



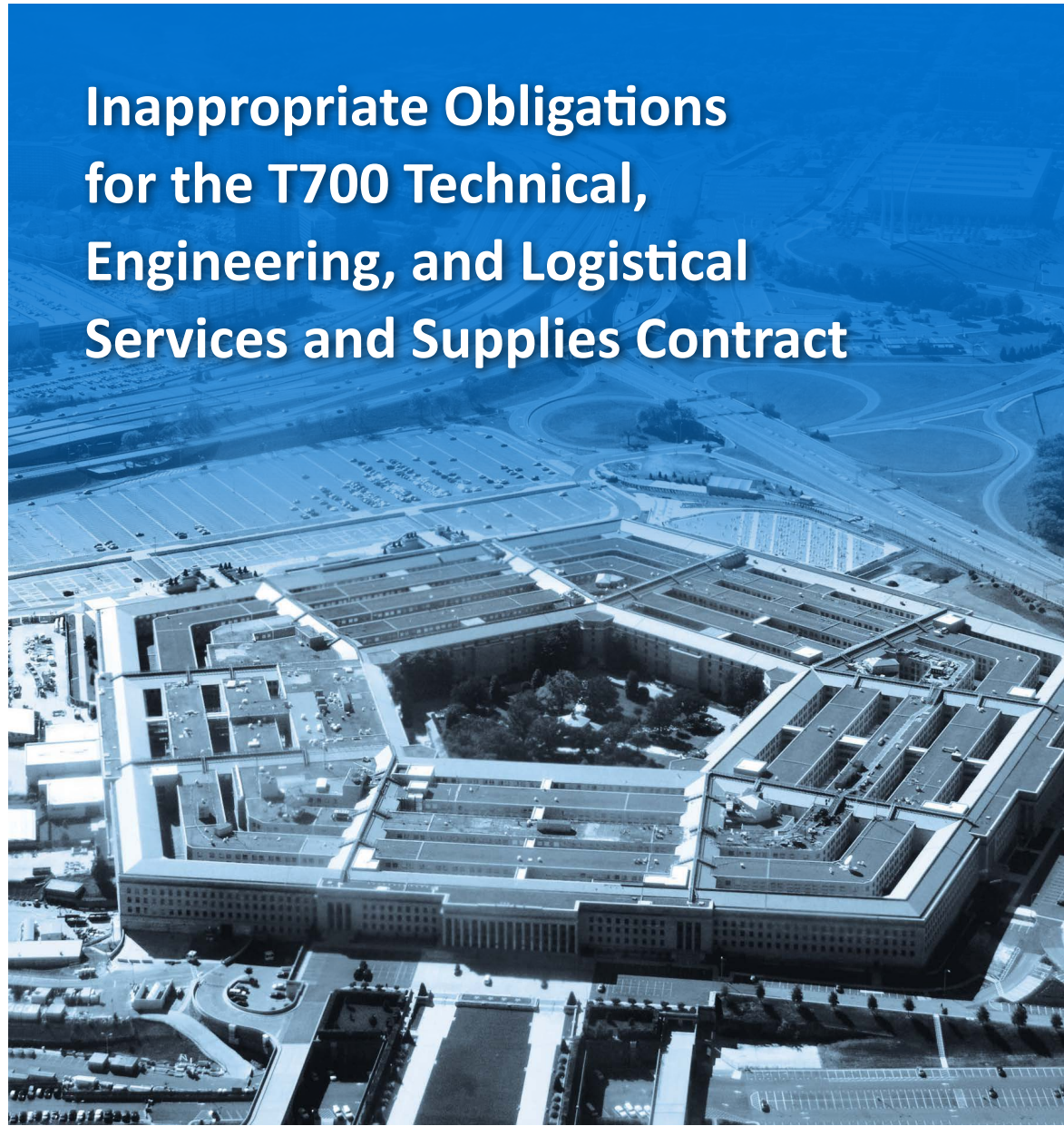
INSPECTOR GENERAL

U.S. Department of Defense

SEPTEMBER 17, 2014



Inappropriate Obligations for the T700 Technical, Engineering, and Logistical Services and Supplies Contract



INTEGRITY ★ EFFICIENCY ★ ACCOUNTABILITY ★ EXCELLENCE

INTEGRITY ★ EFFICIENCY ★ ACCOUNTABILITY ★ EXCELLENCE

Mission

Our mission is to provide independent, relevant, and timely oversight of the Department of Defense that supports the warfighter; promotes accountability, integrity, and efficiency; advises the Secretary of Defense and Congress; and informs the public.

Vision

Our vision is to be a model oversight organization in the Federal Government by leading change, speaking truth, and promoting excellence—a diverse organization, working together as one professional team, recognized as leaders in our field.



For more information about whistleblower protection, please see the inside back cover.



Results in Brief

Inappropriate Obligations for the T700 Technical, Engineering, and Logistical Services and Supplies Contract

September 17, 2014

Objective

We determined whether the Department of Defense effectively managed the T700 Technical, Engineering, and Logistical Services and Supplies contract. Specifically, we reviewed the obligation of funds for the T700 engine contract. This is the first report in a series of two reports on the T700 engine and addresses whether funds were obligated in accordance with United States Code and DoD regulations.

Finding

U.S. Army Aviation and Missile Life Cycle Management Command and U.S. Army Contracting Command officials inappropriately obligated funds for work that is added to the total value of the contract for anticipated future work.

This occurred because U.S. Army Aviation and Missile Life Cycle Management Command officials did not support their estimate with a historical analysis of actual costs for anticipated future work, as required by Federal and DoD procurement regulations, to determine whether an obligation should be recorded. As a result, U.S. Army Aviation and Missile Life Cycle Management Command and U.S. Army Contracting Command officials inappropriately obligated \$6 million, and those funds were not available for other higher priority Army maintenance and repair needs.

Recommendations

The Commanding General, U.S. Army Contracting Command should require contracting officials to deobligate funds that have been inappropriately obligated for anticipated future work on the T700 Technical, Engineering, and Logistical Services and Supplies contract.

The Commanding General, U.S. Army Aviation and Missile Life Cycle Management Command should record funds for anticipated future work in accordance with United States Code and DoD regulations. Either:

- U.S. Army Aviation and Missile Life Cycle Management Command officials should complete and document an estimate based on a historical analysis of actual costs expended for anticipated future work to support an obligation of funds, or
- In the absence of a best estimate based on a historical analysis, U.S. Army Aviation and Missile Life Cycle Management Command officials should only commit the funds.

Management Comments and Our Response

We received comments from the Army in response to a draft report. The U.S. Army Contracting Command will deobligate funds for anticipated future work and the U.S. Army Aviation and Missile Life Cycle Management Command performed a historical analysis of the anticipated future work costs. Comments addressed all specifics of the recommendations, and no further comments are required.

Recommendations Table

Management	Recommendations Requiring Comment	No Additional Comments Required
Commanding General, U.S. Army Contracting Command		1
Commanding General, U.S. Army Aviation and Missile Life Cycle Management Command		2



**INSPECTOR GENERAL
DEPARTMENT OF DEFENSE
4800 MARK CENTER DRIVE
ALEXANDRIA, VIRGINIA 22350-1500**

September 17, 2014


MEMORANDUM FOR UNDER SECRETARY OF DEFENSE FOR ACQUISITION,
TECHNOLOGY, AND LOGISTICS
DIRECTOR, DEFENSE LOGISTICS AGENCY
AUDITOR GENERAL, DEPARTMENT OF THE ARMY

SUBJECT: Inappropriate Obligations for the T700 Technical, Engineering, and Logistical
Services and Supplies Contract (Report No. DODIG-2014-113)

We are providing this report for review and use. U.S. Army Aviation and Missile Life Cycle Management Command and U.S. Army Contracting Command officials did not obligate \$6 million in accordance with Federal and DoD regulations for work that is added to the total value of the contract for anticipated future work on the T700 Technical, Engineering, and Logistical Services and Supplies contract. This is the first report in a series of two reports on the T700 engine.

We considered management comments on a draft of this report when preparing the final report. Comments from the Army addressed all specifics of the recommendations and conformed to the requirements of DoD Directive 7650.3; therefore, we do not require additional comments.

We appreciate the courtesies extended to the staff. Please direct questions to me at (703) 604-9077.


Jacqueline L. Wicecarver
Assistant Inspector General
Acquisition, Parts, and Inventory

Contents

Introduction

Objective	1
Background	1
Review of Internal Controls	2

Finding. Inappropriate Obligation of Funds on the T700 Engine Contract 3

Funds for Anticipated Future Work Were Obligated Without a Specific and Defined Need	3
Estimate Used Without the Required Historical Analysis	4
Conclusion	5
Recommendations, Management Comments, and Our Response	5

Appendix

Scope and Methodology	7
Use of Computer-Processed Data	8
Prior Coverage	8

Management Comments

Department of the Army	9
------------------------	---

Acronyms and Abbreviations 14

Introduction

Objective

Our audit objective was to determine whether DoD effectively managed the T700 Technical, Engineering, and Logistical Services and Supplies (TELSS) contract. See the Appendix for a discussion of the scope and methodology and prior audit coverage. This is the first report in a series of two reports on the T700 engine and addresses whether funds were obligated in accordance with U.S. Code and DoD regulations.

Background

General Electric (GE) designed, developed, and manufactured the T700 family of engines and has been providing the engine to the Army since 1976. The T700 engine is a military turboshaft engine that powers 21 types of rotary- and fixed-wing aircraft including the UH-60 *Blackhawk* and AH-64 *Apache* helicopters. According to GE Aviation, the T700 engine characteristics include reliability, safety, and the ability to operate under adverse environmental conditions while requiring minimal maintenance.

U.S. Army Contracting Command

The U.S. Army Contracting Command (ACC) is a major subordinate command to the U.S. Army Materiel Command. The U.S. Army Materiel Command's mission includes the development of weapon systems, maintenance and distribution of spare parts, and contracting services. ACC provides contract support for acquisition programs while ensuring responsible stewardship of taxpayers' funds. It awarded nearly 190,000 contracts in fiscal year 2013 valued at more than \$61 billion. ACC officials awarded the T700 TELSS engine contract, W58RGZ-12-D-0015, in 2012.

U.S. Army Aviation and Missile Life Cycle Management Command

The U.S. Army Aviation and Missile Life Cycle Management Command (AMCOM) is another subordinate command reporting to the U.S. Army Materiel Command. As a Life Cycle Management Command, AMCOM provides integrated engineering, logistics, and contracting to more than 90 major systems and manages two Army depots: Corpus Christi Army Depot (CCAD), Texas and Letterkenny Army Depot, Pennsylvania. AMCOM supports the development, acquisition, and fielding of aviation and missile systems, which includes the T700 family of engines. For the T700 engine, AMCOM develops workload forecasts for depot-level repairs and monitors engine performance.

Corpus Christi Army Depot

CCAD repairs and overhauls helicopters, engines, and components for Army Aviation. The T700 family of engines are repaired and overhauled at CCAD. In 2005, CCAD began working with GE under a partnership agreement to support the repair of T700 engines. A partnership agreement is a cooperative arrangement between an organic product-support provider (depot) and one or more private-sector entities (GE) to perform defense-related work using DoD facilities and equipment.

T700 Technical, Engineering, and Logistical Services and Supplies Contract

In January 2012, ACC officials at Redstone Arsenal, Alabama awarded the T700 TELSS contract W58RGZ-12-D-0015, a follow-on, 5-year requirements (base and four ordering periods) partnership contract, to GE to support CCAD's repair of Army and Navy T700 engines. The contract required GE to provide minimal technical and engineering support to CCAD and provide 100 percent of the parts used in the overhaul and repair of the T700 family of engines. The total maximum value of this 5-year contract is approximately \$937.9 million. There are three contract line item numbers (CLINs) used to procure parts: Department of the Army parts, Department of the Navy parts, and Over and Above¹ parts. As of July 2014, ACC has obligated approximately \$500.8 million on this contract.

Review of Internal Controls

DoD Instruction 5010.40, "Managers' Internal Control Program Procedures," May 30, 2013, requires DoD organizations to implement a comprehensive system of internal controls that provides reasonable assurance that programs are operating as intended and to evaluate the effectiveness of the controls. We identified an internal control weakness associated with AMCOM and ACC's obligation of funds on the T700 TELSS contract. Specifically, AMCOM officials did not support their estimate with a historical analysis of actual costs, as required by Federal and DoD procurement regulations, for anticipated future work to determine whether an obligation should be recorded. We will provide a copy of the final report to the senior official responsible for internal controls in the Department of the Army.

¹ Defense Federal Acquisition Regulation Supplement 252.217-7028, "Over and Above Work," December 2012 allows the use of an over and above work contract line item. Defense Federal Acquisition Regulation Supplement and Procedures, Guidance, and Information, 217.7701, "Over and Above Work," states that to the maximum extent practical, over and above work shall be negotiated prior to performance of the work. For the T700 TELSS contract, the over and above contract line item is used to acquire additional parts that are needed due to changes in the number of times the part needs to be replaced, parts becoming obsolete, or other unforeseen changes. It must be limited to urgent material needs that the contractor can support/deliver in time of need and prior to the contract period of performance expiration. Over and above work is referred throughout the report as anticipated future work.

Finding

Inappropriate Obligation of Funds on the T700 Engine Contract

AMCOM and ACC officials inappropriately obligated funds² for work that is added to the total value of the contract for anticipated future work on the T700 TELSS contract. This occurred because AMCOM officials did not support their estimate with a historical analysis of actual costs, as required by Federal and DoD procurement regulations, for anticipated future work to determine whether an obligation should be recorded. As a result, \$6 million was not available for other higher priority maintenance and repair needs.

² Inappropriate obligation of funds only applies to the anticipated future work as identified in Footnote 1 as over and above work.

Funds for Anticipated Future Work Were Obligated Without a Specific and Defined Need

AMCOM and ACC officials inappropriately obligated funds for anticipated future work on the T700 TELSS contract. ACC officials obligated funds before the existence of a specific, definite need and without the development of an estimate for anticipated future work. For example, ACC officials established a delivery order each year for anticipated future work and obligated \$2 million for material AMCOM anticipated it might purchase from the contractor during the contract year. ACC officials then issued a contract modification at a later date that would authorize the contractor to procure specified parts against the CLIN. From 2012 through 2014, ACC officials obligated a total of \$6 million on three anticipated future work delivery orders. ACC officials plan to obligate an additional \$4 million over the next 2 years until the contract expires. The table below identifies the delivery order and associated obligated and expended amounts for anticipated future work.

Table. Anticipated Future Work Delivery Orders

0003	\$2,000,000	\$524,380	\$1,475,620	\$0
0007	2,000,000	1,472,212	0	527,788 ³
0010	2,000,000	1,097,836	0	902,164
Total	\$6,000,000	\$3,094,428	\$1,475,620	\$1,429,952

Estimate Used Without the Required Historical Analysis

AMCOM officials did not support the annual \$2 million estimate for anticipated future work with a historical analysis of actual costs to determine whether an obligation should be recorded. The 31 United States Code, Section 1501 (a)(1), states that obligations should only be recorded when there is a legally binding agreement for the payment of specific goods and services which occurs when an agency places an order or signs a contract. Additionally, DoD Financial Management Regulation volume 3, chapter 8, states that obligations should not be recorded until there is documentary evidence to support the transaction. This evidence could include a best estimate; however, the estimate should be based on a thorough analysis of the transaction that occurred. Without a specific definite need, the DoD Financial Management Regulation requires the commitment of funds for an estimated amount of additional obligations that probably will materialize. AMCOM officials stated that the \$2 million for anticipated future work was based on a “best-guess” estimate used during the first T700 engine partnership agreement awarded in 2000. AMCOM officials did not update, document, or perform an analysis over the past 14 years since the original estimate was made to support the annual \$2 million obligation for anticipated future work.

The \$2 million for anticipated future work was based on a “best-guess” estimate.

ACC officials should deobligate funds that were inappropriately obligated for anticipated future work on the T700 TELSS contract, W58RGZ-12-D-0015. AMCOM officials should record funds for the anticipated future work in accordance with U.S. Code and DoD regulations. AMCOM officials should complete and document an estimate based on a historical analysis of actual costs expended for anticipated future work to support an obligation of funds. In the absence of a best estimate based on a historical analysis, AMCOM officials should only commit the funds.

³ On July 8, 2014, ACC officials stated that they had initiated the process to deobligate the \$527,788 identified on delivery order 0007.

Conclusion

ACC officials' inappropriate obligation of anticipated future funds, totaling \$6 million, prohibited the U.S. Army Materiel Command from identifying the available funds that could have been used for higher priority Army maintenance and repair needs. For example, ACC officials did not expend or deobligate approximately \$1.4 million of the \$6 million obligated for the anticipated future work. The \$1.4 million could become available for ongoing or projected Army repair needs if deobligated. A documented description of the products or services to be provided and a thorough analysis of the estimated costs should be completed prior to the obligation of funds for anticipated future work.

Recommendations, Management Comments, and Our Response

Recommendation 1

We recommend that the Commanding General, U.S. Army Contracting Command require contracting officials to deobligate funds that have been inappropriately obligated for anticipated future work on the current Technical, Engineering, and Logistical Services and Supplies contract.

Department of the Army Comments

The Executive Deputy to the Commanding General, U.S. Army Materiel Command, responding for the Commanding General, ACC, agreed, stating that the unexpended funds on two delivery orders, totaling \$1,307,842.15, will be deobligated by August 29, 2014.

Our Response

The response from the Executive Deputy addressed all specifics of the recommendation, and no further comments are required.

Recommendation 2

We recommend that the Commanding General, U.S. Army Aviation and Missile Life Cycle Management Command require officials to record funds for the anticipated future work in accordance with U.S. Code and DoD regulations. Either:

- U.S. Army Aviation and Missile Life Cycle Management Command officials should complete and document an estimate based on a historical analysis of actual costs expended for anticipated future work to support an obligation of funds, or**
- In the absence of a best estimate based on a historical analysis, U.S. Army Aviation and Missile Life Cycle Management Command officials should only commit the funds.**

Department of the Army Comments

The Executive Deputy to the Commanding General, U.S. Army Materiel Command, responding for the Commanding General, AMCOM, agreed, stating that the AMCOM Logistics Center and CCAD officials completed a historical analysis to support 2014 anticipated future requirements. AMCOM Logistics Center and CCAD officials will calculate and provide the anticipated future requirements to ACC each contract year beginning with the 2015 option year.

Our Response

The response from the Executive Deputy addressed all specifics of the recommendation, and no further comments are required.

Appendix

Scope and Methodology

We conducted this performance audit from February 2014 through July 2014 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objective. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objective.

This is the first report in a series of two reports on the T700 engine. The scope of this report focused on the obligation of funds for anticipated future work on the Department of Army's T700 TELSS contract. Contract W58RGZ-12-D-0015 was awarded on January 1, 2012, for an initial amount of approximately \$937.9 million.

To accomplish the audit objective, we:

- contacted officials from the following offices to understand their roles and responsibilities with the obligation of funds on the T700 TELSS contract:
 - Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics, Defense Procurement and Acquisition Policy
 - AMCOM
 - ACC
 - CCAD
 - Defense Contract Management Agency
 - Defense Logistics Agency
 - GE
- reviewed applicable regulations including 31 United States Code, Section 1501; the Defense Federal Acquisition Regulation Supplement 252.217-7028; and the DoD Financial Management Regulation, volume 3, chapter 8. These laws and regulations were reviewed to determine when obligations for anticipated future work should be recorded and for what amount.

- reviewed the T700 TELSS contract files and obtained data from the Logistics Modernization Program (LMP) to determine the amount and when funds were obligated and expended on the over and above CLIN. We also interviewed contracting and program officials to determine the obligation and deobligation processes for the T700 TELSS contract.

Use of Computer-Processed Data

We relied on computer-processed data from the Electronic Data Access (EDA) system and the Army LMP system. EDA stores contracts, contract delivery orders, and contract modifications. The Army uses LMP to integrate business processes including order entry, distribution, materiel management, inventory, and financial information management.

We obtained T700 TELSS contract, order, and modification documentation from EDA. We compared the contracts, orders, and modifications obtained from EDA to the contracts, orders, and modifications in the ACC contract files and verified that the documentation we obtained from EDA was accurate. In addition, we obtained T700 TELSS contract obligation and expenditure data from LMP. We compared the LMP obligation and expenditure data for anticipated future work to contract obligation and expenditure data from EDA. We used the obligation and expenditure data to determine the amount of funds that should be deobligated on the over and above CLIN. As a result of our analysis, we determined that the information from EDA and LMP was sufficiently reliable for the purposes of our audit.

Prior Coverage

During the last 5 years, the Department of Defense Inspector General (DoD IG) has issued one report related to the obligation of funds for anticipated future work. Unrestricted DoD IG reports can be accessed at <http://www.dodig.mil/pubs/index.cfm>.

DoD IG

Report No. D-2009-025, "Obligation of Funds for Ship Maintenance and Repair at the U.S. Pacific Fleet Maintenance Activities," November 26, 2008

Management Comments

Department of the Army



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
HEADQUARTERS, U.S. ARMY MATERIEL COMMAND
4400 MARTIN ROAD
REDSTONE ARSENAL, AL 35898-5000

AMCIR


AUG 29 2014

MEMORANDUM FOR Department of Defense Inspector General (DoDIG), ATTN:
[REDACTED] Program Director, Acquisition, Parts, and Inventory Audits,
4800 Mark Center Drive, Alexandria, VA 22350-1500

SUBJECT: Command Comments on DoDIG Draft Report; Inappropriate Obligations for
the T700 Technical, Engineering, and Logistical Services and Supplies Contract,
Project D2014AT-0120

1. The U.S. Army Materiel Command (AMC) has reviewed the subject report and the responses from the U.S. Army Contracting Command (ACC) and the U.S. Army Aviation and Missile Command (AMCOM). AMC endorses the enclosed ACC and AMCOM responses.
2. Please note that ACC is commanded by [REDACTED]. Therefore the appropriate way to address recommendation one would be: Commanding General, U.S. Army Contracting Command.
3. The AMC point of contact is [REDACTED] or email: [REDACTED]

Encl


JOHN B. NERGER
Executive Deputy to the
Commanding General

Department of the Army (cont'd)



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
U.S. ARMY CONTRACTING COMMAND
3334A WELLS ROAD
REDSTONE ARSENAL, AL 35898-5000

AUG 21 2014


AMSCC-IR

MEMORANDUM FOR [REDACTED] Director, Internal Review and Audit
Compliance Office, Headquarters, U.S. Army Materiel Command, 4400 Martin Road,
Redstone Arsenal, AL 35898

SUBJECT: DoDIG Draft Report, Inappropriate Obligations for the T700 Technical,
Engineering, and Logistical Services and Supplies Contract, July 29, 2014 (Project No.
D2014-D000AT-0120.000) (D1440) (1948)

1. Memorandum and Draft Report, DoD Inspector General, 29 July 2014, subject as above.
2. The Army Contracting Command (ACC) provides the enclosed comments in response to the referenced document.
3. The ACC POC is [REDACTED] or email:
[REDACTED]

Encl


MARTIN A. ZYGLIS
COL, FA
Chief of Staff

Department of the Army (cont'd)

ARMY CONTRACTING COMMAND COMMENTS

DoDIG Draft Report - Inappropriate Obligations for the T700 Technical, Engineering, and Logistical Services and Supplies Contract, July 29, 2014 (Project No. D2014-D000AT-0120.000)

Recommendation 1: The Director, U.S. Army Contracting Command should require contracting officials to deobligate funds that have been inappropriately obligated for anticipated future work on the T700 Technical, Engineering, and Logistical Services and Supply contract.

ACC concurs with Recommendation 1.

ACC will take the following actions to implement Recommendation 1:

- Unexpended funds will be deobligated from Delivery Order (DO) 0007 by 29 August 2014. Obligated in January 2013, DO 0007 has \$527,788 remaining in unexpended funds.
- Unexpended funds on DO 0010 will be deobligated upon receipt of the required historical analysis of actual costs from the AMCOM requiring element to support 2014 over-and-above requirements. Deobligation will be executed on DO 0010 by 29 August 2014. Obligated in January 2014, DO 0010 has expended \$1,219,945.85, as of 7 August 2014. DO 0010 has \$780,054.15 of unexpended funds for over-and-above available for deobligations, vice the \$2,523,858 amount in the draft report.

Enclosure

Department of the Army (cont'd)



DEPARTMENT OF THE ARMY
UNITED STATES ARMY AVIATION AND MISSILE COMMAND
5300 MARTIN ROAD
REDSTONE ARSENAL AL 35898-5000

AMSAM-IR

20 AUG 2014

MEMORANDUM FOR [REDACTED] Director, Internal Review and Audit
Compliance Office, Headquarters, US Army Materiel Command, 4400 Martin Road,
Redstone Arsenal, AL 35898

SUBJECT: DODIG Draft Report "Inappropriate Obligations for the T700 Technical,
Engineering and Logistical Services and Supplies Contract (Project No. D2014-
D000AT-0120.000) (AMC D1421) (AMCOM 2014D012)

1. Reference HQ, AMC Tasker No. A1-OC.7-4212-24621-D1440, 31 Jul 14, SAB.
2. Enclosed are comments from the US Army Aviation and Missile Life Cycle Command (AMCOM). The comments were provided by the AMCOM Logistic Center and reviewed by AMCOM Legal Office.
3. The point of contact is [REDACTED] e-mail:
[REDACTED]

Encl

MARY C. DICKENS
Deputy to the Commanding General

Department of the Army (cont'd)

AMSAM-M

20 AUG 2014

MEMORANDUM FOR (AMSAM-IR/ [REDACTED])

SUBJECT: DoDIG Draft Report "Inappropriate Obligations for the T700 Technical, Engineering and Logistical Services and Supplies Contract (Project No. D2014-D000AT-0120.000)

1. The U.S. Army Aviation and Missile Command (AMCOM) Logistics Center (ALC) has reviewed the subject report and concurs with Recommendation 2. As of 20 Aug 14, ALC/Corpus Christi Army Depot (CCAD) has completed the historical analysis to support 2014 over and above requirements. The Army Contracting Command-Redstone Arsenal (ACC-RSA) will take action to de-obligate the remaining balance of \$780,054.15 by 21 Aug 14. ALC/CCAD will calculate and provide to ACC-RSA projected over and above requirements for each contract year going forward beginning with the 2015 option year.
2. The point of contact is [REDACTED] Programs Branch, Personnel and Programs Division, Business Management Directorate, AMCOM Logistics Center (AMSAM-MBM-PP), e-mail [REDACTED]



B. KEITH ROBERSON
Executive Director
AMCOM Logistics Center

Acronyms and Abbreviations

ACC U.S. Army Contracting Command

AMCOM U.S. Army Aviation and Missile Life Cycle Management Command

CCAD Corpus Christi Army Depot

CLIN Contract Line Item Number

EDA Electronic Data Access

GE General Electric

LMP Logistics Modernization Program

TESS Technical, Engineering, and Logistical Services and Supplies

Whistleblower Protection

U.S. DEPARTMENT OF DEFENSE

The Whistleblower Protection Enhancement Act of 2012 requires the Inspector General to designate a Whistleblower Protection Ombudsman to educate agency employees about prohibitions on retaliation, and rights and remedies against retaliation for protected disclosures. The designated ombudsman is the DoD Hotline Director. For more information on your rights and remedies against retaliation, visit www.dodig.mil/programs/whistleblower.

For more information about DoD IG reports or activities, please contact us:

Congressional Liaison

congressional@dodig.mil; 703.604.8324

Media Contact

public.affairs@dodig.mil; 703.604.8324

Monthly Update

dodigconnect-request@listserve.com

Reports Mailing List

dodig_report@listserve.com

Twitter

twitter.com/DoD_IG

DoD Hotline

dodig.mil/hotline



DEPARTMENT OF DEFENSE | INSPECTOR GENERAL

4800 Mark Center Drive
Alexandria, VA 22350-1500
www.dodig.mil
Defense Hotline 1.800.424.9098

