

PART 2 STATEMENT OF WORK

1. BACKGROUND

- (a) The United States Marshals Service (USMS) assumes custody of individuals arrested by federal agencies and is responsible for housing, transporting prisoners from the time they are brought into federal custody until they are either acquitted or sentenced. On any given day, the USMS has in its custody roughly 47,000 detainees housed in federal, state, local, and private jails throughout the nation.
- (b) The USMS has the authority to employ the use of contracts for detention officers to assist USMS deputy marshals in day-to-day operations throughout its 94 districts. According to USMS policy, detention officers may be used to: 1) guard and process federal prisoners in the cellblock, courtroom, and during transport; 2) guard and transport federal prisoners to and from medical appointments; and 3) guard federal, seized, or forfeited property (including entry control, roving patrol, fixed posts, and emergency response).

2. SCOPE OF WORK

- (a) The Contractor shall provide qualified armed and unarmed Detention Guards as required by the United States Marshals Service (USMS), for the Southern District of Florida. The USMS will provide the Contractor with vehicles and restraining devices for the transport/escort Federal prisoners. The guards will work as
- (b) The Contractor shall furnish the necessary security personnel to provide for the protection and safekeeping of persons held under the authority of the United States including the detention of persons who are non-resident or non-citizens of the United States. The Tasks to be performed shall include but not limited to Prisoner and USMS Detention Officers details:
 - (1) **Prisoner Detention Officer Service:** Are detention officers that support, transport, and safe keep the USMS prisoners in state, local, and private jail facilities. The prisoner duties are as follows:
 - (i) Guarding Federal prisoners confined to medical facility for treatment.
 - (ii) Transporting/escorting Federal prisoners to and from:
 - a. local medical facilities for evaluation and treatment by physicians,

- b. physicians' offices or for treatment in the hospital, other areas of the medical facility or hospital for treatment, tests, etc.

(2) **USMS Detention Officers Service:**

- a. Transporting Federal Prisoners between detention facilities and Federal Courthouses, Federal Buildings, USMS cellblocks, or any other USMS facility.
- b. Transporting Federal prisoners between detention facilities and the Justice Prisoner and Alien Transportation System (JPATS) airlift.
- (iii) Provide security for USMS seized property as directed.

3. **GENERAL REQUIREMENTS**

- (a) The Contractor shall be responsible for the secure custody of all Federal prisoners from the time the prisoners are accepted for custody by the Contractor until they are properly removed from custody by an authorized Federal official. Adequate secure custody of prisoners requires physical control of the prisoner at all times. The physical control of the prisoners shall be sufficient to prevent escape, especially when the prisoners are not contained within the confines of a holding facility (cell) and/or restrained through the use of restraining devices. The Contractor is responsible for maintaining constant guard, physical control and observation of the prisoner(s) at all times.
- (b) Contractor shall accept all Federal prisoners offered for custody, confinement, transport, escort, or protection, at any time, day or night, and any day of the week as directed by the COTR or designee.
- (c) Contractor personnel shall be armed unless otherwise directed by the United States Marshal or his designee. A minimum of two detention officers will be required when transporting a prisoner unless otherwise authorized by the COTR.
- (d) In the event of an escape or attempted escape, the United States Marshal, Duty Supervisor, or COTR must be notified IMMEDIATELY.
- (e) Security personnel are not employees of the United States Government and shall not represent themselves to be employees of the Federal Government. Detention Officers services performed pursuant to this

contract do not entitle the Contractor to pension, health benefits, injury compensation, and other related Federal employee benefits and services.

- (f) The authority to perform services while armed, carry a concealed firearm, cross jurisdictional boundaries, and enforce Federal laws are extended to contract Detention Officers in their Federal function established by the Statement of Work or contract entered into with the USMS.
- (g) The Contractor personnel are not authorized to use Government facilities, i.e., fitness center, parking facilities, etc.
- (h) The Contractor shall provide conspicuous identification and identical looking guard uniforms for all personnel utilized in the guarding, transporting, or escorting of Federal prisoners. Uniforms will not contain any markings which depict the badge or any wording associated with the USMS.
- (i) The Contractor shall be responsible for the training and orientation of detention officers. The orientation must be sufficient to insure all employees understand and are capable of performing their duties in accordance with USMS Policies regarding safe keeping and transportation of prisoners as outlined in the USMS Restraining Devices Directive.
- (j) Any information provided to the Contractor regarding prisoners being guarded, transported, or escorted shall be treated as confidential and shall not be divulged to anyone except the COTR and/or his designee, except as otherwise provided for by state or Federal law.
- (k) The Contractor shall deploy guards as directed by the COTR twenty-four hours a day, seven days a week. As such, the Contractor shall provide the COTR the telephone and/or pager number of the Contractor's operational point of contact for use at any time of the day or night when deployment becomes necessary.
- (l) The Contractor shall provide a duty roster for all employees assigned to a specific detail. This roster shall be used for reporting the signature for each employee reporting for duty. Duty rosters shall be provided to the COTR by the Contractor upon request and must be maintained for a minimum period of one year. Additionally, for hospital guard details any and all activities that occur during that employee's shift relative to a specific prisoner are to be recorded in the Hospital Guard Activity Log. A copy of the Hospital Guard Activity Log will be provided by the COTR once the contract is awarded. The Contractor shall submit the Hospital Guard Activity Log to the COTR upon completion of each hospital guard detail.

4. **SPECIFIC REQUIREMENTS**

- (a) The Contractor, upon verbal request from the COTR, shall assign guards to receive Federal prisoners as specified within a maximum of two (2) hours. As much advance notice as possible shall be given. The duration of each assignment will be determined by the COTR. Whenever the COTR requests guard services, it will be for a minimum of four (4) hours. Pay will be rounded up to the nearest hour after half past the hour. Guard services for less than thirty (30) minutes past the hour will be paid at no additional cost. Overtime in excess of over forty (40) hours per week per person must be pre-approved by the COTR, and it will be paid in accordance with the Fair Labor Standards Act.
- (b) The Contractor shall complete all preparations required to start work and report to the site immediately upon notification by the COTR. Contractor must be ready to assume physical responsibility of the prisoner(s) within two (2) hours of notification by the COTR. If a detention officer is not available either immediately or within two (2) hours, the Contractor shall assign a detention officer supervisor until such time that he/she may be relieved by the detention officer.
- (c) Detention officers shall refrain from the intake of alcoholic beverages a minimum of eight (8) hours prior to reporting for duty. No alcoholic beverages or other intoxicants will be consumed while on duty.
- (d) The Contractor may assume under normal circumstances that two (2) detention officers per prisoner detail shall be sufficient for purposes of maintaining security. However, the COTR shall have the authority to determine when and if more or less than two (2) guards are necessary, and the Contractor shall comply with this determination. For hospital guard details, at least one guard will be of the same gender as the prisoner in custody. Additionally, the Contractor shall provide at least one (1) detention officers who speaks the language of any non-English speaking prisoner (if reasonably available).
- (e) The Contractor shall be notified by the COTR or his designee of any special instructions concerning the handling or transport of prisoners. Under no circumstances shall any prisoner, including patient prisoners, be allowed to have visitors or outside contacts, make/receive telephone calls, or use any other electronic means of communication not approved by the United States Marshal or COTR and/or his designee. Patient prisoners are not allowed to receive money and/or commodities, parcels, packages, mail and/or correspondence. Any such items received at the hospital will be delivered to the USMS for inspection and clearance. Hospital visitation by family and friends of patient prisoners is strictly

prohibited. The United States Marshal may authorize visits by family members under certain exigent circumstances such as terminal or major illness. If the Contractor is notified by the United States Marshal that such a visit has been approved, all security procedures will still apply.

- (f) Contractor shall provide other detention officer services as may be necessitated by operational circumstances or as directed by the United States Marshal or COTR. Such services may include assisting Deputy U.S. Marshals in transporting/escorting Federal prisoners between detention facilities and the Federal courthouse – USMS cellblock, transporting/escorting prisoners between detention facilities, transporting/escorting prisoners between detention facilities and the JPATS airlift site, transporting/escorting prisoners between detention facilities and medical appointments, or transporting/escorting prisoners to medical facilities or hospitals.

- (g) Contractor shall be responsible for the purchase of detention officer handguns and related equipment at no cost to the Federal Government. Use and approval of type of handguns will only be required as may be directed by the COTR or his designee. However, all guard handguns and holsters will meet the following minimum criteria:
 - (1) Revolvers:
 - (i) Double-action, containing an internal hammer drop safety feature that is overcome only when the trigger is pulled in such a manner as to fire the firearm.
 - (ii) Six shot minimum capacity.
 - (iii) .38 caliber or larger (.357 is only magnum authorized).

 - (2) Semi-automatic Pistols:
 - (i) An internal or external mechanism, other than the trigger, that allows the allows the weapon to return to the double-action mode or manufacturer's intended carry mode without allowing contact of the firing pin with the cartridge primer. The method of keeping the firing pin from striking the cartridge primer will be at least a fixed firing pin block/safety that blocks the firing pin and remains in the forward path of the firing pin until the trigger is pulled in such a manner as to fire the weapon.
 - (ii) Cartridge capacity of at least six rounds.
 - (iii) 9mm x 19mm or larger (not .380 ACP).

 - (3) Holsters:
 - (i) Designed to be worn on the strong-side hip.

- (ii) Cover the trigger guard.
 - (iii) Be weapon specific (i.e., be designed specifically for the weapon or family of weapons, so as to insure a proper fit).
 - (iv) Allow one-handed drawing and re-holstering of the weapon by the user.
 - (v) The holster must not allow upward pressure on any exposed portion of the muzzle to result in ejection of the weapon (i.e., belt slide, yaqui slide, or skeletonized holsters must have a thumb-break or strap).
 - (vi) Secure the handgun with a minimum of one retention device in the form of a strap, thumb-break, finger-break, tension screw, or other method that retains the weapon via either a physical block or through pressure on the weapon. The retention device cannot require that the user insert his or her finger into the trigger guard to release the weapon.
- (h) Contractor shall test each detention annually to determine his/her weapons handling proficiency. The course of fire is 210 out of a possible 300 (70%) points for primary duty handguns as per **USMS Directive 2.52: Handgun Qualifications (copy of which may be provided by COTR or designee upon request)**. Retesting should occur annually within sixty (60) days prior to the anniversary of the original test date. An individual shall be deemed ineligible to serve as a detention officer unless he/she successfully passes the weapons proficiency certifications to the COTR. The USMS shall not reimburse nor shall the Contractor bill for any hours or related costs associated with the weapons proficiency testing.
- (i) The USMS shall be responsible for providing restraining devices to be placed on all Federal prisoners while in the Contractor's custody. If it becomes necessary for the Contractor to use restraints other than those provided by the USMS, they shall be of Hiatt, Smith & Wesson, Peerless, or American brand. Prisoners being transported and/or escorted shall be restrained using waist chain, handcuffs, and leg irons. For security purposes, a black box or blue box is used in conjunction with the waist chain and handcuff. Specialty restraints (i.e., tether & control straps, thumb cuffs, flex cuffs, restraint chairs, etc.) will not be used unless specifically authorized by the United States Marshal. Leg irons will be used on prisoners confined to a hospital which does not have a jail ward. If leg irons must be removed for medical or other compelling purposes, handcuffs will be applied prior to removal of the leg irons. Leg irons and/or handcuffs will not be removed from a prisoner undergoing medical care or when he or she bathes or showers. When compelling medical reasons dictate and upon approval of the United States Marshal, restraining devices will not be used. Leg irons will not be placed over boots.

- (j) The Contractor shall be responsible for ensuring that all security personnel have been properly immunized and received a tuberculin skin test at no cost to the Federal Government.
- (k) All detention should handle prisoners in accordance with the written guidelines set forth by the USMS (USMS Policy Directive 99-25 Body Searches, USMS Policy Directive 99-28, Restraining Devices, and USMS Policy Directive 99-42 In-District Prisoner Movements). The COTR shall provide the Contractor with a copy of these guidelines upon award of the contract.
- (l) The Contractor shall comply with the requirements of the State of Florida Department of Consumer Affairs and the regulations of the Bureau of Security and Investigative Services. Supervisors and detention officers will have current Florida guard registration cards. All armed detention officer will have and maintain a current permit authorizing them to carry a firearm.
- (m) The Detention Officer (DO) Services must meet the following minimum qualifications:
 - (1) Unarmed Detention Officer – A minimum of one year experience in law Enforcement and/or security matters related to prisoner handling and detention and/or a college degree in criminal justice.
 - (2) Armed Detention Officer – A minimum of three years experience of full-time guard duties, or be a post-certified law enforcement officer.
 - (3) All Detention Officers must meet the following requirements:
 - Be a U.S. Citizen.
 - Be 21 years or older.
 - Speak, read, and write the English language.
 - Posses a valid U.S. driver's license.
 - Be emotionally stable with no past history of emotional or mental illness.
 - Present a respectable appearance and adhere to reasonable grooming standards as determined by the USMS.
 - Be free of a misdemeanor or greater conviction for crimes of domestic violence (Lautenberg Statute).
 - Currently not under and court restraining orders.
 - Free from alcohol and drug dependency.
 - Free of illegal drug use, controlled substance abuse, and psychological disorders.

- Trained and qualified in the use of an approved handgun.
 - Have no medical problems (e.g., amputations, deformities, disabilities, etc.) that would restrict strenuous exertion or prevent satisfactory performance.
 - Have no history of medical problems (e.g., high blood pressure, heart or respiratory disease, etc.) that would restrict strenuous exertion.
 - Physically able to perform the full range of duties without limitations as described in the Statement of Work.
- (n) All Detention Officers must be physically fit and medically able to perform efficiently and safely the full range of detention officers duties. Their general physical condition must in no way involve any defect which might become a hazard to themselves or others.
- (o) Supervisory personnel must meet the same criteria as specified for detention officers.
- (p) During hospital guard details, supervisory personnel are to perform an unannounced personal contact with the assigned hospital detention officers at least once per shift and record this inspection in the Hospital Guard Activity Log (provided by COTR or designee). Supervisory personnel are to make on-the-spot corrections for minor deficiencies and must report major discrepancies to both the Contractor and the COTR.
- (q) Contractor's monthly invoices shall be itemized and will indicate the total amount billed for each "Type" of detention officer service provided. Types are categorized as follows:
1. Type "A" Detention Officer Service:
 - a. Guarding Federal prisoners confined to a medical facility or hospital.
 - b. Transporting and/or escorting Federal Prisoners to any medical facility or hospital.
 - c. Guarding and accompanying Federal prisoners to various areas of the medial facility or hospital for treatment, tests, etc.
 2. Type "B" Detention Officer Service:
 - a. Transporting Federal Prisoners between detention facilities and Federal Courthouses, Federal Buildings, USMS cellblocks, or any other USMS facility.
 - b. Transporting Federal prisoners between detention facilities and the Justice Prisoner and Alien Transportation System (JPATS) airlift.

- c. Transporting/transferring Federal prisoners between detention Facilities.

5. **BACKGROUND SCREENING:**

(a) **Contractor Responsibilities**

- (1) The Contractor is responsible for pre-screening all perspective employees for suitability for work on any resulting contract and for assuring that all such persons have a Government-performed background investigation completed or waiver prior to assignment to the contract.
- (2) The Contractor shall assure that the person(s) to be utilized in the performance any resulting contract shall have been approved by the USMS Personnel Security Branch (PSB) as a result of the Government performed background investigation required in this clause. The intent and purpose of the investigation is to preclude assignment of any individual who poses a threat to the Government or successful contract completion due to past unlawful or unsuitable conduct.
- (3) The Contractor shall assure that each prospective contractor or subcontract employee furnishes all required data in the form and format determined by the PSB or his duly authorized representative.
- (4) During the life of the contract, the Contractor shall report to the COTR or his designee significant incidents involving employee previously cleared and assigned to this contract. Significant incidents include, but not limited to arrests, convictions, adverse civil judgments, and administrative disciplinary actions. Based on the information provided, the USMS PSB will make determination as to whether an employee may continue to work on this contract. Persons convicted of felonies will be considered unsuitable for employment under his contract. If the Contractor fails to report current significant incidents, and the USMS subsequently uncovers such information, the Contractor may be terminated for default.

(b) **Security Requirements**

- (1) All personnel employed by the contractor whether working at the facility or not are subject to meeting any security requirement set forth by the USMS, and other applicable federal rules and regulations. Contractor personnel having access to a DOJ/USMS facility for six months or longer and who require "unescorted access" will be subject

to identity proofing working & other provisions of stipulated within Homeland Security Presidential Directive 12 (HSP-12), Long-Term Contractor Personnel. The Contractor must undergo the minimum of an Office of Personnel Management (OPM) National Agency Check with Inquiries (NACI) investigation & a credit check or other type of investigation as determined by the USMS. Contract personnel working under this contract will occupy "Moderate Risk, Public Trust" positions & work under this contract is SENSITIVE, BUT UNCLASSIFIED (SBU).

- (2) The identification documents for Homeland Security Presidential Directive-12 are the I-9 & USMS 394 form. This identity proofing must be completed during the hiring process, but prior to a conditional for final suitability approval. The contractor shall not hire non U.S. citizens to work under this SOW. The Contractor is responsible for pre-screening prospective employees for suitability for work on this contract.
- (3) The Contractor shall also perform a credit check for each employee to ascertain whether the employee has significant recent debt problems.
- (4) The contractor is responsible for providing the Contracting Officer and the Contracting Officer's Technical Representative (COTR), the full name, social security number, date of birth or city and country of birth; if foreign born and e-mail address for each candidate or an company e-mail for employment under this contract before the contractor plan to assign the employee to work under this contract. The Contracting Officer or COTR will immediately provide this information to the USMS Personnel Security Branch. The notification is to be made utilizing the following site: www.Psb-Contractor@usdoj.gov . PSB will notify the Contracting Officer/COTR of the background investigation results and either issue an Approval or Disapproval Memorandum.
- (5) Prior to initial performance of contract duties, The Contractor shall provide to the COTR the full name, social security number, date of birth or city and country of birth; if foreign born and e-mail address for each candidate or an company e-mail for employment, and qualifications of each guard under this contract **five (5) days** after contract award. The COTR shall return the list as approved with any comments necessary including the removal of individuals from the list who are not suitable for use under the contract due to lack of qualifications. Requests for new guard hires will be submitted in writing to the COTR for subsequent approval. The Contractor shall be ready to start performance within **fifteen (15) days** after contract award.

- (6) The contractor is responsible for pre-screening prospective employees for suitability for work on this contract and for assuring that all such persons have submitted the required forms in connection with a Government performed suitability investigation **PRIOR** to work on this contract. Required forms are as follows:

The Contractor must submit the following forms to the COTR as applicable:

- (i) USM-234 Form (Personal Qualifications Statement)
 - (ii) Perform an NCIC/NLETS/Credit Check
 - (iii) Acquiring a military discharge certificate (if applicable)
 - (iv) Medical Certification (fit for duty) or a physical
- (7) The applicant is required to report to the USMS headquarters or nearest district office to complete the USM 394 form, Personal Identity Verification and Request for Government Identification Card. The applicant will be required to present two forms of identification in compliance the DHS Form I-9. This form will be signed by the applicant and verifying official. The completed form is to be e-mailed to the Chief, Personnel Branch (PSB) of the USMS to the following e-mail address:

Applicants: www.PSB-Applicant@usdoj.gov

Contractors: www.PSB-Contractor@usdoj.gov

- (8) Waivers will be considered after completion of certain steps, such as a review of the SF85P and 85PS, NCIC/NLETS, FBI fingerprint results and verification that the investigation has been assigned a case number by OPM.