

Antiterrorism Awareness in Contracting Desk Reference



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Antiterrorism (AT) Contracting Considerations

- Terrorists can attack anywhere, anytime – the threat is real.
- Terrorist activity has the potential to impact all Army contracts (such as services, supplies, construction) at both CONUS and OCONUS locations.
- Contracting Organizations, Requiring Activities, and Contractors all play a vital role in our protection against terrorist acts.
- Antiterrorism considerations should be taken into account when conducting both pre-award and post-award tasks.
- By embedding antiterrorism awareness throughout the contracting process, the Army as a community is better protected from terrorists.
- Get to know your local Antiterrorism officer and work closely with him/her in implementing the appropriate level of AT measures in your contracts.
- Each contract has unique AT considerations. There is not one model that fits all contracts.
- AT risk assessments are key to determining the level of AT implementation associated with the respective contract.
- Procedures for vetting contractors are a vital step to increased security.
- Site-specific assessments/security measures ensure positive control of contractors and equipment.
- Contracts integrating AT Level I training ensure that contractor personnel meet AT standards, and extend the Army's overall protection.
- Implementing AT measures requires a moderate degree of coordination and effort, so allow sufficient time.

Integrating Antiterrorism (AT) Measures in the Contract Management Process

| Step | Major Task | OPR |
|---|---|--|
| Determine requirements | <ul style="list-style-type: none"> - Determine the contract support requirement. - Comply with applicable command requirements development guidance. - Develop an "acquisition ready" requirements package. - Obtain funding and approval of requirements package. | Requiring activity and contracting officers |
| Perform AT risk analysis | <ul style="list-style-type: none"> - Conduct AT risk analysis. - Leverage local risk analysis information. - Determine risks associated with the contract. - Determine whether current protection and base access procedures are sufficient to mitigate the risk of this particular contract. - Develop logistics alternatives balanced with mission accomplishment. | Requiring activity support staff and AT officer |
| Adjust AT security measures and/or develop contract specific AT security measures in the requirements package | <ul style="list-style-type: none"> - Develop specific AT security measures. - Leverage and/or modify security measures. - Develop a range of security measures, normal to advanced readiness postures. - Include AT security requirements in the performance work statement/statement of work and DD Form 254. - Consider linkage with the local FPCON system. - Balance security with the cost and benefits. - Ensure that the supporting contracting office(s) have current FPCON, security, base access information applicable to contractors providing a service on base or in the vicinity of Army forces. | Requiring activity, CDR, AT officer |
| Build and award contract | <ul style="list-style-type: none"> - Ensure that the AT risk assessment form is part of the requirement package (when required by local command policy). - Incorporate contract requirement(s) and security measures into the written contract via a standard clause and reference to appropriate contractor employee security and base access procedures. - Ensure that contract companies are vetted in accordance with local command policies prior to contract award. - Award contract. | Supporting contracting officer |
| Perform contract oversight | <ul style="list-style-type: none"> - Incorporate contract security requirements into the unit AT plan. (AT officer) - Notify the AT officer that the contract is activated. (contracting officer representative [COR]) - Ensure that all AT security measures are in place before execution. (AT officer and COR) - Ensure contractor compliance with AT measures in the contract. (COR and contracting officer) - Periodically inspect AT security measures. (COR and AT officer) - Review AT security measures should the local threat change. (AT officer) - Annual, formal review upon contract renewal. (all) | Supporting contracting officer/unit COR and AT officer |

Antiterrorism (AT) Measures for Service Contracts

| AT Security Area | AT Security Measure |
|---------------------------|--|
| Contractor screening | <ul style="list-style-type: none"> • Preapproved, reputable companies vetted through the contracting office, Chief of Mission, DOD. • Limit announcements for contractors to trusted sources based on the sensitivity of the mission. • Background check (law enforcement, HN). • Screen company and prospective workers. • Defined process for replacement of workers. • Establish a central contractor database that is accessible only to U.S. and non-HN security forces and contains contractor ID with picture. • Limit work area; clearly identify restricted or exclusion areas where contractor personnel are not authorized without specific permission or an escort. |
| Access control | <ul style="list-style-type: none"> • Access control roster (personnel and vehicles); names and vehicles verified by the company and received background screening and/or HN certification; substitutes receive the same vetting process prior to work. • Badge systems and exchange badge system. • Personal identification systems (for example, work uniform and vehicle marking). • Biometrics systems such as fingerprint, retinal, and facial feature reading devices. • Have large vehicles arrive empty before entering location (for example, trash trucks). • Arranging vehicle loads to facilitate searching. • Verify contents of large vehicles at distribution points and/or using an electronic vehicle-screening device. • Consider an alternative access control point for screening and searching contractor personnel and vehicles, especially oversize vehicles. • Consider an unloading zone away from protected assets. • Ensure HN language translation support. • Coordinate HN security requirements. |
| Circulation control | <ul style="list-style-type: none"> • Designate authorized work areas and travel routes. • Provide easily identifiable coding for badges and vehicles. • Assign a unit escort (armed as required) to the contractor. • Deny access during increased readiness conditions. |
| Special security concerns | <ul style="list-style-type: none"> • Include contract services as part of the local risk analysis and management process. • Ensure that AT security measures already in place are leveraged and complemented. • Consider all possible alternatives to fulfilling the required service; is the service really required to accomplish the mission? • Consider time and space factors to allow determination of hostile intent into AT security measures. • Consider incorporating contractor security measures into the local FPCON system. • Monitor contractor(s) at the worksite as required by the security environment. • Review contracts annually or when the local threat changes. • Establish food and/or water testing protocols. • Identify and monitor food, water, and petroleum distribution points (on and off location). • Ensure that delivery schedules are random and unpredictable. • Consider periodic interviews of contractors by security force personnel. • Provide contractor training and procedures for reporting suspicious activity and/or stolen equipment. • Determine what risks still remain after all AT security measures are applied—acceptance of risk. • Conduct frequent, random patrols, inspections, and spot checks. • Establish a security response force. • Ensure that HN agreements allow for adequate AT security considerations during the logistics contracting process. |

Unit Leaders AT and Contracting Integration Smartcard

Sample AT Contract Requirements Review Risk Analysis

Brief Description of Contract/PWS: Discuss what goods/services the contract will provide, where the goods/services will be provided, when the goods/services will be provided (period of performance, working hours)

Threat. Review the terrorist threat assessment to the unit/installation. The supporting threat assessment should specifically consider the likelihood of the potential insider threat risk associated with granting contractor personnel access to the unit area, personnel, and equipment. Also, the (TA) must consider the likelihood of terrorist threats directed against contractor personnel providing goods and services.

- What is the terrorist threat level where the contract will be performed?
- What is the criminal threat level where contract will be performed?
- How reliable are the contractor personnel? Are contractor personnel cleared/vetted/US persons/host nation/TCNs?
- Has the contractor been non-compliant with security directives on previous contracts?
- Is the contractor supportive of US interests? Will contractors use US money against US interests?

Threat probability level (circle one): **Frequent** **Likely** **Occasional** **Seldom** **Unlikely**

Criticality. A detailed review of the potential consequences that would result if contractor related vulnerabilities are exploited.

- Will contract be performed at or near mission critical facility/capability locations?
- Can contractor gain unauthorized access to critical areas/locations?
- What unit/installation areas have/require controlled access?
- Is the contracted service critical to the US mission? Would delay/loss of contracted service have a critical effect on the mission?
- Is the contractor working with personnel/systems/material that are of critical importance? Consider IT systems/networks, weapons systems, etc.
- What essential information can contractor personnel gain knowledge of in performance of their duties? Does the RFP/PWS contain sensitive information?

Potential severity (circle one): **Negligible** **Marginal** **Critical** **Catastrophic**

Vulnerability. A detailed review of the potential vulnerabilities associated with the contractor's performance of the specific task described in the PWS. Vulnerabilities are directly affected by the effectiveness of any existing security procedures or AT countermeasures that are in place.

- What materials/equipment does the contractor require in order to meet contract requirements?
- Does the contractor require supporting equipment/vehicles, or just personally carried items?
- Does the contractor require access to sensitive areas to perform duties?
- Will contractor personnel have access to hazardous materials (fuel, ammunition, medical waste, etc.)?
- Are existing unit/installation access control procedures sufficient to ensure contractor personnel are properly identified/authorized/limited?

Risk.

- What is the unmitigated or baseline risk to the unit/mission based on consideration of the threat, criticality, and vulnerability variables? **E – Extremely High** **H – High** **M – Moderate** **L – Low**
- What is the residual risk to the unit/mission if contract is implemented with additional AT security measures? **E – Extremely High** **H – High** **M – Moderate** **L – Low**

Performance Work Statement (PWS) Antiterrorism/OPSEC Review Cover Sheet

This cover sheet should accompany the PWS prior to contract agency acceptance.

Contracting for a service presents antiterrorism challenges which if not addressed could create vulnerabilities in overall security posture. The application of contracting considerations alone will not prevent injury or loss of life from a determined terrorist group or other type of threat, but will considerably reduce risk. In order to address this challenge, procedures are outlined in Army Regulation 525-13 (Antiterrorism) and AR 530-1 (Operations Security).

The organizational Antiterrorism Officer (ATO) and Operations Security Officer (OPSEC) should review each Performance Work Statement prior to submission to the contracting agency. Performance Work Statements should not be accepted unless they are accompanied by the PWS cover sheet.

Brief Description of PWS

Contracting Officer Representative (COR): I acknowledge that this PWS has been reviewed by my organization's ATO and OPSEC Officer and is in compliance with the identified regulations.

Reviewer

Date

Digital Signature

Phone Number

Antiterrorism Officer (ATO): I am ATO level II certified and have reviewed the Performance Work Statement to ensure antiterrorism security measures are considered and integrated to mitigate risks.

Reviewer

Date

Operations Security (OPSEC) Officer: I am OPSEC level II trained and have reviewed the PWS and it is in compliance with Army Regulation 530-1 (Operations Security).

Reviewer

Date

References

- Federal Acquisition Regulation (FAR)
- Defense Federal Acquisition Regulation Supplement (DFARS)
- Army Federal Acquisition Regulation Supplement (AFARS)
- DOD 3020.41, Contractor Personnel Authorized to Accompany US Armed Forces, Oct 2005
- DOD 3020.50, Private Security Contractors Operating in Contingency Operations, Jul 2009
- DOD 2000.16, DOD Antiterrorism Standards
- DOD O-2000.12-H, DOD Antiterrorism Handbook, 9 Feb 2004
- JP 4-10, Operational Contract Support, 17 Oct 2008
- JP 3-07.2, Joint Tactics, Techniques, and Procedures for Antiterrorism, 14 Apr 2006
- Joint Contingency Contracting Handbook, Dec 2007
- Handbook for Armed Private Security Contractors in Contingency Operations, Feb 2010
- AR 525-13, Antiterrorism, 11 Sep 2008
- AR 715-9, Contractors Accompanying the Force, Oct 1999
- ATTP 4-10, Operational Contract Support Tactics Techniques and Procedures APPROVAL DRAFT, Mar 2010
- FM 4-92, Contracting Support Brigade, Feb 2010
- FM 3-100.21, Contractors On The Battlefield, Jan 2003





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