



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
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WASHINGTON DC 20350-3000

MCO 4200.33A
I&L (LPM-2)
4 Dec 2020

MARINE CORPS ORDER 4200.33A

From: Commandant of the Marine Corps
To: Distribution List

Subj: CONTRACTOR LOGISTICS SUPPORT (CLS) FOR MARINE CORPS
GROUND EQUIPMENT AND MAJOR DEFENSE ACQUISITION PROGRAM
BUSINESS SYSTEMS

Ref: See Enclosure (1)

Encl: (1) References
(2) CLS Contract Tips and Contingency Plans

1. Situation. Effects of the operating climate, such as rapid advances in technology and operational tempo, may impede the ability of fully trained Marines to effectively carry out all of the logistics functions required to support our equipment. Maintenance (hardware and software) and supply are most prone to these factors. Further, some forms of training may also be impacted by the level of expertise of the organic instructor. Contractor Logistics Support (CLS) is a potential solution to mitigate gaps. CLS may encompass an entire system, individual system components, or a level of support services associated with the system or its components.

2. Cancellation. MCO 4200.33

3. Mission. To establish policy for the incorporation of a CLS contract as part of the overall sustainment strategy to improve equipment availability and readiness. This Order is in accordance with references (a) through (r).

a. CLS can be an effective means to support Marine Corps Ground Equipment and Major Defense Acquisition Program Business Systems. As a support strategy, CLS is normally implemented in one of two ways:

(1) Interim Contractor Support (ICS) provides temporary (total or partial) logistics support until a government sustainment capability is provided. ICS does not negate the responsibility to achieve an organic, CLS, or a combined capability as early as practicable; nor does it negate the requirement for testing and evaluation and/or demonstrating the adequacy of a system, equipment, or end-item.

(2) CLS is a method of obtaining support for a product at any time throughout its life cycle. CLS dictates that a contractor, rather than the government, is responsible for the integration of logistics support functions such as providing engineering support, identifying requirements for spare and repair parts, facilities, materiel, equipment, training personnel and performing maintenance on weapon systems. Contractors can provide logistics support over a wide range of options, from ICS covering the initial fielding

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to supporting specific limited operations. CLS may be used for any of the Integrated Product Support Elements (IPSE).

b. CLS support for a weapon system can be very diverse. This diversity is often due to each system's unique mission and economic considerations. Enclosure (1) has example contract tips when considering implementing CLS as part of a sustainment strategy.

4. Execution

a. Commander's Intent and Concept of Operations

(1) Commander's Intent. To enable the acquisition and sustainment communities to prioritize and manage CLS implementation and resources. The overall goal is a sustainment strategy that meets or exceeds readiness goals, controls cost, and supports the operational context.

(2) Concept of Operations

(a) CLS should be considered as part of the overall sustainment strategy based on an appropriate business case analysis (BCA). If CLS is deemed appropriate, in the case of ground equipment, it will be addressed as part of the Life Cycle Sustainment Plan (LCSP) per reference (g). If appropriate for a Business System, CLS will be documented in the Business Capability Acquisition Cycle (BCAC) per reference (h).

(b) CLS will be performed in accordance with manufacturer's maintenance manuals, military technical manuals, approved maintenance concepts, and the applicable maintenance contract.

(c) Sustainment strategies should utilize organic supply and maintenance processes and systems for the requisition or exchange of spares to the maximum extent possible. Additionally, maintenance status shall be reported in the appropriate maintenance management and Accountable Property System of Record (APSR)/Automatic Identification System before execution of CLS or warranties.

(d) In accordance with reference (i), Serialized Item Management (SIM) shall be maintained and reported to the government by the contractor. SIM configuration shall be updated in the APSR upon return from commercial repair sources.

(e) The sustainment strategy can change over the life of the equipment. For example, changes to the operating context or analysis of actual performance and usage data may indicate a need for change. Accordingly, periodic evaluations (at least once every five years or as dictated by changes in expected performance and documented in the LCSP) of the sustainment strategy, including user and sustainment community representation, will ensure that the sustainment plan remains relevant.

b. Subordinate Element Missions

(1) Deputy Commandant, Installations and Logistics (DC I&L)

(a) Provide oversight of this Order and update guidance as required.

(b) Ensure compliance with this Order.

(2) Deputy Commandant, Combat Development and Integration (DC-CD&I). Ensure that all requirement documents (e.g. Capabilities Development Document and Urgent Needs Statement) contain the operational context for the material solution's use per references (j) and (k).

(3) Marine Corps Systems Command (MCSC)/Program Executive Officer Land Systems (PEO LS)

(a) Facilitate the execution of this Order.

(b) Ensure that, in collaboration with stakeholders, CLS requirements are identified through a BCA.

(c) Ensure that provisions in the Request for Proposal, Statement of Work, and ensuing contracts provide visibility of direct contractor costs for each type of support material and service that is being provided.

(d) If ICS is planned, ensure the appropriate documents (e.g. LCSP or BCAC) include a plan for transition from ICS to organic support, CLS to organic support, or a combination of organic and contract support. The transition plan will address specific actions required for each affected IPSE (Supply Support, Technical Data, Maintenance Planning and Management, Packaging/Handling/Storage & Transportation, etc.). The plan shall identify the beginning and ending dates of the ICS.

(e) Ensure that planning and advocacy for programming and budgeting for ICS costs and associated requirements for the sustainment of systems is conducted and that ICS cost data is provided to the Fleet Marine Forces (FMF) and Marine Forces (MARFORs) for planning purposes.

(f) If transitioning from ICS to CLS, ensure that stakeholders are provided with a transition plan (e.g. Fielding Plan, Supply Instruction, Implementation Plan, Capability Support Plan, etc.) at the conclusion of ICS, unless otherwise documented and approved by all stakeholders, FMF and MARFORs assumes responsibility for planning and budgeting for CLS. This will continue until the Program Manager, in collaboration with the FMF and MARFORs, determines that a transition to organic support is prudent.

(g) Ensure that a contingency plan is developed to transition to organic support, and if CLS fails to meet operational supportability requirements, document those requirements in the LCSP.

(4) Commanding General, Marine Corps Logistics Command (MARCORLOGCOM)

(a) Facilitate the execution of this Order.

(b) Coordinate with appropriate Program Managers at MCSC/PEO LS prior to establishing a CLS contract that impacts program sustainment planning, fielding systems, or scheduled depot maintenance actions (i.e., Inspect and Repair Only as Necessary).

(c) When considering use of CLS, ensure that core capabilities are maintained per reference (b).

(5) Commanders, Marine Corps Forces (MARFORs)

(a) Coordinate with appropriate Program Manager at MCSC, PEO LS or MARCORLOGCOM prior to establishing CLS contracts.

(b) Plan and budget for CLS, if required, following the expiration of any MCSC or PEO LS-provided ICS.

c. Coordinating Instructions

(1) MCSC, PEO LS, and MARCORLOGCOM will ensure that Supply Instructions for the CLS effort are published and updated in the SL-1-2.

(2) FMF, MARFORs, MCSC, PEO LS and MARCORLOGCOM must review the requirements in reference (1) when making logistics sustainability decisions regarding contract support in contingency operations outside the United States.

(3) MCSC, PEO LS and MARCORLOGCOM will ensure that FMF and MARFORs concurs with all support requirements and ensure the agreed-to support requirements are included in the CLS contract.

(4) Transfers of any Military Equipment or other government materiel to a contractor will be conducted in accordance with reference (m).

(5) Any contracts that utilize warranties will be guided by reference (n).

(6) Contracts for logistics support should include a requirement for the delivery of detailed vendor-provided ICS failure data to MARCORLOGCOM and MCSC/PEO LS to support discrete cause of failure analysis.

5. Administration and Logistics

a. Records Management. Records created as a result of this directive shall be managed according to National Archives and Records Administration (NARA)-approved dispositions per SECNAV M-5210.1 CH-1 to ensure proper maintenance, use, accessibility and preservation, regardless of format or medium. Records disposition schedules are located on the Department of Navy/Assistant for Administration (DON/AA), Directives and Records Management Division (DRMD) portal page at: <https://portal.secnav.navy.mil/orgs/DUSNM/DONAA/DRM/Records-and-Information-Management/Approved%20Record%20Schedules/Forms/AllItems.aspx>. Refer to MCO 5210.11F for Marine Corps records management policy and procedures.

b. Privacy Act. Any misuse or unauthorized disclosure of Personally Identifiable Information (PII) may result in both civil and criminal penalties. The Department of the Navy (DON) recognizes that the privacy of an individual is a personal and fundamental right that shall be respected and protected. The DON's need to collect, use, maintain, or disseminate PII about individuals for purposes of discharging its statutory responsibilities shall be balanced against the individuals' right to be protected against unwarranted invasion of privacy. All collection, use, maintenance, or dissemination of PII shall be in accordance with the Privacy Act of 1974, as amended (5 U.S.C. 552a) and implemented per SECNAVINST 5211.5F.

c. Recommendations. Recommendations concerning the content of this order should be sent to Installations and Logistics (I&L), section LPM-2 through the proper chain of command.

6. Command and Signal

- a. Command. This Order is applicable to the Marine Corps Total Force.
- b. Signal. This Order is effective the date signed.



C. S. CHIAROTTI
Deputy Commandant for
Installations and Logistics

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References

- (a) 10 U.S.C. 2460
- (b) 10 U.S.C. 2464
- (c) MCO 4000.56A
- (d) 10 U.S.C. 2466
- (e) MCO 4000.59
- (f) MCO 4790.25
- (g) DoD Instruction 5000.02, "Operation of the Defense Acquisition System," January 7, 2015
- (h) DoD Instruction 5000.75, "Business Systems Requirements and Acquisition," February 2, 2017
- (i) DoD Instruction 4151.19, "Serialized Item Management for Life-Cycle Management of Material" January 9, 2014
- (j) MCO 3900.20
- (k) MCO 3900.17
- (l) DoD Instruction 3020.41 "Operational Contract Support (OCS)", December 12, 2011
- (m) MCO 4400.201 vol 10
- (n) MCO 4105.2
- (o) SECNAV M-5210.1 CH-1
- (p) MCO 5210.11F
- (q) 5 U.S.C. 552a
- (r) SECNAVINST 5211.5F

CLS Contract Tips and Contingency Plans

This enclosure is intended to provide some contract tips and contingency plans for consideration when implementing CLS as part of a sustainment strategy. It is not exhaustive, but rather based on past experiences.

1. Contract tips.

a. Ensure that provisions for contractor training on government equipment (including upgraded and/or replacement equipment) is included in the CLS contract.

b. Ensure that the contract should address what the contractor is responsible for in varying threat levels. Joint PUB 4.0 chapter 5 addresses contractors in theater.

c. Ensure the contract requires CLS providers to obtain and maintain required clearances.

d. Ensure that CLS contracts include a requirement for contractor systems to fully integrate with USMC systems and processes.

e. Ensure that responsiveness metrics are included in CLS contracts (where appropriate) and that the MARFORs have input in determining the metrics for each operating context and region.

f. Ensure appropriate transportation clauses are included in the CLS contract. Additionally, traffic management guidance should be solicited from traffic management policy personnel prior to issuing the contract to ensure shipping procedures are correct as required by the Defense Federal Acquisition Regulation.

g. Ensure appropriate privacy clauses are included in the CLS contract (FAR 52.224-1, Privacy Act Notification, 52.224-2, Privacy Act, and 39.105, Privacy).

2. Contingency Planning.

a. Consider alternatives in the event the provider in a sole-source contract is unable to fulfil the contract.

b. Have a plan that addresses the expiration of a CLS contract, that all stakeholders agree to the plan, and that it is reviewed at least every 2 years.

c. Have a plan for mitigation of labor disputes (e.g. union workforce negotiations, internal CLS-provider company negotiations).

d. Have a contingency plan that addresses cases where the combatant commander does not allow, or only partially allows, CLS support for a particular weapon system in theatre.

e. Have a contingency plan for cases where infrastructure in theatre will not support all CLS needs.

f. Have a contingency plan that addresses contract flexibility and provisions for supplemental organic support.

g. Have a contingency plan that addresses cases where the contractor cannot meet current requirements (e.g. Contractor equipment problems, personnel problems etc.) including considering additional source(s) for the service.

h. Have a contingency plan that addresses potential cultural differences that could impact CLS.

i. Ensure that a contingency plan addresses risk mitigation in the event the contractor cannot meet surge requirements.

APPENDIX A

Glossary of Acronyms and Abbreviations

APSR	Accountable Property System of Record
BCA	Business Case Analysis
BCAC	Business Capability Acquisition Cycle
CLS	Contractor Logistics Support
DoD	Department of Defense
DoDI	Department of Defense Instruction
DON	Department of the Navy
FMF	Fleet Marine Forces
ICS	Interim Contractor Support
IPSE	Integrated Product Support Elements
LCSP	Life-Cycle Sustainment Plan
MCO	Marine Corps Order
MARFORs	Marine Corps Forces
PII	Personally Identifiable Information
SECNAVINST	Secretary of the Navy Instruction
SECNAV M	Secretary of the Navy Manual
SIM	Serialized Item Management
U.S.C.	United States Code