

CHAPTER 11
Contract Maintenance, Commercial Derivative Aircraft Maintenance
Programs, and Common Support Policies

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CHAPTER 11

Contract Maintenance, Commercial Derivative Aircraft Maintenance Programs, and Common Support Policies

11.1 Contract Maintenance

11.1.1 Objectives

The objective of this chapter is to provide the standards for planning, management, and government oversight of contract maintenance programs on Navy and Marine Corps aircraft, aircraft engines, and aviation related equipment.

11.1.2 Background

Contract maintenance operations include unique considerations and varying requirements. Contract maintenance may be used as an alternative to military maintenance, provide interim shore-based maintenance pending availability of approved organic capabilities, or to accommodate peak workloads of a temporary or permanent nature when it is determined to be in the best interest of the Government. When a decision has been made to explore contract maintenance or flight operation in Navy and Marine Corps owned or leased aircraft, the scope of the contract must be considered. Contract support can include O-level, I-level, and D-level maintenance, provide supply support, and may be a mix between the normal NAMP process and industry standards. Combining Naval Aviation Maintenance Program (NAMP) and commercial standards can introduce unique challenges for activity and program management personnel. Some contracts include squadron and Wing management responsibilities, such as Maintenance Control, Maintenance Material Control Officer (MMCO), Assistant Maintenance Officer (AMO), and Work Center Supervisor, while other contracts limit contractor involvement to the performance of maintenance only. Contract requirements may call for contractors to work side by side with military or government employees in supporting Navy and Marine Corps aviation units, with ashore and afloat requirements.

11.1.3 Scope

11.1.3.1 Contract maintenance may be considered when economically advantageous to the Government and when candidate systems or equipment meet the following criteria:

- a. Procurement of contractor services will not disrupt or materially delay combat effectiveness.
- b. A satisfactory commercial source is available.
- c. When performance metrics can be established to evaluate the contractor's performance.
- d. When directed by higher authority, such as A-76 studies.

11.1.3.2 Guidelines for planning, developing, and administering contracts shall be conducted per Federal Acquisition Regulation (FAR) subpart 42.202 and 42.302. The NAMP provides specific amplifying maintenance management policy and contract planning requirements for Navy and Marine Corps activities associated with naval aviation.

11.1.3.3 Qualification requirements for contractor personnel can be stated in terms of military experience, training, industry standards, Department of Labor skill classifications or Federal Aviation Administration (FAA) certification, and should be clearly defined. When possible, contractor personnel in positions with no corresponding commercial job description, such as Plane Captain or Individual Material Readiness List

(IMRL) Coordinator, shall meet the same or equivalent standards as Navy and Marine Corps personnel assigned to such positions. If the sole source of training is the Department of Defense (DOD), the contract should specifically state the training will be provided as government furnished information (GFI).

11.1.3.4 Ground and Flight Risk Clause (GFRC) (DFARS 252.228-7001) mandates incorporation of the NAVAIRINST 3710.1 (also referred to as DCMA 8210.1) in all contracts involving DOD aircraft for which the Government assumes some of the risk of aircraft loss or damage. NAVAIRINST 3710.1 provides uniform DOD policy and procedural guidance for aircraft ground and flight operations and the maintenance of any aircraft or associated equipment.

NOTE: Should a conflict occur between sources of guidance, the contract has precedence over the service guidance and this instruction.

11.1.3.5 In the initial planning for a contract maintenance program, careful attention must be given to the legal and contractual aspects of the procurement. Comprehensive understanding of the applicable instructions, standards, performance requirements and early coordination with the appropriate procurement office, Program Manager - Air (PMA), Weapons System Manager (WSM), contracting specialists, and the Office of the General Council for the command is essential. Local commands are not authorized to procure contractor services unless approval is received via the chain of command and the Department of Navy Management and Oversight Process for the Acquisition of Services per DFARS 237.170.

11.1.3.6 Government personnel administering contracts and providing contract maintenance oversight must understand their responsibility, limits of authority and relationship with contractor personnel.

11.1.3.7 Navy and Marine Corps personnel involved in the development and administration of contracts shall attend the appropriate training courses prior to assuming those responsibilities in support of the contract. The Procuring Contract Agency will determine the minimum acquisition qualification requirements for all personnel assigned to administer the contract and provide oversight of contractor operations.

NOTE: ACCs or TYCOMs may develop more stringent personnel qualification requirements as needed to meet diverse operational commitments per the Defense Acquisition Workforce Improvement Act.

11.1.4 Policy

11.1.4.1 Use of contract maintenance must be consistent with the effective and efficient accomplishment of the Navy and Marine Corps mission. Navy and Marine Corps aviation units normally employ contract maintenance in activities with stable mission environments, such as training, test, or support functions.

11.1.4.2 Contracts shall be written to ensure contract maintenance programs comply with approved maintenance plans, user's logistics support summary (ULSSs), and other applicable policy requirements, pertaining to the maintenance and support of a specific aircraft or system.

NOTE: When addressing a waiver or deviation that affects contractor operations, it is important to determine if the request is for relief from the contract, NAVAIRINST 3710.1, or from service guidance.

11.1.4.3 All contractor requests for waivers to governing maintenance requirements shall be submitted through the Government Flight Representative (GFR) or Ground Government Flight Representative (GGFR) for review and forwarded to the appropriate authority. Specific guidelines for processing waivers are outlined in NAVAIRINST 3710.1, [Chapter 2](#).

11.1.4.4 Contractor requests for waivers, changes or modifications to specific contractual requirements shall be submitted through the designated contract administration office. Specific guidelines for processing waivers, changes or modifications will be provided by the Administrative Contracting Officer (ACO) or Procurement Contracting Officer (PCO).

11.1.5 Responsibilities

11.1.5.1 Commander, Naval Air Forces (COMNAVAIRFOR)

COMNAVAIRFOR is responsible for the achievement of maximum operational readiness of naval aviation systems and equipment, including those systems maintained by contractors.

11.1.5.2 Commander, Naval Air Systems Command (COMNAVAIRSYSCOM)

11.1.5.2.1 COMNAVAIRSYSCOM is responsible for assisting PMAs and WSMs in the testing and development of aircraft and aircraft weapons systems. The Chief of Naval Operations (CNO) has designated COMNAVAIRSYSCOM as the naval aviation authority with responsibility for NAVAIRINST 3710.1.

11.1.5.2.2 COMNAVAIRSYSCOM (AIR-5.0F) is the Naval Aviation Cognizant Service Safety Office for safety issues associated with contract maintenance programs and operational issues on contracts requiring NAVAIRINST 3710.1 compliance.

11.1.5.3 Aircraft Controlling Custodians (ACCs) or Type Commanders (TYCOMs) General Responsibilities

The specific ACC or TYCOM providing funding for procurement of contract maintenance efforts is responsible for ensuring oversight control, technical support, and administration of maintenance contracts under their authority.

11.1.5.4 Aviation Maintenance Management Team (AMMT)

COMNAVAIRFOR and COMNAVAIRSYSCOM AMMTs evaluate performance of maintenance activities, train, support, and assist in improving performance in aviation maintenance and logistics support processes and procedures. Requirements for AMMT members are in [paragraph 10.24](#) of this instruction. AMMTs are responsible for evaluating the maintenance programs of the aircraft custodians under their cognizance. While the evaluation criteria may change based on the contract, the requirement for AMMT inspections apply to all Aircraft Reporting Custodians regardless of whether the aircraft are being maintained by military personnel, government civil service, or contract maintenance. Prior to conducting an AMMT inspection, the AMMT Team Leader, with the assistance of cognizant contract administration and maintenance oversight personnel, shall familiarize themselves with the contract, performance standards, and applicability of NAMP programs. Conflicts regarding the conduct of ground or flight operations covered by NAVAIRINST 3710.1 shall be referred to the GFR or GGFR. Conflicts regarding the application of contractual requirements shall be referred to the ACO.

11.1.5.5 Contract Administration Services (CAS)

Assignment of a contract to a CAS Component, listed in the Federal Directory of Contract Administrative Services (CAS) Components (<https://pubapp.dcma.mil/CASD/main.jsp>) for administration, automatically carries with it the authority to perform all of the normal functions listed in FAR 42.302(a) to the extent that those functions apply to the contract, including surveillance of flight and ground operations and safety requirements. The procuring activity may elect to withhold the assignment of specific CAS functions per

DFARS 242.202 or assign additional functions via FAR 42.202.11.1.5.5.2. CAS are delegated the authority to administer the day-to-day operational requirements per FAR 42.302. CAS duties are inclusive of the duties listed in [paragraph 11.1.5.6.1](#). When assigned, CAS play a critical role in the Contractor Performance Assessment Reporting System (CPARS) process, documenting past performance information that can be used in source selection evaluations including development of the performance work statement (PWS), statement of work (SOW), administration of payments, and source selection issues.

11.1.5.6 Contracting Officer's Representative (COR) or Government Project Officer (GPO)

11.1.5.6.1 Contracting officers may appoint a COR or GPO to monitor contractor support service contacts, including delivery orders under indefinite contracts and basic ordering agreement (BOAs). The COR or GPO may be recommended by the activity and is appointed by the PCO for the purpose of providing on-site and field team contract administration for specifically delegated functions. A COR or GPO may also be appointed to monitor contracts supporting other contract services, including hardware requirements. When assigned, COR or GPOs play a critical role in the CPARS process, documenting past performance information that can be used in source selection evaluations including development of the PWS or SOW, administration of payments, and source selection issues. The PCO will determine the specific training requirements for the COR or GPO per USD(AT&L) Memorandum "DoD Standard for Certification of Contracting Officer's Representatives (COR) for Service Acquisitions".

11.1.5.6.2 COR or GPO duties normally include the following:

- a. Support the PCO in ensuring contractor compliance with the contract. When a contract has multiple sites within the same T/M/S, the establishment of a Type Wing position is recommended.
- b. Responsible for oversight and performance of the maintenance monitoring team (MMT) (if established).
- c. Support overall (on-site) surveillance of the contract field team (CFT) or contract logistic support (CLS) operations.
- d. Identify and recommend program changes for work requirements, team complements, skill classifications, etc.
- e. Provide ongoing program coordination and ensure base support requirements are met.
- f. Ensure CFT and CLS contractors have appropriate ID and security clearances (as required).
- g. Verify CAS requirements.
- h. Monitor material consumption and usage (if assigned).
- i. Provide Monthly Evaluation of Contractor's Performance (as required).
- j. Approve scheduled overtime and requests unscheduled overtime approval from PCO or ACO.

NOTE: A COR or GPO does not have the authority to make constructive changes which affect price, quantity, quality, delivery or other terms and conditions of the contract.

11.1.5.7 Government Flight Representative (GFR), Ground Government Flight Representative (GGFR) or Government Ground Representative (GGR)

Refer to NAVAIRINST 3710.1 for requirements, policies, prerequisites, associated responsibilities in oversight of contract maintenance, and procedures governing the assignment of GFRs, GGFRs or GGRs.

11.1.5.8 Maintenance Monitoring Team (MMT) or Aviation Program Team (APT)

In those cases, when a single individual cannot provide the required CAS or government oversight of contract requirements, a MMT or APT may be established to provide oversight support for the GFR, GGFR, and COR in areas to include maintenance management, safety, QA, and property control. After the contract maintenance is in place, the activity government oversight responsibilities shall include, but are not limited to:

- a. Supporting the GFR and GGFR in the approval of contractor written procedures for all flight and ground operations and daily administration of the contract, per requirements established in NAVAIRINST 3710.1.
- b. Providing in-house training and guidance to the command on operating within the constraints of the contract.

11.1.6 Planning Contract Maintenance

11.1.6.1 Contract maintenance programs are usually planned to accommodate normal peacetime missions. However, activities must consider provisions for effective support under emergency and wartime conditions.

11.1.6.2 Contract maintenance programs for new systems will be developed per the approved acquisition logistics support plan (ALSP). The program planning should be completed well in advance of the introduction of the equipment into the inventory to allow the contractor to adequately plan and equip for the start date.

11.1.6.3 When contract maintenance is planned for in-service systems, provisions must take into account the contract procurement cycle, including time to support requests for Proposal/Quote preparation, advertising, solicitation, and bid evaluation. Successful contract operations are dependent on ensuring sufficient time is allocated to permit the selected contractor to adequately plan and equip for the contract start date.

11.1.7 Developing the Performance Work Statement (PWS) or Statement of Work (SOW)

11.1.7.1 The PWS or SOW provides the requirements and performance metrics for the contracted effort. Close coordination between the ACC or TYCOM, PMA or WSM, and PCO in conjunction with the user organization or parent activity for the systems and aircraft under their cognizance is essential to achieving a timely and quality contract. The contract is the primary reference when evaluating a dispute or litigation. Directives, including maintenance and operations manuals, standards and specifications referenced in the contract require contractor compliance. Preparation of the PWS or SOW for the contract shall be coordinated by the cognizant contracting agency. The customer activity shall prepare the draft PWS or SOW and submit to higher level authority, for example, ACC or TYCOM, T/M/S Wing, or PMA, for review (as required).

11.1.7.2 In developing the PWS or SOW, the planners shall:

- a. Determine the appropriate type of contract, for example, Performance Based Firm Fixed Price, or Time and Materials Cost Plus Fixed Fee, which best suits the type of work and mission of the activity.
- b. Clearly set forth the Government's minimum requirements with the objective of producing a quality product at the best value to the Navy and Marine Corps.

c. Divide the PWS or SOW into support tasks that are readily measurable end items. The object is not to purchase man-hours or personnel equivalents.

d. Identify measurable performance based metrics to evaluate and hold the contractor accountable, for example, aircraft RFT, sorties completed, and tasks accomplished.

11.1.7.3 The following items may be required by the PCO to complete the contracting process:

- a. Funding document.
- b. Technical Evaluation Plan.
- c. Independent government estimate of cost.
- d. Sole source justification (if applicable).
- e. GFP listing.
- f. Repair parts lists associated with the equipment and items to be maintained at the various levels of maintenance.
- g. The nature of supply support to be used in the contract (government or contractor provided).
- h. Specific identification and location of systems to be maintained.
- i. Inspection and test procedures and output standards for end products.
- j. Quantitative input and output schedules and priorities for accomplishment of workloads to meet operational requirements.
- k. Special instructions for rework or component repair and replacement.
- l. Disposition instructions for repairable items.
- m. MIS requirements and frequency of reports.
- n. Expected duration of the contract.
- o. Special Navy programs.
- p. Safety procedures for reporting and investigating accidents or incidents.
- q. Classified material access and handling procedures.

11.1.8 General Rules of Government Contract Administration and Contract Writing

11.1.8.1 Introduction

11.1.8.1.1 Contract development shall be carried out through the CAS Component. The contractor shall develop procedures [flight operations procedures (FOPs) or ground operations procedures (GOPs)] which must be approved by the GFR or GGFR and shall be based on National Aerospace Standards, commercially

accepted equivalent references and processes, or this instruction (if this instruction is listed as service guidance in the contract).

11.1.8.1.2 Navy contracts should include the following items:

- a. Purpose. State the purpose of the proposed contract to include service guidance. Ensure inclusion of the GFRC when applicable.
- b. System Description. Describe the aircraft or weapon system supported.
- c. Mission. Describe the mission of the subject weapon system or activity.
- d. Support Concept. Describe support required of the contractor as well as support to be provided by the Government, for example, contractor provides all maintenance materials and SE, full government support, or combinations of both. Address special emphasis programs, such as foreign object damage (FOD) Prevention Program and Corrosion Prevention and Control Program. Address the location of aircraft to be supported and the anticipated concept of operations (CONOPs).
- e. The PWS or SOW should include any government provided property, information or services.
- f. Definitions and Abbreviations. State the definitions and abbreviations used in the PWS.

11.1.8.2 Maintenance

The following areas shall be addressed (if applicable) when writing the requirements for contract maintenance. The list is not all inclusive and each specific requirement and situation shall be examined to ensure contractor's requirements are adequately defined and the government's oversight responsibilities are achieved.

NOTE: When developing a PWS or SOW, the Requirements Officer shall ensure contractor ALSS and egress personnel meet the requirements of Chapter 6 of this instruction. In addition, any contractors involved with certification, loading, and handling of ordnance shall meet the requirements established in OPNAVINST 8023.24.

11.1.8.2.1 O-Level Maintenance. NAVAIRINST 3710.1, Chapter 5, provides a minimum list of maintenance GOPs that the contractor shall develop and use. All other NAMP programs and areas not covered by the NAVAIRINST 3710.1, Chapter 5, shall be considered in preparing PWS or SOW. The following shall also be considered in preparing the PWS or SOW:

- a. Operational Schedule Commitments. Address criteria for meeting the operational schedule.
- b. Off-Site Support. Address required detachment support ashore or afloat.
- c. FCFs. Describe support required by the contractor.
- d. Aircraft Acceptance and Transfer Inspections. Describe tasking and define minimum requirements.
- e. Contractor logistics support, including engineering, parts obsolescence, etc.
- f. Other Support Services. Describe functions required by the contractor that are not covered by other major headings, for example, Safe for Flight and air cargo Safe for Flight. Other support services may include:

- (1) Maintenance of display aircraft.
- (2) Support for Change of Commands.
- (3) Other ceremonies.

11.1.8.2.2 I-Level Maintenance. Include the applicable items from [paragraph 11.1.8.2.1](#) and those items listed below. Describe the functions to be performed in each of the following areas:

- a. Airframe Systems and Component Repair.
- b. Power Plants and Component Repair.
- c. Propeller and Rotary Wing Dynamic Systems Component Repair.
- d. Electrical Systems and Component Repair.
- e. Avionics Systems and Components Repair, including TMDE.
- f. Armament Systems and Component Repair.
- g. ALSS Repair.
- h. SE Repair.

11.1.8.2.3 Conditional Maintenance. The contract shall provide a list of conditional maintenance functions to be performed by the contractor.

11.1.8.3 Maintenance Management and On-Site Organization. If the agency being supported is outsourcing management functions, such as AMO, MMCO, Maintenance Control, and Work Center Supervisors, the contract needs to specify the requirements and authority of those positions. Additionally, the activity shall have a plan in place to ensure government oversight of those contracted positions. While it is understood that certain supervisory roles may be contracted out, other roles, including government oversight and Continuous Process Improvement (CPI) requirements, shall be maintained by the activity (Military or Civil Service).

11.1.8.3.1 Physical Plant and Equipment

- a. Address physical plant management provided by the Government and contractor.
- b. State responsibilities and requirements for government furnished and contractor managed equipment. The following shall be addressed:

- (1) Office Equipment.
- (2) IMRL and SE.
- (3) Plant Property Equipment. PWS or SOW shall ensure an annual wall-to-wall inventory is performed for all GFE.
- (4) Test Bench Installation. Test Bench Harness and Maintenance and Modification.
- (5) Hand Tools. Ensure that tool control plans are in place.

11.1.8.3.2 Housekeeping and Daily Security. Describe the contractor's responsibilities for:

- a. Housekeeping.
- b. Security Support.
- c. Hazardous Materials.
- d. Precious Metals.

11.1.8.3.3 Personnel and Interface. Address the required interfacing between contractor and government representatives.

11.1.8.3.4 Management Support. Outline management functions such as scheduled work, NMCS validation, and training programs.

11.1.8.3.5 Record Keeping and Reports

a. Maintenance Records. State which maintenance records are to be maintained by the contractor and the periodicity for each.

b. Configuration Management Records. State which configuration records are to be maintained by the contractor and the periodicity for each.

c. Aircraft Readiness Status Reporting. Address readiness reports required by the Government.

d. NAVFLIR (OPNAV 3710/4). Address the contractor's responsibility for using NAVFLIR.

e. Aircraft Inventory Reporting Requirements. Address inventory reports required by the Government.

f. VIDS MAF (OPNAV 4790/60) and NALCOMIS maintenance action form (MAF) or work order (WO). Address the blocks the contractor shall complete. If the contractor is authorized to use company forms, determine which blocks shall be populated to complete the maintenance action.

g. Logbooks. Navy logbooks shall be used when required; however, Central Design Activity (CDA) may use logbooks and records meeting FAA minimums. List required forms and documentation to be maintained for specific systems.

h. Aircraft Incident and Mishap Reports. Address tasking and reporting requirements of the contractor.

i. Component Replacement Analysis for Non-provisioned Aircraft Report. Describe report required to determine need and analyze repairable components requiring replacement.

j. Situational Reports. List reports required.

k. Periodic Reports. List reports required.

11.1.8.3.6 Quality Control (QC) Program. The request for proposal (RFP) shall establish the contractors QC program standard, for example, NAMP, ISO, or it will state that the contractor is to propose the standard they intend to use.

- a. Program Management. Address frequency of QC Program reviews and audits required of the contractor.
- b. Records. Address how often QC data is to be updated and how long the data shall be maintained.
- c. Program Elements. List programs to be monitored or audited by the contractor's QC Program.
- d. Inspections. List mandatory inspections required of the contractor.
- e. Technical Library. Describe responsibilities for establishing and maintaining the technical library per applicable service guidance.

11.1.8.3.7 Ordnance Qualification and Certification Board. Task the contractor with establishing a qualification and certification program per OPNAVINST 8023.24 and provide procedures for convening the certification board.

11.1.8.3.8 Aircraft Confined Space Program. Describe procedures to be used as well as qualification and certification processes per NAVAIR 01-1A-35.

11.1.8.3.9 Welding (On-Aircraft).

11.1.8.4 Materials

- a. General. Describe overall responsibilities for the contractor's material control functions.
- b. Material Control Criteria. Address specific functions of material control procedures.
- c. Repairable Items. Address procedures for the ordering, turn-in, and inventory of repairable items. RFI and NRFI.
- d. Consumable Items. Address procedures for ordering direct support consumable items.
- e. Inventory Management and Tracking System. The contractor shall establish a government approved system for gathering usage data for items not identified by a NSN and ensure proper identification, storage, and control of spare NSN and non-NSN assets. Common types of system outputs needed include the following:
 - (1) Daily NMCS and PMCS component list.
 - (2) Monthly financial inventory report.
 - (3) Quarterly inventory status report.
 - (4) Notification when on-hand assets are less than or equal to established minimum quantities.
- f. Inventory Accuracy. Address procedures for spot inventory checks and an annual physical inventory of government owned material.

11.1.8.5 Operational Requirement or Environmental

- a. Base Loading or Use. Give base loading for site and planned annual use in flight hours.

b. Annual Flight Program. Summarize in an annex, examples of daily, weekly, and holiday flight schedules.

c. Environment. Describe plans, requirements, support, and tasking, (if applicable) for:

- (1) Weather.
- (2) Night Operations.
- (3) Cross-Country Flight Operations.
- (4) Weekends and Holidays.
- (5) Rescheduling.
- (6) Surge Capability.
- (7) Detachment Operations.
- (8) I-Level or D-Level Environment:
 - (a) Workload. Address annual average workload.
 - (b) Hours of Operation. Address expected hours.
 - (c) Production Control. Address periods of manning.

11.1.8.6 Government Responsibilities. Describe what the Government will provide to support the contract. This information is provided as an attachment to the contract.

11.1.8.7 Overhaul Requirements. Describe tasking requirements for:

- a. Engine.
- b. Propeller.
- c. Landing Gear.

11.1.8.8 SE Maintenance. Describe contractor tasking for the maintenance, repair, and documentation requirements of SE.

11.1.8.9 Real Property

- a. Provide floor plans of facilities as an annex to the contract.
- b. Describe contractor responsibilities to report loss, damage, destruction, or theft of government property.

11.1.8.10 Technical Directives (TDs)

- a. Describe responsibilities for TD incorporation.

b. Describe how proposed configuration changes are to be submitted and restrictions on prototyping aircraft.

11.1.8.11 Describe contractor requirement for NAMDRP Reporting.

11.1.8.12 Physical Security

- a. Describe off site security tasking (as required).
- b. Describe contractor responsibilities for Physical Security Program (if applicable).

NOTE: Ensure specific requirements for “Prevention of Unauthorized Access or Operation of Government Aircraft” are provided.

11.1.8.13 FCF Requirements. Describe who will perform the FCF, correct discrepancies, and sign off flight critical discrepancies generated by the FCF.

11.1.8.14 Transition

- a. Phase In. Describe responsibilities for Phase In by site.
- b. Phase Out. Describe responsibilities to coordinate with successor(s) to maintain continuity during any required Phase Out (data systems and spare parts are of specific concern).

(1) Inventory Transition. Define tasking for the incumbent’s transfer of inventory to the successor(s).

(2) Inventory Management and Tracking System. State requirements for an orderly transition from the incumbent’s data system to the successor’s data system with no loss of data quality or quantity.

NOTE: All aircraft data, such as logbooks, AIRs, aircraft historical records, publications, aircraft drawings, and schematics shall be addressed.

11.1.8.15 Safety

a. Safety Program. Describe contractor responsibilities to maintain or establish a Safety Program as required per NAVAIRINST 3710.1.

NOTE: This Contractor Safety Program does not relieve the activity from OPNAVINST 3750.6 requirements.

b. Occupational Safety and Health Administration (OSHA). In matters affecting the safety and health of the contractor’s employees, the contractor shall be responsible to the Department of Labor or to the state office where OSHA has approved a state plan.

11.1.8.16 Records, Reports, and Distribution. Describe contractor responsibilities to maintain and submit required reports.

11.1.8.17 Personnel, Training, and Qualifications

a. Personnel. Define special training and certification requirements to operate all GFE, GSE, vehicles, MHE, WHE, and other maintenance equipment required per the PWS or SOW.

b. Training. Require the contractor to maintain a training program that ensures personnel skills meet contractual requirements.

c. Qualifications. Define minimum qualifications for all specialties.

d. Government Provided Training. Determine required training that is available from the Government that will be provided to the contractor.

11.1.8.18 Discrepancy Correction. Describe requirements for contractor support for correction of discrepancies.

11.1.8.19 Mishap and Accident Responsibility. Describe requirements for contractor support of investigations in preparation of aircraft mishap and accident reports. NAVAIRINST 3710.1 provides specific guidance.

11.1.8.20 Ordnance

a. Ordnance Storage, Buildup, and Transportation. Describe requirements and guiding instructions.

b. Ordnance Certification. Describe requirements ensuring service certification requirements are established per OPNAVINST 8023.24.

11.1.8.21 Transient Services. Performance of inspections and discrepancy corrections.

11.1.8.22 Component Replacement Analysis Non-Provisioned Aircraft (NPA). Describe contractor responsibilities.

11.1.8.23 Master Index of Repairable Items. Describe contractor responsibilities.

11.1.8.24 Funding Arrangements. Describe funding requirements.

11.1.8.25 Aviation life support system (ALSS)

a. Aviators breathing oxygen (ABO). Describe requirements.

b. ALSS Pool Management. Describe requirements and provide procedures to identify the process and the office and title of the responsible individual(s) and methods used for issuing, care, inspection, cleaning, and storage of equipment.

11.1.9 Contract Changes

Contracts can be changed by a Supplemental Agreement, Change Order, or Constructive Change.

a. A Supplemental Agreement is a contract modification based on prior agreement of both parties. A supplemental Agreement incorporates equitable adjustment to contract cost and schedule as a result of the change.

b. A Change Order is a written order issue by a PCO directing the contractor to make a change without prior agreement. A Change Order creates undefinitized government liability. It is used when the Government needs the contractor to act and cannot wait for agreement on liability to be reached. When a Change Order is used, the contractor may be entitled to an equitable adjustment.

c. A Constructive Change is an oral, written act, or failure to act by an authorized government official, construed by the contractor as having the same effect as a written change order. It must involve a change in the performance, beyond minimum contract requirements, and initiated by word or deed, by a government representative which requires contractor effort that is not part of the contract. When a constructive change occurs, the contractor may be entitled to an equitable adjustment.

NOTE: It is imperative that when dealing with a contractor, all personnel understand their roles, authority, and responsibility. A seemingly harmless suggestion by a military or civilian government representative can result in the contractor taking action and subsequently billing the Government for that action. Personnel involved in government oversight or visiting contractor supported activities shall receive the proper training. Interaction and communication with contractors shall be managed through the members of the Contract Oversight Team, ACO, and PCO.

11.2 Commercial Derivative Aircraft Maintenance Programs

11.2.1 Objective

The objective is to provide policy to COMNAVAIRSYSCOM, ACC or TYCOM staff, and fleet operating personnel regarding the planning, developing, and managing of commercial derivative aircraft.

11.2.2 Background

Commercial derivative aircraft have historically been used by the Navy and Marine Corps to meet their logistics and passenger-carrying needs, and are increasingly being used to meet other unique mission requirements. When appropriately matched to these roles, commercial derivative aircraft offer significant life cycle cost savings to the Government, a cost savings that can only be realized by leveraging heavily on the existing commercial engineering and logistics infrastructure. Reliance on commercial support systems brings unique programmatic, logistics, and engineering constraints, particularly in the areas of configuration management (CM) and continued airworthiness certification. Each platform has its own unique considerations, resulting in varying maintenance and supply support concepts, encompassing organic and commercial requirements.

11.2.3 Scope

This section establishes policies to ensure the Navy and Marine Corps commercial derivative aircraft used for operations, surveillance, training, and test and evaluation maintain high levels of safety and do not duplicate activities performed by the FAA.

11.2.4 Policy

To gain the greatest life cycle cost savings, the Navy and Marine Corps will seek to ensure its commercial derivative aircraft, to the extent practicable, comply with civil airworthiness standards set by the FAR. Commercial derivative aircraft owned, leased, or operated by the Navy and Marine Corps are, in many cases, conducting Public Aircraft Operations, as defined by the U. S. Code. As such, the DON, not the FAA, is the responsible agent for certification of airworthiness per NAVAIRINST 13034.1. COMNAVAIRSYSCOM has overall responsibility for airworthiness and at a minimum will use the FARS to baseline airworthiness wherever practicable. The PMA is responsible for the engineering design, testing, and modifications made to commercial derivative aircraft.

11.2.4.1 Maintenance Planning

11.2.4.1.1 Maintenance of commercial derivative aircraft can apply to all maintenance levels.

11.2.4.1.2 The PMA shall determine whether the use of an Original Equipment Manufacturer (OEM), organic maintenance plan, or combination of both is the most cost effective throughout the life-cycle for aircraft supportability and operational requirements.

11.2.4.1.3 The PMA shall be responsible for developing and publishing maintenance and support plans per [paragraph 11.2.5.3](#).

11.2.5 Responsibilities

11.2.5.1 COMNAVAIRFOR is responsible for the achievement of maximum operational readiness of naval aviation systems and equipment.

11.2.5.2 COMNAVAIRSYSCOM is responsible for assisting PMAs and WSMs in the acquisition and development of aircraft and weapon systems.

11.2.5.3 PMAs are responsible for overall management of maintenance and logistics programs for systems under their cognizance and shall:

a. Conduct business case analysis, including proprietary data licensing considerations, to determine whether contractor or organic maintenance or support is more beneficial.

b. Determine, in cases where approved OEM maintenance plans exist, the implementation of best commercial practices in lieu of this instruction.

c. Develop T/M/S specific maintenance and support plans that contain detailed guidance to address operational considerations, OEM and organic maintenance policy, requirements, and safety and airworthiness. The maintenance and support plan shall cover all ILS elements and shall define applicable and non-applicable NAMP policies. The plan shall be updated as required for program or funding changes.

d. Coordinate with OPNAV and ACCs or TYCOMs for development, implementation, revisions, and changes to the respective maintenance and support plans.

e. Provide interim maintenance and support guidance to ACCs or TYCOMs when problems, design changes, or operational experience indicate a change is required. This interim guidance will be issued as an attachment to the maintenance plan. The interim guidance will be rescinded by the cognizant APML when the approved change is issued.

11.2.5.4 ACCs or TYCOMs, in conjunction with PMA, are responsible for determining specific commercial derivative aircraft maintenance, support, and operational requirements and shall:

a. Ensure Navy personnel are thoroughly trained in commercial derivative aircraft maintenance and support plans and practices.

b. Conduct continuing reviews of support strategies and performance measures. Revise, correct, and improve sustainment strategies as necessary to meet performance requirements.

11.3 Common Support Policies

11.3.1 CM

11.3.1.1 CM for military specification aircraft shall be per NAVAIRINST 4130.1. Configuration change proposals shall be submitted either as an Engineering Change Proposal (ECPs) or a Rapid Action Minor Engineering Change (RAMECs) processed per NAVAIRINST 4130.1.

11.3.1.2 CM of commercial derivative Navy and Marine Corps operated aircraft is managed by COMNAVAIRSYSCOM which has final authority to approve or disapprove incorporation of all military and non-mandatory FAA changes. CM of Navy and Marine Corps aircraft shall not be contracted out, but commercial CM data can be used to support government CM processes. COMNAVAIRSYSCOM shall establish a baseline configuration, supportable under NAVAIRINST 4130.1, for all contractor maintained equipment, prior to award of the contract.

11.3.1.3 ULSS and Maintenance Support plans shall contain explicit details on all methods of configuration control for the applicable aircraft, CFE, and PSE.

11.3.1.4 Commercially originated maintenance directives and component modification requirements are issued as All Operator Letter (AOL), Alert Service Bulletin (ASB), Airworthiness directive, Commercial Engine Bulletin (CEB), Commercial Service Letter (CSL), and Service Bulletin (SB). Compliance with mandatory FAA approved bulletins, notices, and letters shall be per the applicable directive. FAA directives not having mandatory compliance, along with Navy originated TDs and RAMECs, shall be complied with as directed by the PMA. Either the WSM, when assigned, or the PMA, shall prepare, process, and present these change requests to the appropriate COMNAVAIRSYSCOM Change Board.

11.3.1.5 Commercial configuration changes for commercial derivative aircraft may be exempt from certain military specification requirements including drawings, kit assembly, and kit proofing. Commercial changes, when issued, have met FAA approval for engineering logic and safety, however, the military may use the commercial derivative aircraft in a manner or environment that differs from its commercial counterpart. COMNAVAIRSYSCOM Airworthiness (AIR-4.0P), in coordination with the PMA, shall make the determination whether the FAA approvals have met the Navy's full requirements, or if further engineering review is required per NAVAIRINST 13034.1. The FAA Military Certification Office routinely interacts with COMNAVAIRSYSCOM (AIR-4.0P) on matters specific to commercial derivative aircraft.

11.3.1.6 Provisions for funding the installation or compliance with approved configuration changes and subsequent amendments or modifications for contractor maintained Navy and Marine Corps aircraft shall be included in the maintenance contract per DOD 7000.14-R and NAVSO P-1000. Known or anticipated configuration changes to fielded aircraft requiring funding shall be planned for and identified in the Operational Safety Improvement Plan.

11.3.1.7 Configuration status accounting provides an audit trail from the baseline configuration. It provides information necessary for the accomplishment of related tasks resulting from configuration changes. Status accounting data and reports may exist in a variety of forms, some of which may be automated. In some instances these reports may be provided from data reports used by the contractor. Overall responsibility for status accounting is assigned to the PMA. Content of the configuration status report shall, at a minimum, contain records and reports which reflect the following:

- a. Technical documentation comprising the configuration baseline and other essential item data.

b. Approved changes to the configuration, including the quantity and nomenclature to which these changes apply, the implementation status of such changes, and the activity responsible for implementation.

c. Current configuration.

11.3.1.8 CM and configuration status accounting procedures for commercial derivative aircraft shall be performed per NAVAIRINST 4130.1 as defined in the PMA CM plan and as approved by COMNAVAIRSYSCOM (AIR-1.1.3). The PMA will coordinate with the ACC or TYCOM in approving which commercially originated maintenance directives and component modification requirements (ADs, ASBs, CEBs, CSLs, SBs, and AOLs) are determined necessary or mandatory. All resulting changes shall be compliant with the TD Program. The PMA or Fleet Support Team (FST) will furnish the Contracting Officer a Contract Data Requirements List as part of the procurement request, defining all configuration status accounting information, data, and reports.

11.3.1.9 CM for systems other than aircraft is a responsibility of the PMA and shall include configuration control and status accounting procedures and requirements for all issued changes.

11.3.2 Recording Accuracy

11.3.2.1 Accurate recording of maintenance is the foundation of an effective maintenance program. It shall provide managers with the current configuration of aircraft and equipment, historical record of work accomplished, hours, and cycles accumulated.

11.3.2.2 Logbooks, forms, records, and reports shall conform to and meet the minimum provisions of COMNAVAIRFOR and COMNAVAIRSYSCOM requirements. When required or advantageous to the PMA and accepted by COMNAVAIRSYSCOM, a commercial derivative aircraft may use logbooks and records meeting FAA standards as listed in FAA regulations.

11.3.2.3 The contract should be written such that the contractor will be required to certify the completion of maintenance actions they accomplish on the aircraft. Additionally, the contractor may be authorized to certify the aircraft Safe for Flight. Personnel authorized to certify completion of maintenance and Safe for Flight shall complete a company approved training syllabus to include qualifications, required reading, and OJT. GOPs shall identify the final approval authority and processes to certify company artisans. The GFR or GGFR shall in turn, validate the qualification process through the approval of GOPs. The GOPs shall stipulate that the contractor be required to maintain a current list of contractor personnel qualified to sign off maintenance actions and to certify aircraft Safe for Flight.

11.3.2.4 Depending on the contract maintenance construct or approved CDA maintenance program, the recording requirements may involve maintenance of aircraft and SE official logs and records. The contract or approved CDA maintenance program shall specify the format and minimum information that must be recorded and maintained. All consideration should be given to using existing and accepted Navy records, practices, and information systems or programs prior to accepting a contractor's proposal to develop a new or proprietary system.

11.3.3 Supply Support

11.3.3.1 Supply support can be provided through the military supply systems or through commercial resources for either military unique weapons systems or commercial derivative aircraft.

11.3.3.2 When the Government uses commercial sources for supply, the civilian marketplace determines availability of spares and repair parts. Supply support shall when necessary, be tailored to each individual

system by the logistics manager. Considerable flexibility must exist to ensure required support at a minimum cost.

11.3.3.3 To assist in budgeting, a weapons system planning document (WSPD) and GFE list has been established for each model aircraft. The government supply system shall be used for all GFE stock or items common to other Navy aircraft including general aeronautical material such as nuts, bolts, and sheet aluminum, except when prohibited by the contract.

11.3.3.4 There are many variations of contractor support which should be considered in seeking the most efficient and economical method. Competitive sources for repairable items are normally available and should be considered where practical. CFE should be supported commercially for the life-of-type if more advantageous to the Government.

11.3.3.5 The PCO is permitted to contractually authorize the contractor to pursue commercial sources for parts as long as military specifications and standards are met and the standard stock price is not exceeded. A documented waiver should be obtained if it is necessary to exceed the standard stock price when the Navy supply system has been proven not operationally responsive. Ensure contract provisions require appropriate mandatory procedures to ensure the contractor maintains auditable documentation to verify material accountability.

11.3.3.6 The following contains examples of special areas which need to be addressed when tailoring supply support for commercial derivative aircraft:

- a. Contractor managed storage facility at the O-level.
- b. Consignment of parts to using organization with payment upon consumption.
- c. O-level activity local procurement authority to purchase from prime manufacturer or other commercial sources where available.
- d. GFP item acquired by manufacturer part number and not processed in the federal supply system.
- e. Contractually required Support Material List commonly used replaceable parts, including prices.
- f. Proposed cost to the Government for CFE spares, PSE, and publications, versus cost to commercial customers.
- g. Contractor comparison of commercial and government support to determine method to be followed.
- h. A pool of spares at the O-level.

11.3.3.7 Operational support details will be determined by the Assistant Program Manager for Logistics (APML) or Logistics Element Manager (LEM) and will indicate procedures for requisitioning spares, turn-in of repairable items, exchange of items, and any other details necessary for using organizations to maintain the required support for the aircraft.

11.3.3.8 The requiring activity shall ensure the supporting supply activity designated to provide supply support for the contract is fully appraised of the contractual requirements.

11.3.3.9 The ULSS shall contain sufficient operational detail to ensure organizational compliance in maintaining complete support. The plan shall be updated as required for significant changes due to program or funding changes.