# Performance Work Statement (PWS) HUD Housing Counselor Training and Certification

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Version 1.0

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### Performance Work Statement (PWS)

#### **HUD Housing Counselor Training and Certification**

#### Vision Statement

The Contractor awarded this Performance Work Statement shall provide HUD Housing Counselor Training Testing and Certification Testing to Housing Counseling professionals. These services will support HUD's mission of maintaining competency standards for housing counseling services provided under the HUD Housing Counseling Program.

#### 1 General Information

#### 1.1 Introduction

The U.S. Department of Housing and Urban Development (HUD), Office of Housing Counseling (OHC) is seeking contractor support to provide Housing Counselor Training, Testing and Certification services. Services shall include online training, downloadable study guide, practice and certification examinations.

#### 1.2 Background

The U.S. Department of Housing and Urban Development (HUD), Office of Housing Counseling (OHC) requires contractor support to provide Housing Counselor Training, Testing and Certification services. Services shall include online training, downloadable study guide, practice and certification examination

#### 1.3 Constraints

The services identified in this PWS will adhere to the rules, regulations, laws, standards, and conventions identified by HUD as well as within the Federal Government. Constraints include the following:

**HUD Housing Counseling Program Handbook 7610.1** 

24 CFR Part 214 Final Rule

Mortgagee letters

**OMB** regulations

The Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank) Subtitle D

FedRAMP <u>www.fedramp.gov</u>

#### 1.4 Description of Services

The Contractor shall provide HUD Housing Counselor training, testing and certification support services to measure and maintain Housing Counselor competencies. The support services shall include:

- o Website content updates
- o Update and develop examinations
- o Administer Examinations
- o Review Test Results
- o Maintain the website

The services include the provision of reports that analyze trends and provides metrics, and includes website usage, exam statistics, and exam fees. The contractor shall provide the following reports:

- Management Plan
- Quality Control Plan
- · Monthly Status Report
- · Monthly Website report including exam fee summary
- · Bi weekly meeting minutes
- Special Meetings

Detailed descriptions of specific tasks are provided in Section 5 Specific Tasks and Deliverables

#### 1.5 Non-Personal Services

The Government will neither supervise Contractor employees nor control the method by which the Contractor performs the required tasks. Under no circumstances shall the Government assign tasks to, or prepare work schedules for, individual Contractor employees. It shall be the responsibility of the Contractor to manage its employees and to guard against any actions that are of the nature of personal services, or give the perception of personal services. If the Contractor believes that any actions constitute, or are perceived to constitute personal services, it shall be the Contractor's responsibility to notify the Contracting Officer (CO) immediately. These services shall not be used to perform work of a policy, decision making, or management nature, i.e. inherently Government functions. All decisions relative to programs supported by the Contactor shall be the sole responsibility of the Government.

#### 1.6 Period of Performance

The Period of Performance shall be for one Base Year of 12 months and four 12-month Option Years.

#### 1.7 Place of Performance

The services to be performed under this contract shall be performed at the contractor's facility

#### 1.8 Hours of Operation

The Contractor is responsible for providing services between the hours of 7:00am and 8:00pm Monday thru Friday except for Federal holidays or when the Government facility is closed due to local or national emergencies, administrative closing, or similar Government directed facility closings. Weekly hours shall not exceed a forty (40) hour work week and a typical work day will be 8 hours each day Monday through Friday. The Government reserves the right to change hours of operation or restrict contractor access. Work outside of these daily hours is prohibited without Contracting Officer approval. Government agencies will not be available during scheduled holidays, inclement weather, weekends, and after duty hours. The Contractor shall at all times maintain an adequate workforce for the uninterrupted performance of all tasks defined within the contract when the Government facility is not closed

for the above reasons. When hiring personnel, the Contractor shall keep in mind that the stability and continuity of the workforce is essential.

#### 1.9 Special Qualifications

Contractor must employ one or more experts, by profession, with experience in the housing counseling industry. Contractor must employ one or more experts by profession, education, or experience in on-line testing and training development and administration. Contractor must employ one or more experts by education (bachelors degree or higher level in secondary or adult education) and experience in adult education curriculum development and instruction. Contractor must employ one or more psychometricians, by profession, education, and experience.

#### 1.10 Post Award/Kickoff Conference

The Contractor shall attend any post award conference convened by the contracting activity or contract administration office in accordance with FAR Subpart 42.5. The Government intends to convene a Post Award Conference with the Contractor within ten business days after contract award. The Contracting Officer will notify the Contractor of the specific date, location, and agenda within five business days after contract award.

#### 1.11 Status Meetings

The Contracting Officer, Contracting Officers Representative (COR) and other Government personnel, as appropriate may meet periodically with the Contractor to also review Contractor performance, requirement status, etc. At these meetings, the Contracting Officer will apprise the Contractor of how the Government views the Contractor's performance or progress of the requirement. The Contractor will apprise the Government of problems, if any, being experienced. Appropriate action shall be taken to resolve outstanding issues. These meetings shall be at no additional cost to the Government. Post Award Conference and subsequent meetings may be held via teleconference.

#### 1.12 Contractor Travel

No Contractor travel is anticipated during the performance period of this contract.

#### 1.13 Transition In

No transition shall be expected for the current HUD Housing Counselor Training, Testing website. The Contractor shall maintain operations at commencement of this contract. The Contractor shall have personnel on board and the existing website fully operational.

#### 1.14 Transition Out

To minimize any decrease in productivity and to prevent possible negative impacts on additional services, the Contractor shall have sufficient personnel on board during the 90-day Transition-Out period. The incumbent Contractor shall ensure a smooth transition with the successor Contractor during the Transition-Out period, prior to completion of contractual performance. The incumbent Contractor shall aid the successor in the development of plans, procedures, and methods for the assumption of all on going work. The Contractor shall provide an orderly transition of work acceptance and accomplishment, such that full control by the successor Contractor is achieved by the end of the new contract Transition-In period

#### 2 Definitions and Acronyms

#### 2.1 Definitions

Americans with Disabilities Act: The Americans with Disabilities Act of 1990 (ADA), which was amended in 2008 (ADAAA), prohibits discrimination based on disability.

Contractor - A supplier or vendor awarded a contract to provide specific supplies or service to the Government. The term used in this contract refers to the prime.

**Contracting Officer (CO)** - A person with authority to enter into, administer, and/or terminate contracts and make related determinations and findings on behalf of the Government. Note: the only individual who can legally bind the Government.

Contracting Officer Representative. (COR): An employee of the U.S. Government appointed by the Contracting Officer to perform contract administration activities in regard to technical issues. This individual has authority to provide technical direction to the Contractor if direction is within the scope of the contract, does not constitute a change and has no funding implications. This individual does NOT have authority to change the terms and conditions of the contract.

**Defective Service** - A service output that does not meet the standard of performance associated with the Performance Work Statement.

**Deliverable** Anything that can be physically delivered but may include non-manufactured things such as meeting minutes or reports.

**FedRAMP:** The Federal Risk and Authorization Management Program, or FedRAMP, is a government-wide program that provides a standardized approach to security assessment, authorization, and continuous monitoring for cloud products and services. See <a href="https://www.fedramp.gov">www.fedramp.gov</a> for more information.

Government Furnished Property (GFP) - Government-furnished property means property in the possession of, or directly acquired by, the Government and subsequently furnished to the Contractor for performance of a contract. Government-furnished property includes, but is not limited to, spares and property furnished for repair, maintenance, overhaul, or modification. Government-furnished property also includes contractor-acquired property if the contractor-acquired property is a deliverable under a cost contract when accepted by the Government for continued use under the contract.

**Housing Counselor:** A housing counselor is a professional who provides advice and guidance to individuals and households in order to assist them in improving their housing situation and meeting the responsibilities of tenancy and homeownership.

**HUD Certified Housing Counselor:** A housing counselor that has passed the *HUD Certified Housing Counselor Examination* and works for a HUD Housing Counseling Program participating agency.

Ineligible Participant: An agency, including any of the agency's directors, partners, officers, principals, or employees, must not be: (1) Suspended, debarred, or otherwise restricted under the Departments, or any other federal regulations; (2) Indicted for, or convicted of, a criminal offense that reflects upon the responsibility, integrity, or ability of the agency to participate in housing counseling activities. These offenses include criminal offenses that can be prosecuted at a local, state, or federal level; (3) Subject to unresolved findings as a result of HUD or other government audit or investigations.

**Intermediary:** An intermediary is a HUD approved organization that provides housing counseling series indirectly through its branches or affiliates, for whom it exercises control over the quality and type of housing counseling services rendered. The Housing Counseling Program recognizes two types of intermediaries, which include:

- National Intermediary. A national intermediary provides, in multiple regions of the United States

   (a) housing counseling services, through its branches or affiliates or both; and (b) administrative and supportive series to its network of affiliates or branches, including but not limited to oversight, pass-through funding, training and technical assistance.
- 2. Regional Intermediary. A regional intermediary provides, in a generally recognized
- region within the United States such as the Southwest, Mid-Atlanta, New England: (a) housing counseling services, through its branches or affiliates or both; and (b) administrative and supportive services to its network or affiliates or branches, including but not limited to oversight,

pass-through funding, training and technical assistance.

Key Personnel Housing: Housing Counseling Industry expert is defined as an expert by virtue of profession, or experience in the housing counseling industry. On-line Education and Testing expert is defined as an expert by virtue of profession, education, or experience in online testing and training development and administration. Adult Education expert is defined as an expert by virtue of education (bachelors degree or higher level in secondary or adult education) and experience in adult education (curriculum development and instruction). Key **Personnel Contractor**: Contractor personnel that are evaluated in a source selection process and that will be required to be used in the performance of the contract by the Key Personnel clause. When key personnel are used as an evaluation factor, offers can be rejected if they do not have firm commitments from the persons that are listed in the proposal. IT Database/Systems Integration Specialist is defined as an expert by virtue of profession, education, or experience in the installation, configuration, upgrade, administration, monitoring and maintenance of databases. Psychometrician develops assessments such as examinations for educational, employment or professional credentialing purposes. Multi-State Organization (MSO): A multi-state organization directly provides housing counseling services through a main office and branches in two or more states.

**Participating Agency**: Participating agencies are all housing counseling and intermediary organizations participating in HUDs Housing Counseling Program, including HUD-approved agencies; and affiliates and branches of HUD-approved intermediaries, HUD-approved MSOs, and State Housing Finance Agencies.

**Performance Requirements Summary (PRS)** - A listing of the performance requirements under the contract that are to be evaluated by the Government on a regular basis, performance indicators for these requirements, performance standards for these requirement and surveillance methods to be used to determine if performance standards are met.

**Performance Standard** - The Contractor's performance level required by the Government.

**Performance Work Statement (PWS)** - A statement of work for performance-based acquisitions that describe the required results in clear, specific and objective terms with measurable outcomes.

**Personally Identifiable Information (PII):** Personally Identifiable Information refers to information which can be used to distinguish or trace an individual's identity, such as their name, social security number, biometric records, etc. alone, or when combined with other personal or identifying information which is linked or linkable to a specific individual. (OMB 07-16)

**Physical Security -** Actions that prevent the loss or damage of Government property.

**Psychometrician:** A psychometrician develops assessments such as examinations for educational, employment or professional credentialing purposes.

**Quality Assurance (QA)** - Policies and procedures adopted by the Government to ensure that supplies and services acquired under Government contracts conform to the contracts quality requirements.

**Quality Assurance Surveillance Plan (QASP)** - A plan describing how the agency will survey, observe, test, sample, evaluate and document the Contractor's performance in meeting critical performance standards identified in the contract.

**Quality Control (QC)** - All necessary measures taken by the Contractor to assure that the quality of an end product of service shall meet contract requirements.

**Service Contract** - A contract that directly engages the time and effort of a Contractor whose primary purpose is to perform an identifiable task rather than to furnish an end item of supply.

**Subcontractor** - Any person, other than the prime Contractor, who offers to furnish or furnishes any supplies, material, equipment, or services of any kind under a prime contract or a subcontract entered into in connection with such prime contract, and any person who offers to furnish or furnishes general supplies to the prime contractor or a higher tier subcontractor. The Government does not have privity of contract with a subcontractor.

Work Week - Monday through Friday, unless specified otherwise.

#### 2.2 Acronyms

ADA Americans with Disabilities Act

**AQL -** Acceptable Quality Level

**CBT Computer Based Online Training** 

CFO or OCFO - Office of the Chief Financial Officer of HUD

**CFR** - Code of Federal Regulations

CIO or OCIO - Office of the Chief Information Officer of HUD

**CO -** Contracting Officer

**COR** - Contracting Officer Representative

**EST -** Eastern Standard Time (U.S.)

**HUD -** U.S. Department of Housing and Urban Development

**HUDAR - HUD Acquisition Regulation** 

**OCPO** - Office of the Chief Procurement Officer

**OHC** Office of Housing Counseling

PII Personally Identifiable Information

PM - Project Manager

POC - Point of Contact

QA - Quality Assurance

**QASP - Quality Assurance Surveillance Plan** 

QCP - Quality Control Plan

U.S.C - United States Code

#### 3 Government-Furnished Property and Services

The Contractor shall ensure accurate control and accountability of all Government-Furnished Property in accordance with the terms and conditions of this contract. The Government will furnish, at no cost to the Contractor, the GFP shown below.

#### 3.1 Government Services

The Government will provide: HUD Housing Counseling Content Standards

**HUD Housing Counseling Training Standards** 

HUD Standards for Housing Counselor Certification and Approval

Copies of required materials may be provided to the Contractor in hard copy or soft copy.

All materials will remain the property of the Government and will be returned to the COR upon request or at the end of t the contract period

#### 3.2 Facilities

N/A

#### 3.3 Equipment

N/A

#### 3.4 Materials

The Government will provide:

- HUD Housing Counseling Content Standards
- HUD Housing Counseling Training Standards for Housing Counselor Certification and Approval

Copies of required materials may be provided to the Contractor in hard copy or soft copy. All materials will remain the property of the Government and will be returned to the COR upon

request or at the end of the contract period.

Copies of required materials may be provided to the Contractor in hard copy or soft copy. All materials will remain the property of the Government and will be returned to the COR upon request or at the end of t the contract period

#### 3.5 Quality Assurance (QA)

The Government shall evaluate the Contractor's performance under this contract in accordance with the Quality Assurance Surveillance Plan. This plan is primarily focused on what the Government must do to ensure that the Contractor has performed in accordance with the performance standards. It defines how the performance standards will be applied, the frequency of surveillance, and the minimum acceptable quality level.

#### 4 Contractor-Furnished Items and Services

The Contractor shall furnish, all facilities, equipment, and supplies required to perform the work under this contract that are not listed under Government-Furnished Property and Services.

#### 4.1 Facilities

The contractor shall furnish a facility adequate to perform the required functions under this contract.

#### 4.2 Equipment

The contractor shall furnish equipment including software adequate to perform the required functions under this contract

#### 4.3 Material

The contractor shall furnish materials adequate to perform the required functions under this contract.

#### 4.4 Contractor Responsibilities

The Contractor shall only conduct business with designated Government personnel listed as points of contact (POCs). Names of authorized personnel shall be provided to the Contractor by the Government, in writing, and updated as necessary throughout the contract period. U.S. Government records, copies of original results and reports, verified original data, corrected data and corrected supporting final reports which are maintained by the Contractor remain the property of the U.S. Government. These files/results must be surrendered to the COR.

#### 4.5 Contractor Personnel

The Contractor shall provide a Contract/Project Manager who shall be responsible for the performance of work. An alternate shall also be designated to act in the absence of the Contract/Project Manager. These Contractor personnel (main point of contact and alternate point of contact) are considered Key Personnel by the Government and shall be listed as such

in accordance with HUDAR 2452.237-70, "Key Personnel. The Contract/Project Manager and alternate shall have full authority to act on all contact matters relating to daily operations of this contract. Accordingly, at a minimum, the points of contact shall have the technical knowledge of the requirement and be in the position to receive assignment, guidance, and direction from the COR and CO per HUDAR 2452.237-73, "Conduct of Work and Technical Guidance" and shall be allocated enough hours to the requirement to ensure successful performance. These points of points of contact shall each be an employee of the Contractor. An employee of a subcontractor is not acceptable for either of these positions. The Contract/Project Manager or alternate shall be available between the hours of 8:00am to 4:30pm Monday through Friday EST, except Federal Holidays or when the Government facility is closed for administrative reasons. The Contractor shall provide a Contract Manager/Project Manager who shall be responsible for the performance of work. An alternate shall also be designated to act in the absence of the Contract Manager. These Contractor personnel (main point of contact and alternate point of contact) are considered Key Personnel by the Government and shall be listed as such in accordance with HUDAR 2452.237-70, "Key Personnel. The Contract Manager/Project Manager or alternate shall have full authority to act on all contact matters relating to daily operations of this contract. Accordingly, at a minimum, the points of contact shall have the technical knowledge of the requirement and be in the position to actually receive assignment, guidance and direction from the COR and CO per HUDAR 2452.237-73, Conduct of Work and Technical Guidance and shall be allocated enough hours to the requirement to ensure successful performance. These points of contact shall each be an employee of the Contractor. An employee of a subcontractor is not acceptable for either of these positions. The Contractor shall provide a counseling Industry expert, on-line education and testing expert and an adult education expert as defined.

#### 4.6 Identification of Contractor Employees

All Contractor/subcontractor personnel shall wear company picture identification badges as to distinguish themselves from Government employees. When conversing with Government personnel during business meetings, over the telephone, or via electronic mail, Contractor/subcontractor personnel shall identify themselves as such to avoid situations arising where sensitive topics might be better discussed solely between Government employees. Contractors/subcontractors shall identify themselves on any attendance sheet or any coordination documents they may review. Electronic mail signature blocks shall identify their company affiliation. Where practicable, Contractor/subcontractors occupying collocated space with their Government program customer shall identify their work space area with their name and company affiliation, or at a minimum, "Contractor" after name.

#### 4.7 Quality Control

The Contractor shall establish and maintain a complete quality control program that shall ensure services are performed in accordance with this contract. The Contractor shall develop and implement procedures to identify, prevent, and ensure non reoccurrence of defective services. The Contractor's quality control program is the means by which he assures himself that his work complies with the requirements of the contract. The Contractor shall provide the associated Quality Control Plan to the Government as directed.

#### 4.7.1 Quality Control Plan

The Contractor shall develop, maintain, enforce, and document a Quality Control Plan (QCP). The QCP shall ensure the Government receives the level of quality that is consistent with the

requirements specified in this contract. The QCP shall be sufficiently detailed to provide the Contractor's methodology for identifying and recruiting qualified personnel. The QCP shall also provide the Contractor's methodology for resolving problems identified by the Government during reviews conducted in accordance with its Quality Assurance Surveillance Plan (QASP). The QCP shall also provide the Contractor's methodology for establishing an internal feedback system for support personnel, and for resolving problems identified by that feedback system. The QCP shall demonstrate and validate that the services or deliverables to be provided under the contract are completed with a level of quality that meets the minimum performance threshold established in the Government's QASP. The QCP shall address Quality Management Approach, Quality Assurance, Quality Control and Quality Standards.

#### 5 Specific Tasks

## 5.1 Create and provide a Project Workplan to provide HUD Housing Counselor Training Testing and Certification to Housing Counseling Professionals.

In accordance with the requirements defined in this Performance Work Statement, the Contractor shall develop an initial "Work Plan" for the base year and a subsequent Work Plan for each option year. Each work plan shall provide a timeline for the completion of the required tasks and descriptions of work to be performed. The contractor shall deliver an electronic copy of the draft Work Plan to the Contracting Officers Representative (COR) and Subject Matter Expert (SME) no later than ten (10) business days from the date of contract award. The contractor shall describe the procedures to address reasonable and appropriate testing accommodations for examination candidates who meet the requirements specified in the ADA requests of disabled students within the management plan.

The Contractor shall schedule biweekly status meetings with the COR and SME and other HUD staff. The agenda for meetings should include the progress of tasks, assumption, schedule updates and communications and identification of risk. Minutes for meeting will be submitted to the COR for feedback.

The Contractor shall meet with the Contracting Officer, COR, SME and HUD Project Manager or any other HUD representatives involved in the performance of this contract and for final review and approval of the Work Plan. This shall be required no later than ten (10) business days of COR/SME approval of the draft. The contractor shall conduct bi weekly status meeting with the Contractor and HUD staff to discuss the Project Work Plan.

#### Performance Standards

a) Standard: The Contractor shall develop an initial "Work Plan" That shall provide a timeline for the completion of the required tasks and descriptions of work to be performed. The contractor shall deliver an electronic copy of the draft Work Plan to the Contracting Officers

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