

United States Government

Department of Energy

Albuquerque Operations Office

# memorandum

DATE: MAY 25 1999

REPLY TO: LPD:TPB:RED

SUBJECT: Work for Others (WFO) performed by DOE Facility Contractors for Entities under Contract to DOE

TO: Those on Attached List

The definition for WFO in DOE O 481.1, Work for Others (Non-Department of Energy Funded Work) is the performance of work for non-DOE entities that is not directly funded by DOE appropriations. Based on this definition the Albuquerque Operations Office (AL) has not permitted the execution of a Funds-In Agreement (FIA) when the entity desiring the services of a DOE Facility Contractor is under contract to DOE.

In such cases AL has suggested that the DOE office awarding the contract amend the contract to provide the DOE Facility Contractor's services as Government Furnished Services (GFS). The DOE office administering the contract would transfer funds to AL, and AL would place them in the Facility Contractor's financial plan to cover the cost of the subject work.

AL was recently contacted by a Chicago Operations Office (CH) WFO official who explained that CH expects to issue a contract in which the contractor desires the services of LANL. The CH technical personnel are not willing to provide LANL's services as GFS to their contractor because they want the contractor, not DOE, to be responsible for all technical aspects of the contract.

The Laboratory Programs Division subsequently contacted Scott Geary, MA-5/HQ to obtain HQ's guidance on this issue. Mr. Geary explained that funds used under a DOE contract may be considered indirect, as opposed to direct DOE funding and therefore may be used to acquire the services of a DOE Facility Contractor under a WFO FIA.

Please also be aware that a recipient of a DOE Financial Assistance Award (grant or cooperative agreement) may also obtain the services of a DOE Facility Contractor under a WFO FIA. However, a WFO FIA may not be used for one DOE Facility Contractor to obtain the services of another DOE Facility Contractor.

Addressees - Memorandum dated **MAY 25 1999**

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