evaluations</p>
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8.0 REPORTS/DELIVERABLES AND DELIVERABLE SCHEDULE

The Contractor shall submit all required report(s)/deliverables in accordance with the following schedule: All reports shall reference and cite the purchase order number. The following abbreviations are used in this deliverable schedule:

NLT: No Later Than

POA: Purchase Order Award

BD: Business Day

CD: Calendar Day

CO: Contract Officer

COR: Contract Officer Representative

FAL's: Federal Acquisition Leads

Table 1: List of Deliverables

PWS Task #	Deliverable Title	Frequency	Medium/Format
2.1	Contract Post-Award Orientation	NLT 5 BD after POA	Virtual Via Videoconference
2.1.1	Contract Post-Award Orientation Report	Draft Report NLT 3 BD from Orientation Meeting. Final report NLT 3 BD after receiving draft	Electronic PDF



		report with government comments from the CO and COR.	
2.2	Performance Measure and Data Analytics Evaluation Templates	NLT 10 BD from Contract Award to the CO, COR and FAL.	Electronic PDF
2.3	Data Analytics System Advise ment	On-Going	Virtual; oral; written; in-person when scheduled
2.5	Quality Assurance Meetings	Weekly w/FALs; Monthly w/COR	Virtual via video conferences and telephonic
2.6	Communication, Record Management and Retention Written Plan	NLT 10 BD from Contract Award to the COR and FAL; and within one day of making updates or changes	Electronic PDF
2.7	Problem Notification Reports	NLT 1 CD of Identification to the COR.	Electronic PDF
2.8	Advanced Travel Requests	NLT 5 BD in advance of travel to the COR	Electronic PDF
2.9	Annual Report	NLT 60 BD after end of Base POP; and any subsequent POPs to the CO and the COR.	Electronic PDF and hard copy bound
3.5	Non-Disclosure Agreement Copies	Prior to performing work under this Contract to the CO and the COR.	Electronic PDF
3.5	ACF/HHS Required Training Records and Rules of Behavior	Within 30 CD after purchase order award and annually thereafter or upon request to the CO and the COR.	Electronic PDF
3.5	Key Personnel and Staff Roster	Within 3 CD of the effective date of the contract. Any revisions to roster for staffing shall be submitted within 24 hours of change to the CO and the COR. Any changes in Key Personnel must be approved by COR and FAL.	Electronic PDF