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MULTI-SERVICE TACTICS, TECHNIQUES, AND PROCEDURES FOR OPERATIONAL CONTRACT SUPPORT

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Multi-Service Tactics, Techniques, and Procedures for Operational Contract Support

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★Preface

This multi-Service publication focuses on tactical and operational level Service component requiring activity functions, and includes limited information on Army, Air Force, Marine Corps, and Navy component level headquarters' unique operational contract support (OCS) staff organization and capabilities. It also contains an overview of Service unique theater support, external support and systems support contracting capabilities.

★The principal audience for ATP 4-10/MCRP 3-40B.6/NTTP 4-09.1/AFTTP 3-2.41 is tactical level Army, Air Force, Navy and Marine Corps operational force unit commanders and staffs (requiring activities) along with their supporting contracting organizations. Service training and education staffs will also use this manual to support OCS-related training and leader education.

Commanders, staffs, and subordinates ensure their decisions and actions comply with applicable United States, international, and in some cases host-nation laws and regulations. Commanders at all levels ensure that their service members operate in accordance with the law of war and the rules of engagement. See FM 6-27/MCTP 11-10C.

This multi-Service publication uses joint terms where applicable. Selected joint and Army terms and definitions appear in both the glossary and the text. For definitions shown in the text, the term is italicized and the number of the proponent publication follows the definition. This publication is not the proponent for any Army terms.

This multi-Service publication applies to the Active Army, Army National Guard, United States Army Reserve, United States Air Force, United States Marine Corps, and United States Naval forces.

The proponent of this multi-Service publication is the United States Army Combined Arms Support Command (CASCOM). The preparing agency is the United States Army Training and Doctrine Command (TRADOC) Proponent Office for Operational Contract Support (TPO-OCS). Send comments and recommendations on DA Form 2028 (*Recommended Changes to Publications and Blank Forms*) to Commander, United States Army Combined Arms Support Command, ATTN: ATCL-OCS (ATP 4-10), 2221 A Avenue, Fort Lee, Virginia 23801; by e-mail to <mailto:usarmy.lee.tradoc.mbx.lee-cascom-doctrine@mail.mil>; or submit an electronic DA Form 2028.

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Introduction

This multi-Service tactics, techniques, and procedures manual provides operational contract support (OCS) guidance for Army, Air Force, Navy, and Marine Corps commanders, their non-acquisition officer staffs, and their servicing contracting organizations. It serves as the primary reference document for planning and execution of OCS, associated functions and tasks at the tactical level. It supersedes ATP 4-10 dated 18 February 2016 and incorporates the latest guidance found in JP 4-10, dated 4 Mar 2019 and other associated regulatory guidance.

Sustaining large-scale combat operations depends on OCS: the process of planning for and obtaining supplies, services, and construction from commercial sources. While varying in scope and scale, OCS is a critical force multiplier across all phases and types of operations. With a smaller military, less robust active component sustainment capability, and greater emphasis on Phase 0 operations, OCS increases as a critical capability in future operations. Therefore, the Services must continue to enhance their capabilities to plan and provide OCS for deployed forces. This multi-Service publication provides commanders and their staffs with the tools necessary to leverage OCS capabilities in all phases of operations.

Application of the techniques covered in this publication, along with JP 4-10 and associated regulatory guidance, will enable Service components to legally obtain and effectively utilize available commercial support in support of combatant commander (CCDR) directed military operations. This multi-Service publication contains five chapters:

Chapter 1 defines and introduces OCS and other key terms. It discusses key OCS imperatives to minimize risk of contract fraud. It describes the OCS process and ethical and unauthorized commitments, introduces the OCS process and closes with a brief discussion on contract support ethics.

Chapter 2 discusses joint planning guidance and the integration of OCS planning requirements at the operational and tactical levels.

Chapter 3 describes the requirements development process with a focus on requiring activity and supported unit responsibilities. It also discusses the critical parts of an acquisition-ready requirements package and the requirements review board process. The chapter concludes by discussing the funding certification process.

Chapter 4 covers contract performance oversight, requiring activity and supported unit responsibilities in contract oversight. There is a brief discussion of situational awareness of how contract support is typically assessed and the contracting officer representative (COR) responsibilities and management. In addition, the chapter contains sections on unauthorized commitments, ratifications, and contract closeout actions.

Chapter 5 discusses contractor management planning, linking contractor management responsibilities to the requirements development and contract performance oversight processes. There is a discussion of contractor management challenges, contractor personnel status in relation to legal status information, deployment and redeployment planning and preparation requirements.

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Chapter 1

Introduction to Operational Contract Support

Operational contract support (OCS) is a key force enabler across the range of military operations. In some operations, OCS may serve as the primary means of sustainment for the deployed force. The purpose of this manual is to assist Service operational commanders and staffs in the areas of effectiveness (combat readiness), efficiency (being good fiscal stewards), and ethics (upholding the public's trust in the United States Government (USG)).

United States (U.S.) forces have seen an exponential growth in their use of OCS in recent operations. Most military operations utilize OCS more than uniformed military support capabilities. OCS has been and will continue to be the primary means of support for the vast majority of the combatant commander directed steady state and Phase 0 operations. Force restrictions and other mission specific factors in future operations, are likely to drive the use of commercial OCS vice organic support solutions.

OPERATIONAL CONTRACT SUPPORT DEFINITION AND SUBORDINATE FUNCTIONS

1-1. OCS is the process of planning for and obtaining supplies, services, and construction from commercial sources in support of CCDR-directed operations. OCS is a multifaceted, cross-functional staff activity executed primarily by the CCDR, subordinate staffs, Service components, theater special operations commands, and in some cases functional components, along with supporting combat support agencies. OCS consists of three complementary functions: contract support integration, contracting support, and contractor management. The focus of this publication is on operational and tactical level tasks associated with these three OCS functions. With the exception of contracting support, these tasks are performed by the requiring activity, not the supporting contracting organizations. Figure 1-1 on page 1-2 characterizes OCS functions and tasks covered in detail by this publication.

- Contract support integration is the planning, coordination, and synchronization of commercial support in military operations. It is also applicable to exercises, security cooperation, and shaping activities in support of operations and campaign plans. Related tasks include planning, validating, and prioritizing requirements; performing OCS information management; closely managing mission-critical contracted requirements throughout the contract life cycle from both the requiring and contracting activities; collaborating in cross-functional teams; conducting assessments and reporting; and providing recommendations.
- Contracting support is the planning, coordination, and execution of contracting authority to legally bind contractors in support of military operations. Contracting support tasks include contracting support planning; coordinating common contracting actions; translating requirements into contract terms; and developing, soliciting, executing, administering, and closing out contracts. Contracting support also includes OCS planning advice and assistance, along with coordination/deconfliction, to optimize the procurement of contracting for common in-theater construction, services and supplies.
- Contractor management is the oversight and integration of contractor personnel and associated equipment in support of military operations. Contractor management tasks include planning contractor management, preparing contractor personnel for deployment, deploying or redeploying contractors, managing contractors, and sustaining contractors.

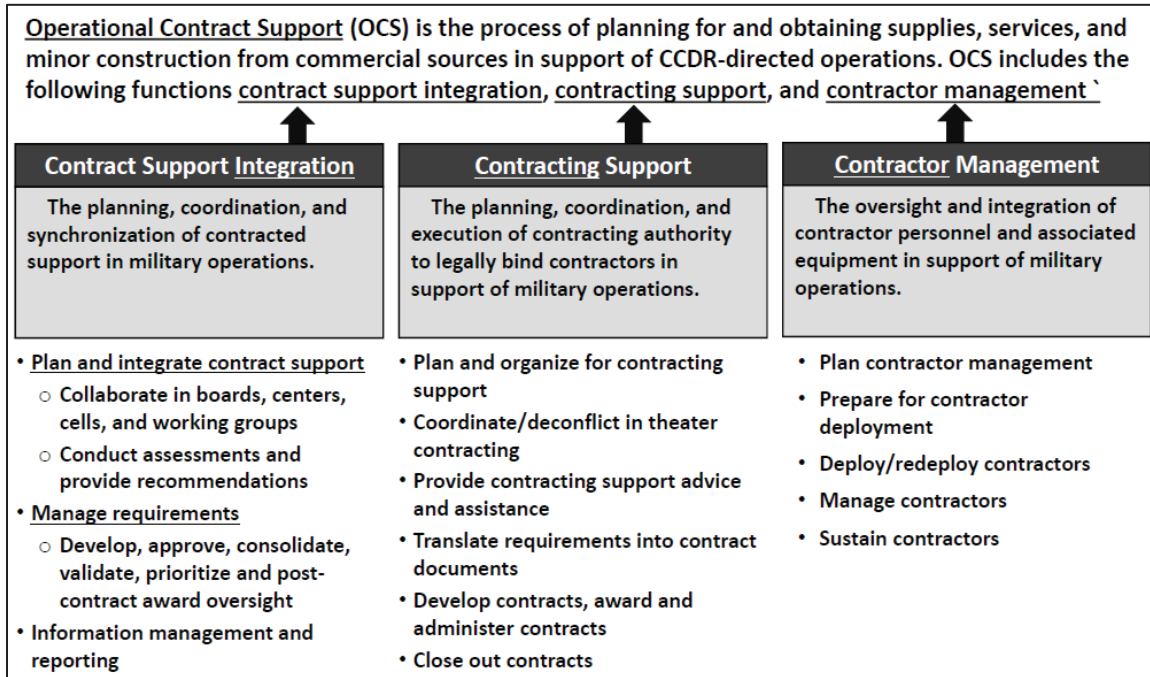


Figure 1-1. Operational contract support description and subordinate functions

1-2. OCS plays a decisive role in the way Services train, deploy, and fight. Commanders must fully integrate this capability into routine staff functions. Preparations for real-world exercises and deployments must include the development of cross-functional OCS integration staffs with the expertise needed to anticipate, plan, integrate, and manage OCS as part of the daily battle rhythm.

KEY TERMS

1-3. Commanders and staffs must have a working knowledge of key OCS-related terms. These terms provide a basic vocabulary for understanding OCS planning, staff integration, and execution of this complex source of support. This list of terms is not all-inclusive, but reflects common terminology across all Services.

Contract

1-4. A contract is a legally binding agreement for supplies, services, or construction awarded by government contracting officers. FAR 2.101 further defines a contract as a mutually binding legal relationship that obligates the seller to furnish supplies or services (including construction) and the buyer to pay for them.

Contractor

1-5. A contractor is an individual or business, to include authorized subcontractors, that provides products or services for monetary compensation, or other consideration, in accordance with the terms and conditions of a contract.

Contracting Officer

1-6. A warranted contracting officer is the military officer, non-commissioned officer, or Department of Defense (DOD) civilian with the legal authority to enter into, modify, administer, terminate, and close-out contracts. Administrative contracting officers are a subset of contracting officers normally designated by the procuring contracting officer and responsible for administering the contract as specified in their designation.

Prime Contract

1-7. A prime contract is a legally binding agreement, contract or contractual action entered into by the USG for the purpose of obtaining supplies, materials, equipment, or services of any kind. The prime contractor is the organization that has entered into the contract with the USG. Warranted contracting officers and government purchase cardholders are the only USG officials authorized to legally bind the USG to a prime contract. The United States has privity of contract only with the prime contractor.

Subcontract

1-8. A subcontract is a contract entered into by a prime contractor to a third party contractor (subcontractor) for the purpose of obtaining supplies, materials, equipment, or services under a prime contract. Prime contractors are responsible for the actions of their subcontractors. Subcontractors and their employees must be treated the same as the prime contractor when it comes to contractor management planning and actions.

Privity of Contract

1-9. Privity of contract is the legal relationship that exists between two contracting parties, for example, between the prime contractor and the USG. The prime contractor has privity with first-tier subcontractor, but the government has no privity with any of the subcontractors at any tier; therefore, the government contracting officer cannot direct the prime's subcontractors. This term is important to Service commanders in that only the prime contractor has direct responsibility to the government. This fact can limit the directive ability of Service commanders, through the cognizant contracting officer, to directly enforce contractor management policies on subcontractors and their employees. However, a flow-down provision for subcontractor compliance with such policies requires prime contractors to enforce those policies on lower-tier subcontractors when they are included in the terms and conditions of their contract. A limited exception to this policy is in emergency force protection and security matters for sub-contractor employees with an area of performance in a USG controlled base or facility.

Requiring Activity

1-10. The requiring activity is a military organization responsible for developing contract support requests and submitting requests through established requirements review and approval processes. The requiring activity is also responsible, in coordination with the requisite contracting activity, for ensuring there is adequate post-contract award oversight. In most cases, the acquired service or commodity supports the mission of the requiring activity; hence, these units are responsible for the requirements management. A requiring activity may also be the supported unit.

Supported Unit

1-11. The supported unit is the organization that is the recipient, but not necessarily the requestor, of contractor-provided support. The supported unit is the organization that receives the contractor-provided support and may provide post-contract award oversight in support of the requiring activity.

Requirements Management

1-12. Requirements management is an operational command responsibility, not a contracting activity responsibility. Requirements management includes all activities necessary to develop and approve an acquisition-ready requirements package, along with associated post-contract award functions. Key subsets of requirements management include requirements development, requirements review and approval, and post-contract award oversight. Effective and efficient OCS is driven significantly by timely and accurate requirements. Additionally, active post-contract award requirements management, oversight, and performance monitoring are directly tied to the FAR including its Defense and Service supplements based process and are essential to ensuring the subordinate joint force commands (JFC) receives contract support.

Acquisition-Ready Requirements Package

1-13. The term acquisition ready requirements package describes the ability to validate packages and initiate contracting processes without requirements corrections, so that the contracting activity may accept and start the procurement process.

Requirements Development

1-14. Requirements development is the process of defining and capturing contract support requirements in acquisition-ready requirements packages. Once developed, acquisition-ready requirements packages are submitted through the requirements review and approval process.

Requirements Review and Approval

1-15. Requirements review and approval is the command process to vet, consolidate, validate, fund, approve, and prioritize acquisition-ready requirements packages prior to submission of these packages to the supporting contracting activity. This process will often involve a formal requirements review board process.

Statement of Work

1-16. A statement of work (SOW) is the contract requirement developed by the requiring activity describing the actual work to be done by the contractor in terms of specifications or other minimum requirements, quantities, performance dates, time and place of performance of services, and quality requirements.

Performance Work Statement

1-17. A performance work statement (PWS) is a form of SOW emphasizing measurable performance requirements and quality standards utilizing performance-based language to describe the specifications and requirements; it is the preferred method when appropriate. While the terms PWS and SOW are often used interchangeably in colloquial discussions, they are substantively different in concept and practice. For the purpose of this multi-Service techniques manual, either term may be used to refer to the primary requirements document without further inference.

Quality Assurance Surveillance Plan

1-18. A quality assurance surveillance plan (QASP) is the document used by the government to guide the assessment of contractor performance in accordance with the terms and conditions of the contract. All services (vice supply) contracts must include a QASP with sufficient systematic quality assurance methods in order to allow the government to properly validate the effectiveness of the contractor's quality control efforts.

Independent Government Estimate

1-19. The independent government estimate (IGE) is a cost estimate developed by the government requiring activity, based on the requirements of the PWS. An IGE is required for every new acquisition that exceeds the simplified acquisition threshold. The purpose of the IGE is to assess the probable cost of services being acquired to support the requiring activity's budget planning, execution, and requirements funding approval process. The IGE also helps to determine the reasonableness of bidders' proposed costs and understanding of the work. Prior acquisition history or similar acquisitions should provide the basis for the preparation of an IGE, as well as the data provided by thorough market research.

Requirements Review Board

1-20. The requirements review board is an operational command level board used to control critical common-user logistic supplies and services within the operational area. It also serves as a formal mechanism to review, validate, prioritize, and approve selected contract support requirements.

Contract Administration

1-21. Contract administration is a subset of the contracting process and includes efforts that ensure supplies, services, and construction are delivered in accordance with the conditions and standards expressed in the contract. Contract administration is executed, in part, through the process of contract performance oversight, from contract award to contract close-out, by contracting professionals and designated non-contracting personnel (for example, contracting officer's representatives, quality assurance representatives, property management specialists).

Contracting Officer's Representative

1-22. The contracting officer's representative (COR), sometimes referred to as a contracting officer's technical representative is an employee, military or civilian, of the U.S. Government, a foreign government, or a North Atlantic Treaty Organization/coalition partner, appointed in writing by a warranted contracting officer. In no case shall contractor personnel serve as CORs. COR responsibilities include monitoring contract performance and performing other duties as specified by their appointment letter. Although a COR may serve in this position as an extra duty depending upon the circumstances, it is a key duty that cannot be ignored without creating risk to the government. The COR is nominated (by the requiring activity) and appointed (by the contracting officer) in the Procurement Integrated Enterprise Environment (PIEE), Joint Appointment Module. The PIEE Contractor Surveillance and Performance Monitoring Module is used by the COR for data and supporting document archive and access to digitized and standardized forms for recurring submission of contract surveillance reports. The PIEE training and supporting modules are found at the Procurement Integrated Enterprise Environment Website.

Unauthorized Commitment

1-23. An unauthorized commitment (UAC) is an agreement that is not legally binding solely because the government representative who made it lacked the authority to enter into that agreement on behalf of the government. It is important that commanders and staffs, to include CORs, understand that only warranted contracting officers are authorized to enter into contractual actions or modifications of existing contracts. Military or civil service members can be held financially liable for a UAC depending on the circumstances and conduct of the individual. Commanders and staffs should be cognizant of their implied authority and be especially cautious of communicating directly with the contractor without a contracting officer present.

Ratification

1-24. Ratification is the act of approving a UAC. A UAC may only be ratified by a contracting official at a specific regulatory level who has the authority to do so. Ratification is never automatic. Even when ratification is possible, commanders should assess the findings and take corrective administrative action, as appropriate, against the individuals who caused the UAC.

Contractors Authorized to Accompany the Force

1-25. Contractor personnel authorized to accompany the force (CAAF) are contractor employees and all tiers of subcontractor employees specifically authorized through their contract to accompany the force in applicable contingency operations. CAAF have protected legal status through the issuance of a letter of authorization (LOA) in accordance with international conventions. CAAF normally include U.S. citizen expatriates and third-country national (TCN) employees who are not normal residents in the operational area. However, local national (LN) employees may also be afforded CAAF status on an as-needed basis.

Contractors Not Authorized to Accompany the Force

1-26. Contractors not authorized to accompany the force (non-CAAF) are employees of commercial entities in the operational area, but do not accompany the force (for example, they do not live on base or receive life support from the military). Non-CAAF are usually non-mission-essential personnel such as day laborers, delivery personnel, and cleaning service personnel who neither reside with U.S. forces nor receive authorized government support such as billeting and subsistence. During international armed conflict, non-CAAF contractor employees are not entitled to protection under the Geneva Convention Relative to the Treatment

of Prisoners of War, but may still be afforded protected status under the Geneva Convention Relative to the Protection of Civilian Persons in Time of War.

Letter of Authorization

1-27. The LOA is the travel order equivalent document that authorizes deployment center processing of CAFF travel to and from the AOR. The LOA provides in-theater government furnished support authorizations CAAF will receive during the performance of the contract.

Government-Furnished Property, Materiel, Facilities, and Services

1-28. The government may provide property, equipment, facilities, and services, often referred to collectively as government-furnished property (GFP), for contractor use in the performance of the contract when determined to be in the best interest of the government by the contracting officer. The government maintains proprietary interest in the items, and therefore actions related to issuance, maintenance, disposal, transfer, accountability, and return to stock remain the responsibility of the government. Some GFP, materiel, facilities, and services can be provided to the contractor prior to deployment into the operational area, while others are issued as theater-provided equipment to the contractor in the operational area.

Contractor-Acquired, Government Owned Equipment

1-29. Contractor-acquired, government owned (CAGO) equipment (referred to as contractor-acquired property in FAR Subpart 45) is equipment acquired by the contractor, normally in a cost-reimbursement type contract, for the performance of the contracted service but remains the property of the USG. Like GFP, CAGO accountability and disposition is a responsibility of the government.

Contractor-Owned, Contractor-Operated Equipment

1-30. Contractor-owned, contractor-operated equipment consists of items acquired by and owned by the contractor for use in the performance of the contracted service. Contractor-owned, contractor-operated equipment is normally associated with fixed-price contracts and, unlike GFP and CAGO, the government has no legal authority over this equipment. Additionally, the contractor, not the USG, is responsible for contractor-owned, contractor-operated equipment disposition and any costs associated with the transport of this equipment in, around, and out of the operational area.

TYPES OF CONTRACT SUPPORT

1-31. Commanders and planners must understand the different types of contract support that enable military operations. Types of contract support add clarity to the significant differences in contracting authority, source of commercial capabilities, and management processes. Appendices A through D of this publication provide individual Service theater support, external support, and systems support organizations and capability information.

Theater Support

1-32. Theater support contracts are contracts awarded by Service contracting officers deployed to the operational area. These contracts, normally executed under higher micro purchase and simplified acquisition thresholds, provide supplies, services, and minor construction from commercial sources within the operational area. Also important from a contractor management perspective are LN employees since they are routinely a key part of the theater support contractor's workforce.

External Support

1-33. External support contracts are awarded by contracting organizations whose contracting authority does not derive directly from theater support senior contracting officials (SCO), contracting activities, head of contracting activity (HCA), or from systems support contracting authorities. External support service contracts provide a variety of logistic and other related services and supply support. External support

contracts normally include a mix of U.S. citizens, TCNs, and LN contractor employees. Examples of external contract support include—

- Service civil augmentation programs (CAPs).
- Special skills contracts (for example, staff augmentation support and interpreter services).
- Defense Logistics Agency prime vendor contract.
- Reach-back contracting support provided by contracting offices outside the operational area.

Systems Support

1-34. Systems support contracts are awarded by Services' or U.S. Special Operations Command's matrixed contracting offices. These contracts are funded by directed appropriations and managed through acquisition program executive officers and their program managers. These contracts provide what is commonly known as contractor logistics support through deployed field service representatives. Systems support contract related employees are mostly U.S. citizens who have habitual relationships with a particular unit or serve as members of a fielding or modification team.

Key Point: Since the requiring activity for systems contracts are the Service program management offices, commanders generally have less influence regarding decisions related to the use of systems support contracts when compared to the two other types of contract support.

OPERATIONAL CONTRACT SUPPORT IMPERATIVES

1-35. OCS is much more than just contracting. OCS is commanders' business, and as such must be integrated into all major planning actions. It requires direct and continuous involvement by all requiring activities, both inside and outside of the operational area. The following imperatives apply to all aspects of OCS planning, integration, and management. Understanding these imperatives will optimize OCS and minimize the risks of contract fraud, unauthorized commitments, and unintended consequences that may negatively affect a commander's mission objectives.

Key Point: Overall responsibility for mission accomplishment remains with the unit commander responsible for the service being provided, not with the supporting contracting activity.

COMMAND AUTHORITY DOES NOT EQUAL CONTRACTING AUTHORITY

1-36. Command authority is the legal authority of the military commander to organize and employ assigned and attached forces; however, command authority does not include the authority to make binding contracts for the U.S. Government. Contractors are only obligated to perform functions specified in the terms and conditions of their contract.

Key Point: Only warranted contracting officers have the authority to obligate government funds and to award or modify a contract. Contractors are legally bound by the terms and conditions of the contract, so the phrase "other duties as assigned" does not apply to contractor personnel.

THE OPERATIONAL CONTRACT SUPPORT PROCESS IS BASED IN LAW

1-37. Contract support must be administered in accordance with U.S. public law along with the FAR, Defense Federal Acquisition Regulation Supplement (DFARS) and Service-specific FAR supplements. While acquisition regulations can seem restrictive, there are regulations covering emergency procurement authorities available in support of contingency operations that can be used to speed up the procurement process where true emergencies exist.

Key Point: Commanders should never ask, nor direct, their supporting contracting officers to circumvent or violate the acquisition regulations, legal statutes, and ethics in accordance with DOD 5500.07-R. Such action is undue command influence and is similar to directing a subordinate to violate a Law of War. The ramifications include monetary fines, punitive discipline, and criminal penalties.

OPERATIONAL CONTRACT SUPPORT IS A MULTIFUNCTIONAL DISCIPLINE

1-38. OCS combines various support and contracting disciplines to achieve effective commercial support to combatant commander directed operations. Commanders and staffs must have a basic understanding of contracting processes and authorities; likewise, supporting contracting officers should have a basic understanding of support planning and execution in order to achieve the best commercial support outcomes. While logistics services, construction, and supply purchases make up the bulk of contract support in most operations, contract support can also include significant non-logistics-related support such as linguistics, signal, staff augmentation, and security. OCS is a multifunctional discipline that must focus on expedited processes and flexibilities necessary for procuring services to support expeditionary operations. Furthermore, as discussed in JP 4-10, all primary and most special staff members have significant OCS functions regardless of whether the commercial support received is logistics related or not; therefore, OCS should never be considered solely a logistics staff function. The OCS process can be an effective means to achieve the desired support only if employed with careful commercial support planning through a coordinated team effort.

OPERATIONAL CONTRACT SUPPORT PROCESS

1-39. OCS requires a team effort from the commander and staff, contracting officer, COR, and contractor, along with legal and resource management as enabling functions. This OCS team collectively synchronizes the OCS process (see figure 1-2) with the military planning process and the contracting process. Requiring activities are much more than just customers. They have an important role to play and are key members of the OCS team.

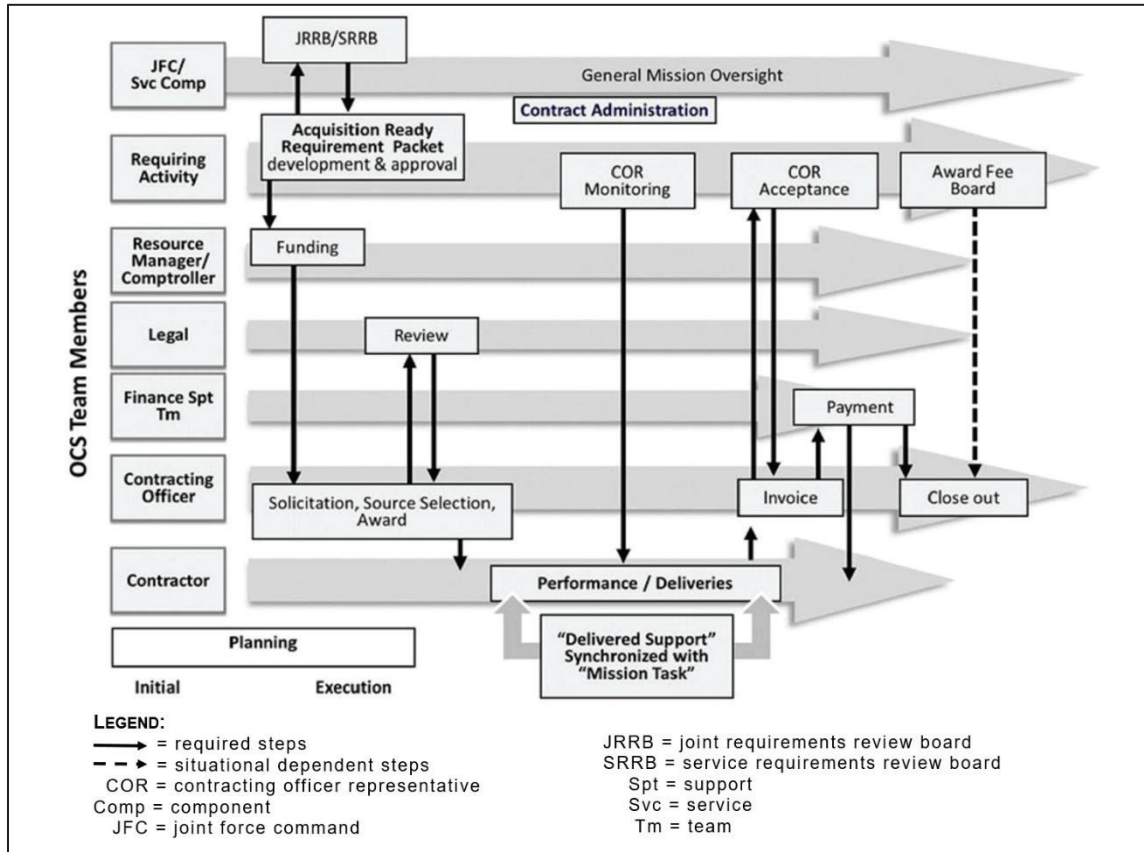


Figure 1-2. The operational contract team and process

ETHICS

1-40. The utilization of commercial services in support of military operations has been rife with ethical breaches involving various levels of fraud, waste, and abuse for the entire history of the U.S. OCS provides opportunities for unscrupulous individuals to exploit the process for private gain. However, commanders and contracting officers are collectively responsible to ensure the appropriate command climate and training exists covering procurement integrity, ethics, and conflicts-of-interest in order to mitigate fraud, waste, and abuse of government resources.

1-41. DOD 5500.07-R administered by the Office of General Counsel, requires the Services to provide training and counseling to educate Service members and DOD civilians regarding applicable ethics laws and regulations. All leaders, both operational and acquisition, must ensure training raises individual awareness to enable the recognition, reporting, tracking, and follow up on all reports of acquisition-related misconduct. The following paragraphs provide guidance from the Code of Federal Regulations, almost all of which is directly or indirectly related to OCS actions.

PUBLIC SERVICE IS A PUBLIC TRUST

1-42. U.S. Service members and civilian employees are responsible to place federal law and ethical principles above private gain. Each service member and government civilian will respect and adhere to the principles of ethical conduct as well as the standards contained in supplemental agency regulations.

GENERAL PRINCIPLES

1-43. The following OCS-related general principles apply to every government employee, military or civilian.

- Public service is a public trust, requiring employees to place loyalty to the Constitution, the laws and ethical principles above private gain.
- Employees shall not hold financial interests that conflict with the conscientious performance of duties.
- Employees shall not engage in financial transactions using nonpublic government information or allow the improper use of such information to further any private interest.
- An employee shall not solicit or accept any gift or other item of monetary value from any person or entity seeking official action from, doing business with, or conducting activities regulated by the employee's agency, or whose interests may be substantially affected by the performance or nonperformance of the employee's duties.
- Employees shall properly safeguard contractor proprietary information, and avoid engaging, or appearing to engage in prohibited practices such as shopping contractor prices.
- Employees shall not knowingly make unauthorized commitments or promises of any kind purporting to bind the government.
- Employees shall not use public office for private gain.
- Employees shall protect and conserve Federal property and shall not use it for other than authorized activities.
- Employees shall not engage in outside employment or activities, including seeking or negotiating for employment, that conflict with official government duties and responsibilities.
- Employees shall disclose waste, fraud, abuse, and corruption to appropriate authorities.
- Employees shall satisfy in good faith their obligations as citizens, including all just financial obligations, especially those —such as Federal, State, or local taxes— that are imposed by law.
- Employees shall endeavor to avoid any actions creating the appearance they are violating the law or the ethical standards. Whether particular circumstances create an appearance the law or these standards have been violated shall be determined from the perspective of a reasonable person with knowledge of the relevant facts.

Chapter 2

Operational and Tactical Level Planning

OCS planning is primarily a requiring activity, not a contracting organization responsibility. Proficiency in this function can be challenging due to a lack of resident knowledge and skills. Key to success is ensuring OCS planning is recognized as a mission essential task with proper command emphasis and a properly trained staff.

Key Point: For the purposes of this manual, the text here and elsewhere will use the term “OCS staff officer” to designate the unit staff member responsible to lead and coordinate OCS planning and integrate matters across the command. See appendices A-D for details on how the different Service components are organized to perform this function.

JOINT PLANNING GUIDANCE

2-1. Joint operational planning consists of planning activities associated with combatant commander directed military operations and takes place at the combatant command, subordinate joint force command and Service component levels. Joint planning transforms national strategic objectives into operational planning covering mobilization, deployment, employment, sustainment, redeployment, and demobilization of joint forces. Additionally, joint planning identifies and aligns resources with military actions, providing a framework to identify and mitigate risk. The process of aligning allocated military resources and mitigating risk using other sources of support is a critical step in the development of JFC and Service component level OCS plans culminating in development of a joint Annex W (OCS) as well as integration of OCS matters in other annexes as appropriate. Other sources of support considered at this level are not restricted to OCS, but also include lead Service support arrangements, multinational support through acquisition cross servicing support agreements, and host nation support. Once OCS is chosen as the preferred source of support, the subordinate joint force command and Service component level Annex Ws are used to set the foundation for tactical level OCS planning actions. For more information on joint (to include Service component level) OCS planning, see JP 4-10; CJCSM 4301.01, and CJCSM 3130.01A.

INTEGRATING OPERATIONAL CONTRACT SUPPORT REQUIREMENTS INTO OPERATIONAL PLANNING

2-2. The enduring Post 9/11 conflicts in Iraq and Afghanistan, as well as other disaster and humanitarian operations placed tremendous responsibility on U.S. military forces. Operational contract support played a prominent role in the way Services planned and conducted military operations due to force restriction and budgetary challenges. This trend will continue in support of the full range of military operations, particularly in setting the theater for those operations.

2-3. OCS planning at the operational level is an enabling capability that provides coordination and integration of commercial support during peacetime and contingencies. OCS planners assist in the development of courses of action (COAs) that support the combatant commander’s intent. They inform staff planners about the feasibility of using commercial support to fulfill COA requirements.

2-4. OCS planners coordinate with staff planners (for example, logistics, intelligence, operations, communications, to determine operational requirements and methods of execution. They address OCS requirements across all warfighting and support functions to include time-phased force deployment data (TPFDD) development, and joint reception, staging, onward movement, and integration.

2-5. During the Service component's planning process, OCS planners conduct OCS-related intelligence preparation of the operational environment, develop planning documents, provide commanders options to assist in decision-making, and seek to leverage and integrate available commercial support in support of the commander's overall plan. . See appendix E for considerations when preparing, staffing, and publishing OCS plans and orders.

INTEGRATING OPERATIONAL CONTRACT SUPPORT INTO TACTICAL LEVEL PLANNING

2-6. Before any detailed OCS planning begins, the unit's designated OCS staff prepares by collecting key documents and other related information. Key OCS actions, information and documents include, but are not limited to—

- Facilitating unit staff member training.
- Service OCS doctrine and policies.
- Unit OCS standard operating procedure.
- Higher level planning documents must include applicable Annex Ws and their appendices 1, 2 and 3. It is critical that OCS staff planners review (CJCSM 3130.03A) or subsequent fragmentary orders (FRAGORDs).
- Key points of contact to include theater support contracting activity and any civilian augmentation program (CAP) support personnel.
- Any information on existing contracts currently providing similar support.
- Contract requirements package examples.

Note: Currently available OCS training courses include the Joint Knowledge On-Line Joint OCS Essentials for Commanders and Staff, J4OP-US380, available at the Joint Knowledge On-line website; the Army's OCS Course available through the Army Logistics University; and the Joint OCS Planning and Education course available through the Joint Staff J-4.

2-7. Upon receipt of a mission, the unit's designated OCS staff contacts their supporting theater support contracting organization and CAP representative to establish their working relationship. The OCS staff then coordinates with other primary and special staff to provide commercial support estimates. Additionally, they provide advice and assistance on other OCS-related matters, such as the security or force protection of contractors and contractor personnel support requirements.

Key Point: OCS planning is a team activity involving all primary staff, most special staff, and supporting contracting activity personnel. Designated OCS staff members cannot properly perform this function alone!

SERVICE COMPONENTS AND OPERATIONAL CONTRACT SUPPORT PLANNING

2-8. Army, Air Force, Navy, and Marine Corps component commands, and their associated contracting organizations, are responsible for planning and oversight of OCS. The Service components use policy, regulations, and HQ guidance to plan for the integration of contractor personnel and associated equipment into operations. Service components participate in joint OCS planning actions and develop Service component plans that address OCS. These plans include establishing Service component OCS integration cells, capturing commercial support requirements, and identifying contract oversight personnel requirements in annexes and appendices. See appendixes A through D for Service components' organizations and capabilities.

MISSION ANALYSIS

2-9. During mission analysis, applicable OCS-related facts, assumptions, tasks, limitations, constraints, and restraints are identified. Table 2-1, on page 2-4 and continuing on page 2-5, provides an example of an OCS mission analysis. The OCS staff reviews the initial analysis of the commercial environment provided by the supporting contracting organization to determine available commercial support that could possibly augment capacity or address capability shortfalls. The OCS staff determines pertinent facts related to the commercial environment and integrates these facts with other staff elements facts for continued planning.

2-10. Next, the OCS staff identifies assumptions for informational gaps in the mission that are critical for planning to continue. Assumptions can be made about the current situation or future course of action, and are assumed to be true in the absence of facts.

2-11. The OCS staff must know what the specified and implied tasks are in higher headquarters plans. Tasks are clearly defined actions or activities specifically assigned to an individual or organization that must be done. The specified and implied tasks are—

- Specified—Tasks explicitly stated in higher headquarters plans, directives, instructions, fragmentary orders (FRAGORD), warning orders, alert orders, execute orders, and planning orders.
- Implied—Tasks derived from guidance that must be performed to accomplish a specified task or the mission. Review plans, directives, and instructions two levels up. Review the base order, paragraph 3 for commander's objectives and desired effects.

2-12. The OCS staff will also identify OCS related limitations, constraints, restraints, forces available and shortfalls.

- Limitations: Actions or other restrictions that limit commander's freedom of action (for example. rules of engagement, diplomatic agreements, and host-nation issues).
- Constraints: Requirements placed on command by a higher command that dictates an action; MUST DO.
- Restraints: Requirements placed on command by higher command that prohibits an action, CAN'T DO (for example. host nation prohibits third country national contractors from entering the country).
- Forces Available: Capabilities on hand to execute the mission (for example. existing contracts (for example, Logistics Civil Augmentation Program (LOGCAP) task orders, Troop Support vehicles, or Navy facilities contract for sea port of debarkation expansion).
- Shortfalls: Known gaps in capability (for example. anticipated commercial support requirements).

2-13. While conducting mission analysis, the OCS staff confirms the feasibility of commercial support with their supporting contracting activity and CAP representatives, and begins a more detailed review of the following documents and information—

- Current Service component and related joint mission specific OCS policies and guidance including the most current Annex W, its appendices 1, 2, and 3 (CJCSM 3130.03A) and FRAGORDs.
- Information on command controlled supplies and services as well as associated dollar thresholds (for example, Service or Joint Requirements Review Board) guidance.
- OCS analysis of the operational environment related information such as current contracting activity support arrangements, locally available commercial support, and existing contracts.
- Force protection and security factors.
- Anticipated duration and level of support (initial, temporary, or semi-permanent; see ATP 3-37.10/MCRP 3-40D.13 for additional information).
- Funds availability to include purpose, time, and amount.
- Government-furnished support.

COA DEVELOPMENT

2-14. During COA development, the OCS staff incorporates feasible OCS capabilities into the COAs, providing the commander options and flexibility to accomplish the mission. Commercial support should not

become the default for all support requirements, although in some situations it may become the main source of support to fill gaps in logistic and other support capabilities.

COA ANALYSIS

2-15. COA analysis provides the opportunity to evaluate each COA with regards to commercial support usage and its limitations (for example, required delivery date compared to expected procurement lead time, possible government-furnished support requirements, force protection or security issues, level of technical difficulty, surveillance and the ability to monitor contract delivery or performance [COR requirements]). During COA analysis, the OCS staff ensures COAs comply with OCS policies and Annex W planning guidance. Some key COA evaluation factors are—

- Identified gaps in military support capabilities.
- Estimated cost and budget constraints.
- Restrictions on inherently governmental functions, personal services contracts, and other local command generated restrictions.
- Procurement lead time to include time to mobilize and execute contract support from commercial sources outside of the operational area.
- Flexibility, quality, and efficiency of planned commercial support.
- Troop manning “boots on the ground” constraints.
- Security or force protection considerations.
- Oversight requirements and available resources.
- Property accountability and disposal.
- Risk assessment and continuation of essential contractor services.

Table 2-1 Operational contract support mission analysis for staff estimate

<i>Facts</i>	<i>Limitation (Constraint)</i>
1. Use the initial analysis of OCS aspects of the operational environment from campaign planning	C1. – Requirement placed on command by higher command that dictates an action.
2. Collect business environment facts specific to the mission.	C2. – Restricts freedom of action.
3. List significant OCS business environment facts relevant to this area using political, military, economic, social, infrastructure, and information systems and areas, structures, capabilities. Organizations, people, events constructs. (See JP 4-0 for additional information.)	C3. – “Must Do”
4. Use detailed OCS analysis of the operational environment to select high-level facts for this slide. The logistics mission analysis slide, and other relevant staff mission analysis slides. Look for facts that apply to functional and cross-functional teams.	C4. – Maximize use of contract support
5. Tailor OCS related business environment facts to the mission.	
<i>Assumptions and Requests for Information</i>	<i>Limitations (Restrictions)</i>
6. All assumptions made must be proved or disproved.	R1. – Requirements placed on command by high command that prohibit action.
7. Assumptions are re-worded to become requests for information.	R2. – Restricts freedom of action.
8. OCS-related requests for Information could be answered by many staff supporting agencies.	R4. – For example, host nation will not allow third country national contractors to enter the country.
9. Use the command request for information process when appropriate.	

Table 2-1 Operational contract support mission analysis for staff estimate (continued)

Assumptions and Requests for Information	Limitations (Restrictions)
10. Some commands are trained to develop assumptions based off each fact.	LOGCAP in neighboring country
Forces Available	
LOGCAP in neighboring country	
DLA Energy contract in area	
Navy husbanding contract for SPOD	
Shortfalls.	
No contracting teams in area	
Need CSB or AFICA-OL to support LSCC/LSC for joint area of operations.	
Tasks (Essential Task)	
Specified – OCS-related specified tasks from higher headquarters warning orders, alert orders, execution orders, PLANORD (two levels up).	.
Maximize use of non-organic logistics support or minimize footprint.	
Implied – OCS implied tasks from higher headquarters warning orders, alert orders, execution orders, planning order (two levels up).	.
How can OCS support the commander's intent and mission statement?	
Graphics	
Obtain map from J3.	
Overlay current and estimated major contract capabilities.	
Plot major locations for contracting forces and business centers.	
Legend AFICA-OL = Air Force Installation Contracting Agency-Operating Location CSB = combat support battalion DLA = Defense Logistics Agency J3 = Operations staff officer LOGCAP= Logistics Civil Augmentation Program LSC = lead Service for contracting LSCC lead Service for contracting coordination OCS = operational contract support PLANORD= planning order SPOD = seaport of departure	

Commercial Support Restrictions

2-16. While most support functions can be legally obtained through commercial means, there are some regulatory restrictions on certain functions. It is imperative the unit's OCS staff is generally familiar with these restrictions.

Inherently Governmental Functions

2-17. Current military operations have revealed the necessity for commercial support, not only in the traditional areas of logistics support, but in other areas as well. Commanders and their OCS staffs must understand there are specific duties, responsibilities, and functions that rest solely with military or federal employees and cannot be performed by the private sector. Inherently governmental functions are those so closely related to the public interest they must be performed by U.S. military members or DOD civilians. Inherently governmental activities that cannot be contracted normally fall into the following two categories—

- The exercise of sovereign government authority or the establishment of procedures (for example, direction of combat operations or supervision of military or DOD civilian personnel).
- Processes related to the oversight of monetary transactions or entitlements (for example, contract award).

Note for Army Personnel: AR 715-9 promulgates Army guidance regarding inherently governmental functions. AR 735-4 provide additional Army policy regarding inherently governmental functions. SA Memo also provides guidance on the subject to include a related required checklist. Worksheet A provides an inherently governmental checklist located at the Assistant Secretary of the Army for Manpower & Reserve Affairs website. Process this form in accordance with local command guidance.

Personal Services Contracts

2-18. Personal services contracts are contracts that make the contractor personnel appear to be, in effect, government employees. Key indicators of personal services contracts are “relatively continuous supervision and control” of contractor employees by government officials or other conditions that create the appearance of an employer-employee relationship even where none exists. Personal services contracts require special authorities and approvals and normally do not apply at the tactical level.

Key Point: If there is any doubt as to whether a particular duty, responsibility, or function being considered for commercial support is inherently governmental or of a personal services nature, consult with your supporting contracting activity and include supporting legal staff.

Local Command Imposed Restrictions

2-19. Commanders at all levels may place restrictions on OCS actions based on operational specific conditions. For example, there may be restrictions on using LN personnel for certain services or locations because of force protection, force health protection, or security matters. Such restrictions should be codified in appropriate operation orders (OPORDs), annexes, appendices and other related documents.

Conduct Risk Assessment

2-20. Tactical level commanders need to consider potential OCS-unique risks in their overall risk assessment process. While in some operations requiring activities have no real choice but to use OCS to meet their support requirements, a well-conducted OCS risk assessment will assist the commander in being prepared to mitigate identified risks. This risk assessment is especially important for any mission critical contracted service. At the tactical level, the most common OCS-related risks may include the following:

- Inability to accurately define requirements, especially in a rapidly changing operational environment.
- Permissiveness of the operational environment.
- Anticipated operation duration.
- Potentially long procurement lead times.
- Possibility of contract protest.
- Increased operations security risks in using foreign contract companies and non-U.S. contract employees.
- Protection of the contracted workforce and their general ability to provide for their own self-defense.
- Contractor inability or failure to perform.
- Quality of the product or service provided by the contractor, especially when utilizing local LN contracts.
- Ability to secure required government civilian or military resources such as contracting officers, technical subject matter experts, and CORs to let, manage, and oversee contracted support.

- Ability to secure proper funding (both type and amount of funds).
- In some operations, both the potentially positive and negative operational effects of using commercial versus organic support (for example, stabilizing versus inflating the local economy, providing local employment, potentially funding the enemy through local contracts).

Understanding Procurement Lead Time

2-21. The time it takes to obtain commercial support is always a key OCS planning consideration. A major challenge to all OCS planners is to accurately determine when and to what level the commercial support will be required. There is a time lag between the identification of a contract requirement and the delivery of the service or supply. Timelines for contract support can vary from a few hours to many months although normal time lines are generally measured in multiple weeks (see figure 2-1). For example, a supply request where there is an existing blanket purchase agreement in place can be processed in very short order depending on staffing and approval guidelines. A contract for a construction-related project can take many months between the initial planning and commencement of work. Factors influencing the time from requirement identification to contract award include—

- Priority of requirement (mission critical emergency, safety-related, routine support).
- Complexity of the contracted requirement (size of force, anticipated duration, number of elements associated to requirement).
- Availability of a current contract, delivery order, or task order with same supply, service or construction with excess capacity.
- Availability of local sources of support (equipment and employees).
- Ability to phase in contract support services.
- Funds availability.
- Requirements package development and approval time to include any requirements review board and contracting review board processing.

Key Point: A key aspect of procurement lead-time, and the one a requiring activity has the most control over, is the ability to accurately define requirements and obtain proper funding. Also note, procurement lead-time applies to renewal of contracts, not just new contracts.

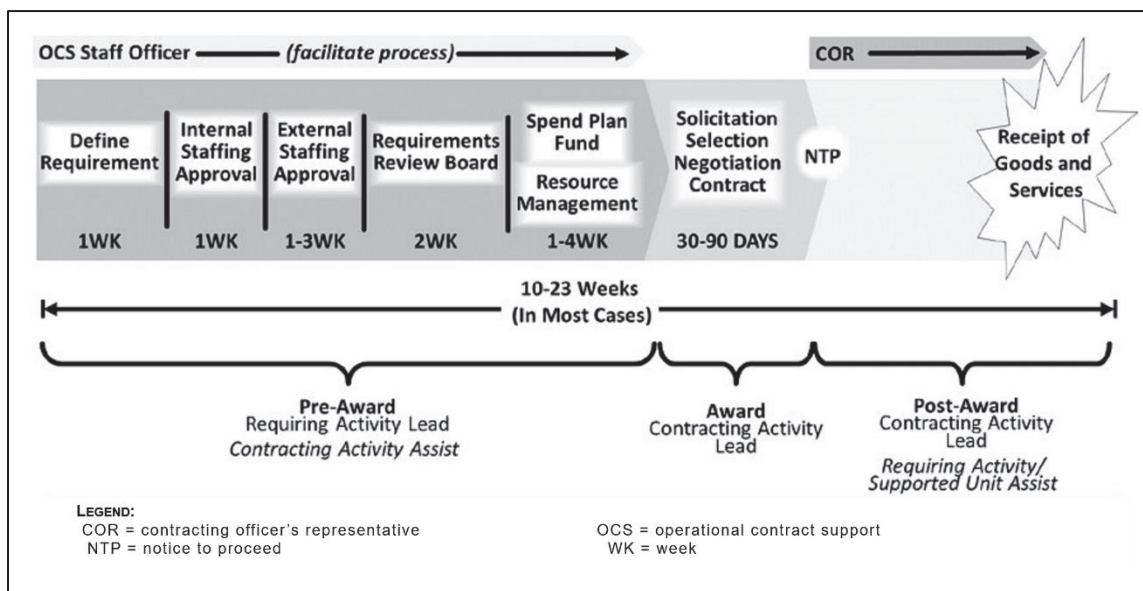


Figure 2-1. Notional contract support procurement timeline

Course of Action Comparison

2-22. OCS-related actions during COA comparison include—

- The OCS staff officer, supporting contracting activity representative and, CAP personnel (if available) provide OCS expertise in determining COA feasibility, potential risks, and general advantages and disadvantages of each COA.
- In conjunction with the resource manager, OCS staff apply initial requirement funding estimates to support COA comparison.

COA Approval

2-23. The OCS staff role in COA approval is providing advice to the commander on the feasibility of OCS-related tasks or matters identified in the COAs.

Orders Production

2-24. During orders production, appropriate OCS-related information is incorporated into the OPORD, FRAGORD, annexes, and appendices by the appropriate staff element. Simultaneous to the orders production is the finalization of the commercial support requirements, which then can be turned into acquisition-ready requirements packages. FM 6-0 provide an example of a tactical level Annex W template.

RELIEF IN PLACE CONSIDERATIONS

2-25. Relief in place is the sequence of events where one military unit replaces another within the operational area. A relief in place is a tactical enabling operation where, by the direction of higher authority, all or part of a unit is replaced in an area by an incoming unit. Planning for relief in place begins as soon as a unit is notified it will be deploying as a replacement of a currently deployed organization.

2-26. Not all operations have formal relief in place opportunities. Commanders and staffs replacing another unit should ensure OCS matters are considered along with other routine operational and logistic matters. Commanders must ensure there is an OCS trained staff officer included as part of any pre-deployment site survey. In all relief in place actions, incoming units should collect the following OCS information from the outgoing unit:

- References to include annex W, related FRAGORDs, OCS-related command policies and procedure documents, funding and resource management information.
- Existing contract information to include contract service end dates.
- Current and projected COR requirements.
- Local command COR training policies and procedures.
- Any on-going OCS planning actions to include any draft contract support requirements packages.
- Any support functions currently provided by military forces that cannot be met by incoming organic support capabilities (possible transition to contract support to ensure there is no break in support).
- Information (names, location, and support relationship) of supporting contracting activity, finance activity, and CAP personnel.
- LN contract worker base access and security information.
- Field ordering officer (FOO) and pay agent-related files.

Key Point: Upon notification of a unit replacing another deployed unit during a specific operation, commanders' need to ensure OCS is part of their relief in place plan.

TRANSITION DRAWDOWN AND BASE CLOSURE CONSIDERATIONS

2-27. Requiring activities must be prepared to request modification to supporting contracts as they prepare for departure from an operational area. This process requires a detailed plan for the phased reduction of standards of support, especially in threat environments where contractor personnel would be at significant risk without military-provided force protection. The staff must identify all open contracts and determine which should continue based on cost-benefit analysis and the base camps' planned transfer or closure date. They must coordinate with supported units to determine which contracted services or support are mission essential.

2-28. The following list highlights some key considerations units should consider when planning for base transfer or closure.

- Force protection and security requirements.
- Reduction in standards of support.
- Contractor notification and de-mobilization timelines.
- Temporary transition of mission critical theater support contracts to CAP task order.
- Contractor redeployment and repatriation of third country nation workers.
- GFP and CAGO equipment disposition instructions.
- Contractor-owned, contractor-operated equipment disposition and government transportation support requirements.
- Overall contractor provided and required transportation needs.
- Contract closeout plans.
- Base closure and consolidation plans.
- Contract source effectiveness and risk assessment.
- Host-nation environmental requirements.

2-29. For more information on base closure, see JP 4-10 and ATP 3-37.10/ MCRP 3-40D.13.

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Chapter 3

Requirements Development and Approval

Requirements development, and requirements review and approval are subsets of requirements management. Requirements development is the process of defining and capturing commercial support requirements in acquisition-ready requirements packages, while requirements review and approval is the command process to consolidate, validate, approve, and prioritize the packages prior to submission to the supporting contracting activity. Requirements management follows the planning process once the determination is made the required supply, service, or minor construction is best sourced via commercial means.

REQUIRING ACTIVITY AND SUPPORTED UNIT RESPONSIBILITIES

3-1. Service units routinely perform requirements development and approval tasks in support of military operations. Requirements development and approval functions begin with the decision, based on the results of the support planning process, that a unit's support requirements (supply, service, or minor construction) could be fulfilled by commercial support. Requiring activity requirements management related tasks include—

- Conducting market research to determine—
 - The availability of commercial support within the operational area.
 - The ability of available commercial support to satisfy the determined requirement.
- Generally accepted market practices and prices for required supplies, services, or minor construction.
- Developing acquisition ready contract support requirements packages to include the IGE, initial SOW or PWS, any required letters of justification, draft QASP (for service contract), and other supporting documents as needed.
- Obtaining local staff, command, and funding approval of requirements packages.
- Nominating technically qualified and process trained CORs for service contracts.
- Nominating receiving officials for supply contracts.
- Tracking commercial support requirements packages through the approval process.

Key Point: As discussed in appendices A-D, each Service is organized differently when it comes to requiring activity functions, to include considerable variance of the contracting officer's involvement in the requirements development process. Additional information on COR and receiving officials can be found in chapter 4.

ACQUISITION-READY REQUIREMENTS PACKAGE

3-2. The acquisition-ready requirements package contains all documentation required by unit policy as it relates to the supply, service, or minor construction being requested. At a minimum, these packages should include a funding document, a justification for the requirement, PWS (for a service contract) or item description (for a supply request), IGE, and draft QASP (for a service contract). Other documents may be required in accordance with local policies and procedures.

PACKAGE PREPARATION IMPERATIVES

3-3. Service members are accustomed to mission type orders; however, contracted requirements must be written with greater specificity.

3-4. Good contracts start with good requirements, therefore, be specific by providing details such as what, where, how much, what quality, and the duration of the requirement. Provide diagrams or drawings when appropriate. Include specific conditions such as security procedures, living conditions for CAAF, CAAF authorizations, government-furnished support, and environmental restrictions. Do not include details on who should provide this support unless you have a good reason to request a specific contractor and are prepared to develop a sole source letter of justification with strong supporting rationale.

3-5. Whenever possible, use PWSs vice SOWs for service contracts. PWSs tell the contractor what service you require, when and where you need it, and to what standard it must be performed thus allowing the contractor to execute the service in the most efficient manner possible.

3-6. In circumstances where it is essential the contractor perform the service in a specific manner, the SOW should contain specific task guidance rather than performance based language. In some cases, this guidance may come in the form of directing performance in accordance with a specified technical or procedural manual.

3-7. Best practices include the following—

- Ensure a functional staff subject matter expert develops, or at least verifies, all technical matters within the PWS or SOW and draft QASP.
- Involve the potential COR to assist in requirements development whenever feasible.
- Request example requirements packages or templates from your supporting contracting organization, but ensure the details are properly modified to match your actual requirement.

Key Point: Contractor employee personnel normally should not develop requirements. In certain circumstances, contractors may be utilized to assist in requirements development actions, but only when the appropriate non-disclosure and non-competition agreements are in effect. In general, a contract company cannot bid on requirements it helped develop.

3-8. Figure 3-1 graphically depicts the basic contents included in an acquisition-ready requirements package.

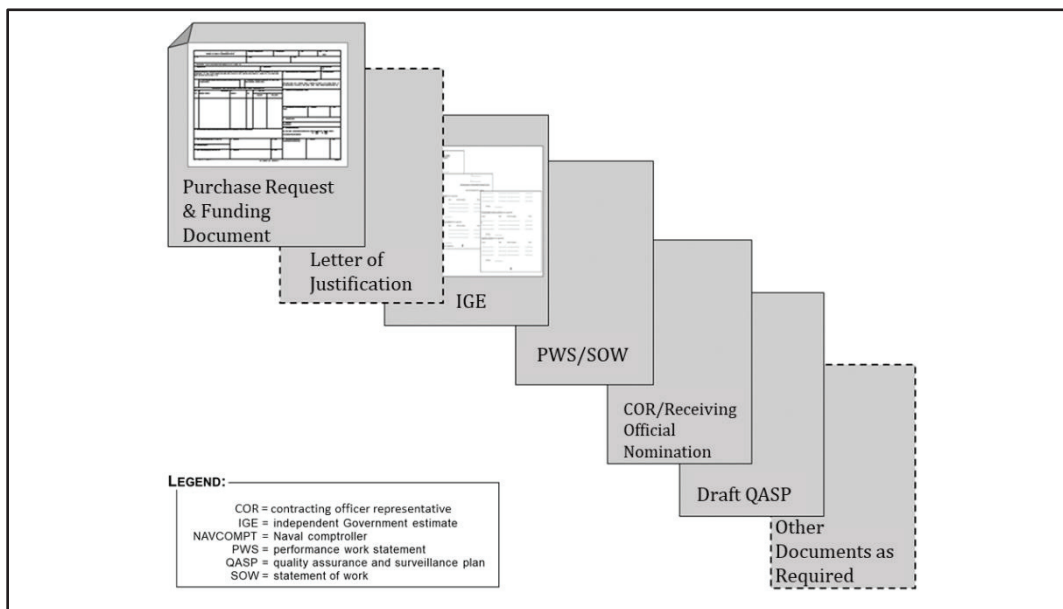


Figure 3-1. Basic acquisition-ready requirements package contents

Purchase Request & Funding Documents

3-9. Requiring activities are responsible for coordinating funding. A Service specific purchase request, such as DA Form 3953, (*Purchase Request and Commitment*); NAVCOMPT Form 2276, (*Request for Contractual Procurement*); AF Form 9, (*Request for Purchase*); or DD Form 1149, (*Requisition and Invoice/Shipping Document*) for U. S. Marine Corps must accompany the requirements package to ensure commitment of funds and compliance with the Anti-Deficiency Act.

Key Point: Refer to local command policies for specific contract funding documentation requirements and funding approval procedures.

Requirements Letter of Justifications

3-10. All requirements packages reaching requirements review board level thresholds require a justification letter in addition to an approved funding document. Other requirements packages may or may not require a justification letter based on local command policy and the nature of the requirement. Contents of the justification may include, but are not limited to—

- Rationale for the requirement.
- Operational need.
- Impacts, if not funded.
- Results of market research.
- Why the requirement is needed.
- What other sources were examined to fulfill the requirement.
- Why contracting is the best solution to meet the requirement.
- Address any special concerns, such as force protection and security.

Independent Government Estimate

3-11. Many requirements packages require an IGE. The IGE is a cost estimate developed by the requiring activity, based on the PWS. It is signed by a USG official, military or civilian, from the requiring activity and is used by the commander for budget planning and the unit resource manager as a funding estimate tool. It also assists the supporting contracting activity to make a fair and reasonable determination of contract quotes, proposals, or bids with consideration of the environment and competition.

Key Point: IGE development is the responsibility of the requiring activity, not the contracting officer and especially not the contractor! A rough estimate or quote from a contractor is not an IGE.

3-12. Sources of IGE information include—

- Market research.
- Previous IGEs for like supplies, services, or construction (can often be provided by the requiring activity resource manager or the supporting contracting organization).
- Personal knowledge.
- General Services Administration Schedule pricing guidelines.
- Published local labor rates.

3-13. Elements of an IGE include—

- Title – Describe the project or item being purchased to include assumptions used, source of information, and requiring unit point of contact.
- Labor costs – List labor by individual task and category, rollup task costs, and show option years or option tasks separately.

- Burden on labor costs – the percentage of costs for direct labor associated with the employee benefits.
- Other direct costs – an estimate of the type and quantity of material, equipment, and travel necessary for the contractor to perform the service.
- Indirect costs (overhead) – costs that are not directly associated with any single project or contract, but are incurred in the performance of some or all of the company’s projects or contracts (examples include transportations costs, utilities, and facilities costs).
- General and Administrative (also called G&A) costs – G&A should be applied for all non-labor costs. The supporting contracting office can usually supply the standard G&A rate.
- Profit or Fee – dollar amount over and above any allowable costs paid to a contractor for performance.

Key Point: AR 70-13 provide additional information on cost estimates and Defense *Contingency COR Handbook* located at the Office of the Under Secretary of Defense for Acquisition, Technology and Logistics website.

Supply Item Description, Service Performance Work Statement, or Construction Statement of Work

3-14. There are three major categories of acquisitions: supplies, services, and construction.

3-15. A supply contract is for a specific commodity. Supply contract requirement packages must provide sufficient detail to ensure the product received meets the government’s performance and capability needs. Details should answer the following—

- What color does the item need to be?
- What does the item need to do and what are the performance requirements?
- Dimensions/weight requirements?
- What type of materials should the item be made with (metal, plastic, wood)?
- Special features?

3-16. A service contract is a contract that directly engages the time and effort of a contractor whose primary purpose is to perform an identifiable task rather than to furnish an end item of supply. Each service contract requirements package requires a PWS, which is a statement of work for performance-based acquisitions that describes the desired results in clear, specific, and objectives terms with measureable outcomes.

3-17. A construction contract is for the construction, alteration or repair of buildings, structures or other real property for which a SOW is used to describe the technical requirements.

Key Point: Do not assume anything when developing your item description, PWS or SOW. Be specific by including diagrams, technical specifications, and references to technical manuals as applicable. Additional PWS development guidance can be found in the *DOD Guidebook for Performance Based Services Acquisition (PBSA)* located at the Defense Acquisition University website.

Contracting Officer’s Representative or Receiving Official Nomination Letter

3-18. Per contract law, DOD policy and Service policy, the requiring activity must nominate trained and subject matter qualified military or government civilian CORs for each service support request. Likewise, requiring activities must identify receiving officials by name for any supply request. The Contracting Officer Representative Tracking Tool, PIEE, and Joint Appointment Module are the DOD mandated systems for nominations, appointments, terminations, and training certifications. Additional information on COR and receiving officials can be found in chapter 4.

Key Point: Commanders and OCS staff must ensure they are aware of, and comply with, any existing Service-directed COR or theater-specific recommended pre-deployment training requirements. Deficiencies in COR capability, such as access to worksites and subject matter expertise, are a command problem, not just a contracting problem, that must be elevated to higher level command for resolution.

Quality Assurance Surveillance Plan

3-19. The QASP is a critically important requirements package element for all service contracts. The requiring activity functional subject matter expert in conjunction with the COR should develop a QASP. This document details how, when and by whom the government will survey, observe, test, sample, evaluate, and document contractor performance. The QASP helps determine whether the contractor has met the required standards for each objective in the PWS or SOW.

Key Point: A QASP is very similar to a unit's internal command inspection plan in design, purpose, and execution. The main exceptions are official QASP reports must be processed through the supporting contracting activity, and any corrective actions to the contractor must be issued by the contracting officer, not the supported unit leadership.

Other Supporting Documentation

3-20. Federal, DOD, and Service regulations, local command policies, or the special nature of the requested supply, construction, or service may require additional documentation submission to process. Some examples of additional supporting documents that may be required include, but are not limited to—

- Justification and approval letter for limiting full and open competition.
- Technical or other special approval documents.
- Other documents required by local policy.
- U.S. Army Contract Requirements Package Antiterrorism and Operations Security Review Cover Sheet (Army-only requirement for most service contract requests) can be found at the Army Office of the Provost Marshal General Antiterrorism Enterprise Portal (requires common access card login).
- Request for Services Contract Approval Form (Army-only requirement for most service contract requests) can be found at the Assistant Secretary of the Army for Manpower & Reserve Affairs website.
- Acquisition Strategy.
- Government Property Addendum.

3-21. Many of these supporting documents require specific guidance to properly develop. Close coordination with your supporting contracting organization and appropriate functional subject matter expert are important for successful completion and approval of supporting documentation, and ultimately the requirements package content.

ACQUISITION-READY REQUIREMENTS PACKAGE PROCESSING

3-22. All requirements packages for commercial support will be processed in accordance with command policy and procedures. These packages will also be submitted to the appropriate review board as required.

Key Point: Requiring activities shall not separate requirements into multiple similar purchases to avoid purchase card limits, requirements approval thresholds, competition requirements, or any other acquisition policy or procedure. This practice, commonly known as split purchasing, is prohibited by Title 10, United States Code, *Contracts: Competition Requirements* the FAR, and DOD policy.

COMMAND STAFFING, APPROVAL, AND LEAD TIME

3-23. Once the acquisition-ready requirements package is completed, the designated action officer reviews the package to ensure it is complete in accordance with all Service and local command guidance. The package should then be reviewed by the appropriate staff, approved by the commander or designated representative, and submitted to higher headquarters. Some packages, depending on cost thresholds and nature of the service or supplies requested, may require submission to a Service or JFC requirements review board or other functional board for final approval and prioritization. Depending on local command policies and procedures, requirements package staffing and approval can take a considerable amount of time. Thus, requirements package staffing and approval timelines must be considered when estimating the overall time it takes to plan and execute commercial support. See chapter 2 for more details on procurement lead time.

TRACKING ACQUISITION-READY REQUIREMENTS PACKAGES

3-24. One of the most important functions of the unit's OCS or other designated staff is to monitor and track acquisition-ready requirements packages. These packages are processed through an informal local approval process or a formal requirements review board process. No matter the approval process, tracking these requirements is an essential task to ensure they are not needlessly delayed or forgotten.

Key Point: Ensure you aggressively track the progress of your requirements package through final command and funding approval. Requirements packages have been known to be delayed or lost in this process.

REQUIREMENTS REVIEW BOARDS

3-25. The role of a requirements review board is to approve and prioritize designated high-value or high-visibility requirements and determine the proper source of support for these requirements. Service component command-level Annex W and specifically its appendices 1 and 3 and local command policies should dictate requirements needing board approval and the specifics of the process. Requiring activities should submit accurate acquisition-ready requirements packages to the requirements review board and monitor the status through the process. When the package is approved, it is submitted to the designated contracting organization to be placed under contract. The supported unit or the requiring activity must champion and be prepared to defend its requirements through the process. JP 4-10 provide more details on the requirements review board process.

Key Point: Many common or low cost supply and service requirements will not be required to go through a formal requirements review board approval process. Getting an acquisition-ready requirements package done correctly, so it is approved the first time, is the best way to speed up the contract support process. The acquisition-ready requirements package does not go to the contracting office until it is approved, funded, and accepted by the contracting office.

Chapter 4

Contract Performance Oversight

Contract performance oversight includes significant requiring activity and supported unit tasks in support of the contract administration process, which is led by the supporting contracting activity. Requiring activities and designated supported units play a direct and critical role in this process primarily through appointment of CORs and receiving officials.

Key Point: The primary goal of contract performance oversight is to ensure the government gets what it is paying for when it comes to commercial support. This goal cannot be met without significant requiring activity and supported unit involvement.

REQUIRING ACTIVITY AND SUPPORTED UNIT RESPONSIBILITIES

4-1. Requiring activities must be prepared to closely monitor contract performance and assist the contracting officer in the contract administration process. This is accomplished through the nomination and tracking of qualified CORs (for service and construction contracts) and receiving officials (for supply contracts). Additionally, in major contract actions such as a CAP task order, there may be numerous supported units and multiple services requiring COR oversight support. In these situations, the supported unit is not the actual requiring activity, but still has designated COR or receiving official duties as outlined in the tactical level Annex W or other higher level command directives or orders. Major requiring activity and supported unit tasks in support of the contract administration process include—

- Training CORs (in accordance with DODI 5000.72) with requisite subject matter expertise to properly monitor contractor personnel and performance.
- Providing receiving officials for all supply contracts.
- Tracking individual contract support actions to include COR status.
- Participating in, or providing input to, award fee boards and contractor performance assessments.
- Creating and maintaining a fiduciary account of GFP, in conjunction with the supporting contracting organization performing the property administration responsibilities.

4-2. As covered in the planning chapter, all service contracts require an appointed military or government civilian COR provided by the requiring activity or supported unit. Likewise, each supply contract requires a designated receiving official. Additionally, large OCS support structures like the service CAPs may require multiple CORs, receiving officials, and property administration support.

SITUATIONAL AWARENESS

4-3. Requiring activities frequently lack the ability to leverage the full potential of OCS because they have insufficient awareness and appreciation for its complexity. The application of OCS requires knowledge on planning and managing contracted support, contractor management, and the integration of contracted support into daily operations. In order to enable requiring activities, skilled OCS planning professionals must be a mainstay of all future operations.

CONTRACTING OFFICER'S REPRESENTATIVE MANAGEMENT

4-4. All requiring activities and designated supported units must have an active COR management program. Effective COR management is a collaborative process between the supporting contracting activity and the requiring activity and supported unit. All CORs must meet mandatory training requirements and have requisite expertise to review technical matters within a service contract PWS's performance requirements summary and the QASP. Commanders must ensure CORs are allowed sufficient time and access to the contractor area of performance in order to properly execute their quality surveillance tasks. Requiring activities must also actively track and monitor COR performance to include quality and timeliness of their reports and technical competence. Requiring activities and designated supported units must ensure they analyze, develop possible solutions, brief chain of command, and address contract concerns to higher-level command as soon as they are identified.

Key Point: Additional information on the COR functions can be found in the *Defense Contingency COR Handbook* at the Office of the Under Secretary of Defense for Acquisition, Technology and Logistics website, as well as DODI 5000.72.

RECEIVING OFFICIAL DESIGNATIONS

4-5. Requiring activities are generally required by Service policy to provide a Service member or DOD civilian to act as a receiving official for the delivery of contracted supplies. The receiving official has the responsibility to inspect the item at the point of delivery and may, if necessary, reject the item if it does not meet the contract specifications, terms and conditions. If the item is rejected, the receiving official must immediately notify the contracting officer. After acceptance, the receiving official must certify receipt of supplies for payment in the invoice receipt acceptance and property transfer (iRAPT) module within the PIEE, or by completing a Service specific inspection and receiving statement as required.

4-6. Current operations require detailed contract support monitoring and management by the requiring activity and supported unit. In addition to tracking requirements through the requirements review and approval process, the Service functional area staff should track and monitor their contracts through performance, delivery and close out. Each Service has its own system of record for contract tracking, but at a minimum the following data should be tracked using standard computer spreadsheet software—

- Unit established tracking or requisition number.
- Date package submitted to commander or requirements review board.
- Date package approved by commander or requirements review board.
- Package processing time.
- Contract number.
- Contracting activity and contracting officer contact information (unit information, name/rank, location/time zone, phone number, email).
- Prime contractor name.
- Service or item description.
- Contract cost/price, budgeted and committed dollars.
- Period of performance (start and end dates) or date of delivery.
- Place(s) of performance or delivery.
- COR(s) or receiving official's name, unit, and rotation/redeployment date.
- Estimated date for review/renewal.
- Remarks.

ASSESSING CONTRACT SUPPORT

4-7. Assessing the effectiveness and efficiency (as well as cost) of commercial support is a collaborative effort between the requiring activity, supported unit, and the supporting contracting organization. COR and receiving official reports are key to this process. Commanders and their staffs must ensure all reports (COR

and receiving official) are provided to the requisite contracting officer and the appropriate unit staff. Mission critical contract actions must be assessed and briefed as required by the designated unit staff officer at the unit's daily battlefield updates or similar battle tracking processes. Identified contractor performance problems must be worked in a collaborative manner between the COR and the supporting contracting officer, with appropriate unit functional staff involvement for any major issues.

Key Point: Assessing and briefing mission critical contract support actions at unit battlefield updates is a requiring activity or supported unit staff function, not a supporting contracting activity function. Ensure all issues related to contractor performance are worked through the appropriate contracting officer - do not address problems directly with the prime or sub-contractors' management.

INFORMAL UNIT ASSESSMENTS

4-8. Informal assessments involve collecting and reviewing COR reports, COR interviews, and collaborating with supporting contracting officers to judge overall effectiveness and efficiency of the service being provided. The OCS staff is the coordinator of this effort, but the functional staff subject matter expert is critical in providing proper technical assessments of this support. Remember, any major deficiencies identified must be worked through the supporting contracting activity.

FORMAL ASSESSMENTS

4-9. There are two types of contractor performance formal assessments requiring activities may support. These are briefly covered below; however, requiring activities should consult their requisite contracting officer for specific details on how they may be involved in these processes.

Performance Evaluation Board

4-10. Performance evaluation boards can be used as a formal mechanism to provide performance feedback to the contractor. More specifically, performance evaluation boards are used to identify contractor performance strengths, areas for improvement, and areas that require more emphasis. Requiring activities, through their appointed CORs, are directly involved in this process. Performance evaluation boards are conducted in accordance with service procedures, but normally include the following general roles and responsibilities—

- Quality assurance representatives prepare, schedule, and conduct quality technical evaluations in accordance with documented audits and findings (traceable to PWS or SOW requirements) as well as brief the performance evaluation boards as required.
- Unit CORs provide schedules and quality technical evaluation summaries based on documented audits and inspections to both the unit chain of command and through the quality assurance representative (QAR) to the contracting officer. Additionally, CORs will brief the performance evaluation board as required.

Key Point: Unit CORs should submit performance evaluation board comments to both the on-site QAR and the unit chain of command.

- Military or government civilian property administrators provide evaluations of contractor property control systems (different for each Service).
- Contractors provide written self-assessments of accomplishments (read-ahead package) in accordance with contract requirements and present a summary of accomplishments at the performance evaluation board.

Award Fee Board

4-11. An award fee provides a pool of dollars that can be earned based upon the government's evaluation of the contractor's performance in various performance areas within established time periods. The intent of an

award-fee arrangement is to incentivize a contractor to improve performance based upon the government's assessment of the contractor's performance measured against established metrics. The appointed award fee determining official makes final award fee determination after considering results of the award fee board. The determination is then provided to the contracting officer for award to the contractor.

Key Point: The most effective award fee board input, whether positive or negative, is documented and provided frequently during the period of performance rather than only at the time of an award fee determination.

UNAUTHORIZED COMMITMENTS AND RATIFICATION

4-12. Only the warranted contracting officers have the authority to legally obligate the USG for the purchase of supplies, construction, or services with federal funds. There are limited exceptions of special authorizations, such as the Commanders' Emergency Response Program (CERP) and FOOs covered in appendix G. All personnel are responsible for ensuring their dealings with contractors are conducted in such a manner as to avoid the impression they intend to obligate the government in any manner whatsoever. A UAC is an agreement that is not binding solely because the government representative who made it lacked the authority to enter into that agreement on behalf of the government. The COR can't obligate the government. The ordering and acceptance of supplies and services without benefit of a legal contract constitute improper acts and do not obligate the government for the items ordered, but may incur a personal liability to the individual who made the commitment.

UNAUTHORIZED COMMITMENTS EXAMPLE SITUATIONS

4-13. A unit properly contracted for the purchase of air conditioners for tents in the life support area. When the vendor delivered the correct quantity and type of air conditioners, the unit supply officer directed the vendor to deliver the same quantity and type air conditioners to another unit on the base and told the vendor to put the bill on the same contract. A few days later, the vendor delivered the additional air conditioners as directed by the unit supply officer. A UAC occurred, even if the second unit's supply personnel did not accept these air conditioners, and the government will surely be billed for all delivery-related costs incurred by the contractor.

4-14. A commander was informed a mission essential service contract was expiring and there would be a break in service while the unit staff submitted a request for extension of the contract. The unit commander, in his haste to fix the problem, told the local contract company manager to continue to perform the service while his staff worked with the supporting contracting activity to renew the contract. When the commander and contract company manager agreed to extend the service beyond the current period of performance, a UAC occurred, and any costs incurred by the contractor related to the service beyond the current period of performance will likely be billed to the government, regardless of whether the contract is extended or not.

4-15. A base camp engineer officer told a contractor to correct electrical problems on a particular facility that was not part of the contractor's current support services scope of work. When the contractor agreed to perform the repairs as directed by the base camp engineer, a UAC occurred, and any actions the contractor took related to the repairs following the agreement could be billed to the government as costs incurred.

AVOIDING UNAUTHORIZED COMMITMENTS

4-16. To avoid a UAC, all military and DOD civilian personnel, and especially CORs, must avoid any of the following actions—

- Making any commitment or promise relating to award of contracts or any representation that would be construed as such a commitment.
- Issuing instructions to the contractor to start, change, or stop work.
- Encouraging the contractor by words, actions, or inaction to undertake new work, or an extension of existing work, beyond the stated contract period.
- Accepting products or services not required by the contract.

4-17. UACs place the government in an undesirable position and can create bad will with the company that delivered the supplies or services, and with the local population, particularly when in a contingency environment. UACs are also illegal and put the person committing them at personal fiduciary risk.

RATIFICATION

4-18. UACs require a ratification process, and successful ratification is never guaranteed. Only the appropriate contracting authority may ratify a UAC when the following conditions are met—

- Supplies or services have been provided to and accepted by the government, or the government otherwise has obtained or will obtain a benefit resulting from performance of the UAC.
- The ratifying official has the authority to enter into a contractual commitment.
- The resulting contract would otherwise have been proper if made by an appropriate contracting officer.
- The contracting officer reviewing the UAC determines the price to be fair and reasonable.
- The contracting officer recommends payment and legal counsel concurs in the recommendation, unless agency procedures expressly do not require such concurrence.
- Funds are available and were available at the time the UAC was made.
- The ratification is in accordance with any other limitations prescribed under agency procedures.

4-19. If the UAC is not ratified, the government may not take responsibility for the act and the contractor may hold the individual who committed the act personally and financially liable.

4-20. Ratification procedures vary based on the command and situation, but normally a ratification package includes the following—

- A report on the circumstances surrounding the UAC.
- A statement from the command on corrective actions taken to prevent a recurrence of the event.
- A description of disciplinary action taken or an explanation of why no action was taken against the individual responsible for the UAC.

Key Point: A commander, staff member, COR, or any other government official who is not a warranted contracting officer must not direct the contractor, whether explicitly or implicitly, to take any action that would change the contract or obligate the government in any way. Individuals who commit UACs may be held financially liable for such legal infractions. However, fear of committing an UAC should never prevent you from stopping a contractor from performing an unsafe act that poses a threat to personnel or equipment. Make the correction to stop the unsafe act and immediately notify the COR or contracting officer.

CONTRACT CLOSEOUT ACTIONS

4-21. When the contractor has satisfactorily completed performance of the terms of the contract and final payment has been made, the contract file should be closed out as soon as possible. The following steps should be taken—

- Requiring activity or supported unit functional staff validates the requirement to ensure the contracted service is no longer needed.
- The contractor submits final invoice in iRAPT, (formerly Wide Area Workflow) or manually if these procedures are acceptable to Defense Finance and Accounting Service, and to the contracting officer in accordance with local policy. The COR completes the receiving report, manually DD Form 250 (*Material Inspection and Receiving Report*) or in iRAPT, in order for Defense Finance and Accounting Service to pay the vendor.
- The COR ensures all contractor owned equipment is removed upon expiration of contract and all GFP is returned to include contractor acquired government owned property that is accounted for in a government system of record.
- The COR ensures the COR file is complete and notifies contracting officer.

- Any funds not expended are de-obligated from the contract by the contracting officer.
- The contracting officer then closes the contract.

Key Point: For Marine Corps personnel, the contracting activity and unit level standing operating procedures promulgate U. S. Marine Corps guidance regarding invoice and payment procedures for operational requirements.

Chapter 5

Contractor Management

Contractor management is the oversight and integration of contractor personnel and associated equipment providing support to military operations. In past conflicts, contractor management was often considered only after deployment and only then when serious contractor management issues came to light. Today, it is DOD policy to formally include OCS in the operational planning process, and one of these key planning considerations is the integration of contractor personnel and equipment into military operations. Key to successful execution of contractor management actions is tying them directly to the requirements management and contract performance oversight processes. This chapter provides detailed guidance on integrating contractor personnel and their equipment into military operations at the tactical level. Discussion includes details on contractor personnel legal status, discipline, pre-deployment preparation, deployment, in-theater management, force protection, and security.

Key Point: The contractor management principles and techniques discussed in this chapter are generally only applicable to operations conducted outside the U.S. There are no formal contractor management policies for domestic operations.

RESPONSIBILITY

5-1. Like OCS as a whole, contractor management is a shared responsibility between the requiring activity and the supporting contracting organization. By its very nature, contractor management-related planning responsibilities cross all primary and special staff functional lanes (see table 5-1). The supporting contracting activity is also responsible to provide advice and assistance in contractor management planning and execution. Also of significant importance are the contracting activity's responsibilities to include contractor management aspects within the contract.

Table 5-1. Requiring activity staff contractor management responsibilities

Staff	Major Responsibilities
Personnel	CAAF personnel accountability reporting; morale and welfare activities; coordinate fiscal resources.
Intelligence	Threat assessment and vendor vetting/screening.
Operations	Deployment; force protection and security; base assessment; armed private security; rules on use of force.
Logistics	Government-furnished support requirements.
Plans	Integration of overall planning effort.
Surgeon	Medical support in accordance with contract.
Staff Judge Advocate	Legal jurisdiction advice and support.
OCS Staff	Ensure contractor management factors are captured in the requirements development process; convene contractor management working groups; plan and integrate contractor management matters into overall operation.

Table 5-1. Requiring activity staff contractor management responsibilities (continued)

Legend:
 CAAF: contractors authorized to accompany the force
 OCS: operational contract support

CONTRACTOR MANAGEMENT PLANNING

5-2. The unit command and operating base levels integrate contractor personnel and associated equipment in accordance with operation plan (OPLAN), operation plan (OPORD), and HQ established guidance and policy. The JFC level and Service headquarters levels establish contractor management policies and procedures in accordance with DODI 3020.41 and other related Service policy such as AR 715-9. OCS staff should have a copy of the higher-level contractor management appendices to Annex W. Each primary and special staff should be familiar with OCS guidance related to their functional area (for example, the personnel staff should have a copy and follow contractor personnel reporting policy and procedures). When contractor management planning areas of concern cover multiple staff lanes, the requiring activity OCS staff should consider establishing a contractor management working group to ensure these challenges are addressed and integrated across all appropriate primary and special staff lines.

CONTRACTOR MANAGEMENT REQUIREMENTS

5-3. Requiring activities incorporate contractor management considerations into the requirements management process to include such things as GFP, force protection, and security matters (especially important if the contract will be with a LN firm using LN labor). In turn, the supporting contracting activity, in conjunction with the requiring activity, is responsible to incorporate contractor management policy and procedural requirements into the contract. Unit CORs are the link to the contracting officer (or administrative contracting officer), quality assurance representative (QAR), and property administrator if appointed, for the oversight of contract performance to include contractor management policy and procedure compliance. For prearranged commercial support, the contracting officer will use standard deployment clauses of the FAR, DFARS, and Service specific supplement to ensure contractors are informed and prepared to execute their contract in a contingency or non-contingency expeditionary environment. While generic in nature, these clauses ensure contractors are informed of and required to comply with basic deployment preparation and operation specific management requirements. For contracts awarded for a specific operation, operation specific contract clauses should be included in the PWS or SOW and other terms and conditions of the contract. Also of significant importance, the QASP should be developed to include contractor management-related compliance measurement checks in areas such as personnel accountability, GFP management, force protection and security measures.

Key Point: DFARS Sub-Part 225.3 and associated PGI 225.3 provide standardized contract terms and conditions clauses related to deployment preparation, government-furnished support, contractor personnel arming, anti-terrorism and security, and combating trafficking in persons (CTIP).

CONTRACTOR MANAGEMENT RISKS AND CHALLENGES

5-4. Commercial support can provide cost effective surge capability and skills not organic to the unit (such as translators). There are second order effects that must be considered when using commercial support such as local population employment and economic stimulation. Integrating contractor personnel and their equipment into military operations can be a significant challenge. Contractor challenges involve additional mission risk when compared to utilizing organic support capabilities, such as potential loss of flexibility, additional force protection and security-related requirements. Additionally, the commander has limited authority to keep contractor personnel on the job, when compared to military members, a fact often not understood by operational commanders and their staffs.

5-5. The following are common contractor management risks—

- Risk to mission accomplishment from contractor non-performance due to force protection and security issues.
 - Increased force protection requirements to protect contractor personnel.
 - Increased security risk to the force when utilizing TCN and especially LN contractors for on-base services.
 - CAAF accountability.
 - Mismanagement of government furnished equipment.
 - Contractor company replacement.
- 5-6. The following are common contractor management challenges—
- General lack of knowledge on how to integrate contractor personnel into military operations.
 - Limited legal authority over contractor personnel.
 - Restrictions on arming contractors and use of private security firms to protect U.S. forces, facilities and supplies.
 - Different procedures and automated systems used to establish and maintain contractor personnel accountability.
 - Enforcing contractor management policies and procedures through multiple tiers of sub-contractors.
 - GFP inventory and transfer, billeting of new company personnel, new CACs, new LOAs.

LOCAL NATIONAL EMPLOYEE FACTORS

5-7. Force protection, base security and operations security issues are paramount when the contracted service is being performed by LN employees and can be exacerbated when these LN employees work for LN firms. Deliberate and careful decisions must be made on what services will be provided by LN firms or LN employees along with locations where LN employees will be allowed to work.

CAAF FACTORS

5-8. Personnel accountability, government-furnished support, CTIP, operations security (especially for TCN employees) and other CAAF-related challenges need to be considered early on in the planning process. Additionally, the requiring activity must consider living and operating conditions for some CAAF functions. The reality is that in many operations, CAAF will be required to live and work under field conditions, often in a hostile environment, and sometimes in harsh weather conditions. Field conditions are quite different from normal civilian life and are characterized by austere and often physically demanding conditions. Requiring activities must coordinate closely with the supporting contracting officers to ensure appropriate performance environment clauses are included in the contract for all CAAF who are expected to perform their duties in field conditions. Requiring activities are responsible to ensure this information is provided in their requirements package. If the requiring activity is at all unsure about these conditions, it should consult with the supported unit to identify the details of the operational environment. Specific field conditions (if applicable) that should be addressed in contract PWS or SOW include—

- Limited showers and laundry service.
- Field sanitation (no fixed or even portable latrines).
- Combat rations for extended period of time.
- Sleeping in a tent or even outdoors.
- Exposure to excessive heat, cold, and other weather extremes.
- Ability to hike a certain distance each day while carrying a certain weight in a back pack and wearing military protective equipment.
- Being subject to enemy action to include improvised explosive devices and direct fire.
- Personal protection weapon-related matters.
- Conformance to local security and base protection policy.

Key Point: If CAAF are going to be required to live and perform under field conditions, the requiring activity must address the specifics of the expected operational environment in their requirements package. Do not assume all CAAF can easily adapt to field conditions – they are not service members and some may not have any military experience.

CONTRACTOR PERSONNEL CAAF STATUS

5-9. Contractor personnel in support of the U.S. military outside of the U.S. are considered either CAAF or non-CAAF depending on their nationality, place of performance, where they live, and the nature of the service being provided. In general, most LN employees will be considered non-CAAF while most TCN and U.S. citizen employees will be afforded CAAF status, but there may be exceptions to this informal rule of thumb. In any case, establishing CAAF or non-CAAF status is very important as it affects many things from personnel accountability to legal jurisdiction to government-furnished support arrangements.

5-10. Contracting officers, in direct coordination with the requiring activity, determine contingency and non-contingency expeditionary contractor employee CAAF or non-CAAF status up front in the contracting process. For many employees, determining their status is relatively simple; for others, it is not. For example, if the contractor employee is a U.S. citizen or TCN who will be working in the vicinity of U.S. forces (working on base), residing with the force (living in military barracks on a U.S. facility), and being supported by the force (eating in military run dining facilities), they must be afforded CAAF status in accordance with DOD policy. They should be issued a LOA that outlines specific government support authorizations. In some cases, CAAF status may also be afforded to a LN contract worker who is performing services on a military installation and who is required by the contract to live on base for security reasons. The key to properly establishing CAAF or non-CAAF status is for contracting officers and requiring activities to be familiar with contractor management policy guidance. Requiring activities should identify the recommended status of service contract employees in the requirements package. For example, if the requirement is for the contractor employee to deploy with or live with the supported unit, the requirements package should recommend that the employee be designated CAAF in the contract.

DEPLOYMENT AND REDEPLOYMENT PLANNING AND PREPARATION

5-11. The global nature of the systems and external support contractor base dictates contract companies may deploy their employees and associated equipment from anywhere in the world. Even U.S. based contractors often have employees originating from locations outside the continental United States (CONUS). Many contractors, especially sub-contractors, will hire third-country national CAAF employees and deploy them directly from their point of hire. Proper deployment of CAAF and equipment requires early planning, establishment of clear and concise theater entrance requirements, and the incorporation of standard deployment-related clauses in appropriate contracts.

THEATER ENTRANCE REQUIREMENTS INFORMATION

5-12. The supported CCMD, in conjunction with its Service components determines operational specific CAAF theater entrance requirements. Theater entrance requirements include, but are not limited to operational area specific administrative preparation, medical preparation, and general training and equipping guidance. Specific CAAF pre-deployment preparation requirements can be found in individual Service policies and procedures. Army guidance on CAAF deployment and redeployment processing can be found in the Department of the Army Personnel Policy Guidance for Overseas Contingency Operations Publication Army Mobilization and Deployment Reference, which can be accessed via the Deputy Chief of Staff, G-1 website. Other theater-specific contractor management information can be found at the Office of the Under Secretary of Defense for Acquisition & Sustainment website. See local command policy for Air Force, Marine Corps and Navy guidance on CAAF deployment and redeployment processing.

Key Point: Know how to access and be familiar with your Service's CAAF deployment preparation provisions.

5-13. The following is a synopsis of the key theater administrative and entrance requirements that can and will impact the Service component and subordinate commands. The Service component staff should work closely with subordinate staffs, special operations units, and other organizations as required to ensure they understand, promulgate, and enforce these theater entrance requirements.

PERSONNEL ACCOUNTABILITY

5-14. Establishing and maintaining contractor personnel accountability is extremely important. This process includes identifying, capturing, and recording the personal identification information and assigned location of individual contractor employees through the use of a designated database, currently Synchronized Predeployment and Operational Tracker (SPOT). Without such information, it is impossible to properly integrate CAAF into military operations, especially when it comes to determining and resourcing government support requirements such as facilities, life support, force protection, and Army Health System support in hostile or austere operational environments. Contractor personnel accountability information can also be aggregated and used to provide commanders contractor personnel visibility. Contractor visibility includes information on the location, movement, status, and identity of contractor personnel.

Key Point: Contractor personnel accountability requirements normally apply only to CAAF personnel. Ensure you are aware of higher level command contractor personnel accountability guidance when it comes to CAAF and non-CAAF accountability procedures.

5-15. SPOT is the DOD designated enterprise system to manage and maintain by-name accountability of CAAF and other designated contractor personnel in the operational area. Contractor employee in-theater arrival date and the duty station arrival date will be entered in SPOT not later than (NLT) 1 day after their entry in theater or arrival at their primary duty station. SPOT is a web-based application allowing authorized users to view, input, and manage contractor employee pre-deployment, accountability, and location data. SPOT access procedures and training information can be found online at the Synchronized Pre-deployment Operational Tracker Enterprise Suite.

5-16. Executing contractor personnel accountability is a shared responsibility between the contracting officer, the requiring activity or supported unit CORs, the operational command personnel staff, and the prime contractor. This process works only when all responsible parties perform their related duties. The following are contractor personnel accountability responsibilities-

- Contracting Officer: ensure proper clauses are in the contract and Ensure contractor personnel accountability checks are included in the QASP.
- COR: Perform contractor personnel accountability checks per the QASP.
- Personnel Staff: Include CAAF personnel information in personnel accountability reports.
- Prime Contractor: Enter and update SPOT data for all accountable prime contractor employees as stipulated in the contract. Ensure all accountable sub-contractor employees are captured in SPOT and this data is updated as stipulated in the contract.

5-17. Selected CAAF employees will be issued a common access card in order to gain access to military information system networks. These cards should include appropriate CAAF Geneva Convention code and the expiration date should correspond to the end date of the contract period of performance. Common access card issuance is a Service responsibility and should be accomplished prior to deployment, because, in general, only replacement cards will be issued in the operational area.

Letters of Authorization

5-18. Generally, LOAs will not exceed one year and are renewed each year during a funded period of performance. DOD policy requires SPOT-generated LOAs issued by a warranted contracting officer for CAAF to process through a deployment center and to travel within an operational area. LOAs contain specific

dates to cover the funded period of performance for the deployment and are issued to the contractor employee prior to arrival in the operational area. The LOA identifies additional authorizations and government-furnished support CAAF are entitled to under the contract. The contracting officer and the appointed COR (generally representing the requiring activity) must validate LOA authorizations prior to preparation of the final solicitation package. Changes in contract dates or entitlements should result in an updated LOA being issued to the contractor. CAAF are required by policy to maintain a copy of their LOA and have it in their possession at all times.

Key Point: DOD policy requires SPOT generated LOAs for all deploying CAAF personnel. The issuance of LOAs for the actual deployment dates. They should not be open ended covering the entire contract period of performance (for example 5 years).

Security Screening, Biometrics Identification Card and Base Access

5-19. Currently, there is no standard DOD methodology for screening, biometric identification and base access badge issuance for contractor personnel. Local command policy will dictate these measures and associated procedures.

Medical and Dental Preparation

5-20. CAAF medical and dental preparation includes deployment health briefings, medical surveillance screening, medical evaluation, DNA specimen collection, determining prescription needs, and immunizations. Specific medical-related theater entrance requirements, such as HIV screening requirements, are established by the operational command's staff surgeon. This medical-related theater guidance normally covers specific immunization requirements. Restrictions are applicable to certain TCN or LN personnel for specific mission functions (for example, food service workers). Contract companies are responsible for all medical preparation with the exception of military-specific immunizations.

Protective Clothing and Equipment

5-21. Contract companies are responsible to ensure their employees are outfitted with appropriate occupational-specific protective clothing and equipment necessary to safely carry out their contract requirements. Military protective equipment may be issued to CAAF as GFP or by their company when required by theater entrance policy and so specified in the contract. Military protective clothing is issued per Service policies and established procedures.

Uniforms

5-22. Contractor personnel will not be issued U.S. Service uniforms or other uniform items. However, the JFC or designated subordinate can authorize certain contractors to wear standard Service uniforms on an operational need basis. In these cases, the uniform should be clearly distinguishable through the use of distinctive patches, arm bands, nametags, and headgear. Contractors authorized to wear distinctive military uniforms are required by policy to carry, on their person, written authorization for the wearing of military uniforms at all times.

Other Actions

5-23. There are important contractor management actions that must take place before CAAF are deployed to the operational area. These tasks include—

- Issuance of identification tags.
- DNA samples.
- Acquiring Defense Base Act coverage.
- Acquiring a current passport and visa (if required).
- Complying with company-specific new hire policies and procedures.

- Obtaining Service specific online sponsorship in order to receive access to government computer systems.

5-24. It is important to note that some of these tasks are solely the responsibility of the contract company, while some are shared contractor and military tasks. Additional theater entrance preparation and certification task responsibilities are covered below.

Routine Training Requirements

5-25. The Service components, subordinate commanders, and contracting authorities are responsible for ensuring required common training and any operational-specific training is identified in contractual requirements prior to deployment of CAAF into the operational area. Required CAAF training and the validation process must be closely coordinated between the contracting officer, the prime contractor, and the requiring activity. Key contractor personnel training requirements normally include, but are not limited to—

- Legal status familiarization. This training is mandated by the DFARS to ensure all CAAF understand their legal status in accordance with international law. This DFARS clause requirement includes prevention of human trafficking awareness training as well as familiarization training on contractor management.
- U.S. laws, host-nation laws, and status-of-forces agreements (SOFAs) to which contractor personnel may be subject.
- Trafficking in persons.
- Government-furnished support familiarization. This training is intended to inform CAAF of what authorized government-furnished support (for example, mail and medical) is available to them while accompanying U.S. forces.
- Law of War training. Law of War training related to the handling of detainees is required by DOD policy for all CAAF contractor personnel who may come into contact with detainees.
- Survival, evasion, resistance, and escape (also called SERE) training. Survival, evasion, resistance and escape training is required for CAAF per DODI O-3002.05. Specific levels of survival, evasion, resistance, and escape training should be identified by the requiring activity in accordance with this policy and the contracted service being requested (for example, contractor personnel conducting search and rescue services may require a higher level of this training). This requirement then should be documented in the acquisition-ready requirements package.
- Medical threat awareness training. Medical awareness training related to local health risks and medical-related policies and procedures is required for all CAAF employees. Requiring activities should refer to the supported Service staff surgeon to determine specific mission requirements and, as appropriate, include these requirements in the contract support requirements package.
- Sexual harassment and sexual assault training. DOD's Sexual Assault Prevention and Response Program applies to all U.S. citizen CAAF. U.S. citizen CAAF have the same rights and obligations related to this program as do Service members and DOD civilians.

Note: See DODD 6495.01 for detailed policy guidance.

Operational-Specific Requirements

5-26. Operational-specific training requirements include mission-specific force protection, security, and hazard awareness as directed by the Geographic Combatant Command (GCC) or Service component. Service component OCS planners and other applicable staff members (for example, operations and personnel staff) should be aware these requirements are posted at the Office of the Under Secretary of Defense for Acquisition, Technology and Logistics website.

CONTRACTOR PERSONNEL CERTIFICATION

5-27. In accordance with DODI 3020.41 CAAF must be certified as prepared for deployment via one of the following methodologies—

- Certified with their habitually supported unit.
- Certified as non-unit-related personnel through a CONUS replacement center (also called CRC).
- Certified through a Service approved deployment self-certification process.

5-28. In all cases, the contracting officer, working in conjunction with the requiring activity or supported unit COR, must ensure CAAF being deployed into an operational area are properly certified and fully integrated into the Service's deployment plan.

Key Point: Contractor pre-deployment verification has been a significant problem for TCN CAAF, especially sub-contractor employees. Close coordination between the contracting officer, the requiring activity and the prime contractor is imperative to ensure TCN CAAF are properly prepared to deploy, especially in the areas of medical screening and required training (for example, legal status familiarization, and medical threat awareness training.)

Process and Deploy with the Supported Unit

5-29. This is the preferred method of deployment for CAAF, normally systems support contractors, who have a habitual relationship with a specific unit. This group deployment process involves certification and deployment of CAAF in a coordinated fashion between the supported unit, contracting officer, and the contractor. Once certified, these CAAF employees normally deploy with their habitually supported unit.

Process and Deploy Non-Unit-Related Personnel

5-30. CAAF who deploy as individuals or as part of a small group that do not have a habitual support arrangement with any particular unit are considered non-unit-related personnel. Each Service is responsible to ensure non-unit-related personnel CAAF are properly prepared and certified through a CONUS replacement center or similar Service directed process. Normally, certified non-unit-related personnel immediately deploy unless otherwise directed by the terms and conditions of their contract.

Self-Certification and Deployment

5-31. Per DOD policy DODI 3020.41, self-certification and deployment applies to contract companies authorized by the government to conduct their own certification or deployment process. AR 715-9 is the Army policy authorizing a contract company to perform these functions and approval for such authority is usually restricted to major contract companies such as LOGCAP performance contractors. Per Army and DOD policy, self-certification of CAAF is required to meet or exceed the CONUS replacement center standards. In some cases, selected contractors may also be authorized to arrange their own strategic transportation as long as it is properly integrated into the Defense Transportation System and approved by the requiring activity and supporting contracting officer.

Pre-Deployment Task Responsibilities

5-32. Pre-deployment tasks are a shared responsibility between the contractor and the government. Some tasks are specified by policy to be a contractor responsibility (medical screening, for example) while other tasks are generally a military responsibility (allowing habitually supported CAAF to attend selected unit pre-deployment training such as cultural awareness and issuing ID cards). Table 5-2 provides a synopsis of current policy and operational experience related to this subject.

Table 5-2. Responsibilities for contractor pre-deployment preparation

Contractor Responsibilities	Shared Responsibilities	Government Responsibilities
Entering and updating SPOT data.	Certifying pre-deployment tasks are complete.	Verifying and approving LOAs.
Medical screening and preparation (less military specific immunizations).	Common pre-deployment-related training.	Issuance of government ID cards.
Dental screening.	Theater specific military- related training.	Issuance of government- furnished equipment items.
Issuance of workplace safety equipment.	Issuance of military protective equipment.	Military specific immunizations.
Ensuring employees have a current passport and visa (if required).	ID tag issuance.	Computer/IT system access permissions.
Legal support (wills and power of attorney).		Entering CAAF personnel and equipment into the time-phased force and deployment data list or request for forces process.
Legend: SPOT-ES: Synchronized Pre-deployment Operational Tracker - Enterprise System ID: identification IT: information technology CAAF: contractor personnel authorized to accompany the force		

General Redeployment Considerations

5-33. The contracting officer, the supported unit, and the contract company share the responsibility for CAAF redeployment. Normally, CAAF are redeployed to the original unit deployment, CONUS replacement center or contractor operated deployment site where they were originally processed for deployment. Key redeployment actions include, but are not limited to updating SPOT, recovery of government issued badges and ID cards, recovery and disposition of all GFP, and withdrawal of security clearances (as applicable).

Medical Redeployment Requirements

5-34. CAAF are required by DOD policy to complete a post-deployment health assessment and obtain a post-deployment health debriefing. Any recommended medical referrals that come out of this process are the contractor's responsibility.

IN-THEATER CONTRACTOR MANAGEMENT

5-35. In-theater contractor management includes actions by operational commanders, requiring activities and supported units (via appointed CORs and Service functional staff), contracting officers and contract companies to ensure the proper integration of CAAF and their equipment into day-to-day deployed operations. In-theater contractor management also includes force protection, security support, and base access actions related to non-CAAF whose area of performance is on a military facility.

RECEPTION AND ONWARD MOVEMENT

5-36. Positive in-theater contractor management begins with the integration of CAAF into the in-theater reception and onward movement process. This process includes establishing initial in-theater accountability and ensuring that CAAF and their equipment are quickly and safely moved from the port of debarkation to their area of performance.

RECEPTION

5-37. All CAAF should be processed in and out of the operational area through a formal joint or Service reception center or designated reception center process. The reception center personnel will verify non-unit-

related personnel CAAF are included in the SPOT database and have met all theater entrance requirements. Units with habitually supporting CAAF and contractors with self-deployment authorization are responsible to ensure associated CAAF meet all theater entrance requirements and are properly captured in SPOT. Contractor personnel who do not meet established theater entrance requirements may be sent back to their point of origin or placed in a holding area until these requirements are met.

ONWARD MOVEMENT

5-38. Once the reception center verifies the non-unit-related personnel CAAF are included in the SPOT database and all theater entrance requirements are met, the CAAF should be issued any required operational specific identification documents and badges and instructed on onward movement transportation procedures. Arrangement of intra-theater transportation of CAAF will include the appropriate force protection and security measures commensurate to force protection and security measures taken for DOD civilians.

COMMAND AUTHORITY IN GENERAL

5-39. Commanders at all levels must understand they do not have the same command authority over contractor personnel as over military members. Commanders do have the authority to direct CAAF and non-CAAF working on base in matters of force protection and security (for example, temporarily cease work during base attacks and route alterations) as long as these actions do not require contractor personnel to perform inherently governmental functions or to perform tasks outside the terms and conditions of their contract.

DISCIPLINE AND LEGAL JURISDICTION

5-40. Discipline of CAAF is a shared responsibility between the contract company and the government. Minor CAAF discipline infractions will be handled through their contractor supervisors and managed by established government contracting management channels (for example, contracting officer, administrative contracting officer, and COR) in accordance with the terms and conditions of their contract. However, serious CAAF discipline infractions should be addressed by military and Department of Justice channels. If Service commanders determine disciplinary actions may be necessary for CAAF, they should first coordinate their actions with their supporting judge advocate, local military police or criminal investigation agency, and the supporting contracting activity. This coordination is necessary because of the potential impact on contract performance, cost, and government liability. Actual legal jurisdiction and commander's legal authority over contractor personnel varies depending on contractor personnel nationality, CAAF or non-CAAF designations, operational-specific policies, and the type and severity of the alleged discipline infraction. Normally, LN contract employees are subject to local laws while U.S. citizens and TCN CAAF may or may not be subject to local laws depending on provisions, if any, documented in existing SOFA or other security agreements. All CAAF, however, are subject to various U.S. Federal laws as summarized below.

Key Point: It is imperative Service commanders at all levels are aware of the specific command guidance for handling contractor discipline issues. In all cases of alleged major misconduct or criminal activity of contractor personnel, consult your supporting judge advocate, as well as supporting military police or criminal investigation activity, and government contract management team (for example, the supporting contracting office and the contracting officer's representative).

LOCAL NATION LAW

5-41. All non-CAAF are subject to local law. CAAF are also subject to local laws unless specifically exempted by SOFAs, other security agreements, and in cases where there is no functioning or recognized host nation.

STATUS-OF-FORCES AGREEMENTS AND SECURITY AGREEMENTS

5-42. SOFAs and security agreements are international agreements between two or more governments that address various privileges, immunities, and responsibilities, and enumerate the rights and responsibilities of individual members of a deployed force. These SOFAs and security agreements may or may not define CAAF legal status (the circumstances of host nation criminal and civil jurisdiction, for example).

U.S. FEDERAL LAW

5-43. In the absence of any host nation jurisdiction or the exercise of it, U.S. federal law will apply to CAAF misconduct. The following sections provide a synopsis of current applicable statutes.

Uniform Code of Military Justice

5-44. In accordance with Title 10, United States Code, Chapter 47, subchapter 1, Section 802, Article 2, paragraph (a) 10, the uniform code of military justice (UCMJ) includes jurisdiction over persons serving with or accompanying the Armed Forces of the United States in both times of declared war and during foreign contingencies designated as areas of combat operations. In accordance with DOD guidance DODI 5525.11, UCMJ jurisdiction over CAAF is only in effect when codified in a status of forces or other similar security agreement. In addition, UCMJ authority over CAAF when in effect is normally restricted to the highest levels of command authority and only applies for civilian equivalent felony-level UCMJ infractions. Non-judicial punishment and military specific offenses (disrespect to a senior officer and desertion, for example) do not apply to CAAF. Always check with your Service component Staff Judge Advocate if you have any questions on UCMJ authority over CAAF.

Military Extraterritorial Jurisdiction Act

5-45. The Military Extraterritorial Jurisdiction Act of 2000 permits Federal prosecution of civilians who, while employed by or accompanying the Armed Forces in foreign operations, commit certain major crimes. Generally, the crimes covered are any Federal-level criminal offense punishable by imprisonment for more than one year. DODI 5525.11 applies to any DOD contractor or subcontractor (at any tier), or their employees, provided they are not a foreign national or a legal resident of the host nation performing duties outside the U.S. boundaries. DODI 5525.11 does not apply to non-DOD contractor employees unless their employment relates to supporting the mission of DOD. This law authorizes DOD law enforcement personnel to arrest suspected offenders in accordance with applicable international agreements and specifies procedures for the removal of accused individuals to the U.S. It also authorizes pretrial detention and the appointment of counsel for accused individuals. Like the War Crimes Act, actual prosecutions under the Military Extraterritorial Jurisdiction Act are the responsibility of federal civilian authorities.

War Crimes Act

5-46. Depending on the offense committed, U.S. national CAAF may be prosecuted for war crimes under the War Crimes Act of 1996. This act defines a war crime as any grave breach of the 1949 Geneva Conventions (such as willful killing or torture) or any violation of Common Article 3 of the Geneva Conventions. Penalties include fines, imprisonment, or the death penalty if death results to the victim. Prosecutions under the War Crimes Act are the responsibility of federal civilian authorities.

USA PATRIOT Act

5-47. In October 2001, the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT) Act of 2001 was passed by Congress and signed into law. Congress enacted the USA PATRIOT Act in response to the September 11, 2001 terrorist attacks. One of its provisions allows the U.S. to apprehend and prosecute U.S. citizens and foreign nationals who commit crimes on overseas U.S. bases and facilities. Similar to the War Crimes Act and Military Extraterritorial Jurisdiction Act, prosecutions under the USA PATRIOT Act are the responsibility of federal civilian authorities.

Federal Anti-Torture Statute

5-48. Contractor personnel can be prosecuted under Title 18, Part 1, Chapter 113C, United States Code 2340A, and Federal Anti-Torture Statute. A person found guilty under the act can be incarcerated for up to 20 years or receive the death penalty if the torture results in the victim's death. Similar to the other federal laws, actual prosecutions under this statute are the responsibility of federal civilian authorities.

Federal Espionage Act

5-49. Originally approved in 1917, this Title 18, United States Code, Chapter 37 statute allows for U.S. Department of Justice prosecution of contractor personnel for infractions related to gathering, losing, or transmitting classified DOD information.

OTHER DISCIPLINARY OPTIONS

5-50. Military commanders have the authority to address minor contractor personnel disciplinary issues or misconduct through revocation or suspension of clearances, restriction from installations or facilities, or revocation of privileges. Defense acquisition policy allows contracting officers to direct the contract company, at its own expense, to remove and replace any contractor personnel who jeopardize or interfere with mission accomplishment or who fail to comply with or violate applicable requirements of the contract. The process of removing contractor employees is dependent upon the established local command policies and the extent to which those policies are incorporated in the terms and conditions of the contract. When confronted with disciplinary problems involving contractors and contractor employees, commanders should seek the assistance of their legal staff, supporting judge advocate, the contracting officer responsible for the contract, and the appointed COR. This allows for a thorough review of the situation and a recommendation for a course of action based on the terms and conditions of the contract, applicable international agreements, and host nation or U.S. law.

FORCE PROTECTION AND SECURITY

5-51. Force protection and security of CAAF and their equipment is a shared responsibility between the contract company and the government. In a permissive environment, there may be no specific military command generated contractor force protection or security requirements. However, in hostile environments, contractor-related force protection and security requirements can be a challenge and may require significant mission-specific contractor personnel-related policies and procedures. All contractor personnel (both CAAF and non-CAAF) whose area of performance is in the vicinity of U.S. forces shall be required by the terms and conditions of their contract to comply with applicable area or base commander force protection policies and procedures. In hostile environments, CAAF should receive security and force protection support commensurate with the level of security provided to DOD civilians. Non-CAAF employees whose area of performance is on a military facility or in close contact with U.S. forces will receive security support incidental to their work location.

Location Restrictions

5-52. CAAF can be expected to perform virtually anywhere in the operational area, subject to the terms of their contract and the operational commander's threat assessment. Based on the commander's threat assessment, the JFC, Service component, and subordinate area commanders may place specific restrictions on locations and timing of contract support. However, care must be taken to coordinate these restrictions with the requiring unit, the civil and contract law judge advocate, and the supporting contracting officers to ensure these restrictions do not significantly interfere with the contractor's ability to meet contractual performance requirements.

Determining Specific Force Protection and Security Measures

5-53. The Services' component and subordinate commanders must plan for the protection of contractor personnel in the overall force protection and security plan in any operation where the contractor cannot obtain effective security services, such services are unavailable at a reasonable cost, or threat conditions necessitate security through military means in accordance with established joint doctrine and DOD policy. Military-

provided force protection is the preferred option for operations where an on-going or anticipated Level II or Level III threat as defined in JP 3-10 exists. In these higher threat operations, it is normally in the best interest of the government to provide military force protection to CAAF. The operational commander, within specific parameters, can plan and coordinate the use of armed private security contracts to protect other contractor personnel. In all cases, operational-specific force protection and security conditions, procedures, and control measures should be identified by the requiring activity as part of the requirements package.

Establishing Force Protection and Security Requirements in the Contract

5-54. The contracting officer will include the level of government-furnished protection, as well as contractor employee requirement to follow commander guidance relative to force protection and security measures. This stipulation will be in the contract based on force protection and security requirements identified in the requirements package and the SPOT LOA for CAAF. In some cases, government-furnished force protection contract terms may be included in non-CAAF-related contracts if the area of performance of the contract is on a military installation. Requiring activities must ensure the supported unit or other designated organization is prepared to meet the government obligations set forth in these contracts. Additionally, contractor employees must meet the force protection and security stipulations of their contract. Changes to this level of government force protection must be coordinated with the contracting officer as soon as possible, preferably prior to the actual implementation of these changes in a contract modification.

Base Access

5-55. The commander is responsible for the security of all Service run bases and related facilities within the operational area. The lack of a fully functional DOD-wide standard security badge issuance policy for contractor personnel requires the Service and subordinate commanders to develop local policies and procedures to vet and badge CAAF and non-CAAF employees who require routine access to military facilities. Not having these policies and procedures in place can severely reduce the effectiveness, timeliness, flexibility, and efficiency of commercial support. This can be an especially significant issue when changes to operations require a quick surge of contracted support from one base to another.

Individual Movement Protection

5-56. Another key contractor management challenge is the protection of contractor personnel during individual or small group movements within the operational area. CAAF should be provided protection during transit within the operational area commensurate to protection provided for DOD civilians. It is important for the Service and subordinate commanders to properly balance force protection requirements with the need for contractor personnel to have ready access to their place of performance. Overly restrictive movement requirements can hinder the responsiveness of commercial support, especially for systems support contractors who are providing support on an area or general support basis. Too lenient movement restrictions may also have a negative effect on commercial support if contractor personnel become casualties due to the lack of, or improper enforcement of, movement-related force protection and security measures. In operations where there is more than a Level I threat, CAAF should be included into routine military movements, or special arrangements will have to be made by the supported commander and the area commander responsible for local force protection matters.

Convoy Protection

5-57. The subordinate JFC, joint force land component, or designated land component commander should establish, publish, and implement operational specific contractor-related convoy force protection standards and procedures. Depending on the current or anticipated threat level, contractor operated vehicles may be required to move under the designated movement control authority and be integrated into military convoys (often referred to as a mixed "green" and "white" convoy). In some operations, contractor operated vehicles may be directed to transit the operational area in convoys made up exclusively of contractor personnel (often referred to as an all "white" convoy), possibly protected by armed private security contractors. In lower threat levels some contract vehicle movement, especially host nation (HN) contracted trucks, may be excluded from these convoy protection requirements. For more information on integrating contractor personnel into convoy

operations, see the Air, Land, Sea Application Center's Multi-Service Publication ATP 4-01.45/MCRP 3-40F/NTTP 4-01.5/AFTTP 3-2.58.

Key Point: Restrictions in contractor movement may have a negative effect on the contractor's ability to meet contractual performance requirements. Commanders responsible for force protection, security, and movement control policies and procedures must consult with the appropriate requiring activity and contracting officer if there are indications that local movement or security restrictions could impact the contractor's ability to perform the mission, or if such measures might create additional cost for the government.

Issuance of Personal Defense Weapons

5-58. The JFC or Service component commander may authorize CAAF to carry a government-issued or approved individual weapon for personal protection. Variables such as the nature of the operation, the type of conflict, any applicable status agreement related to the presence of U.S. forces, and the nature of the activity being protected require case-by-case determinations. In accordance with DOD policy, the GCC can delegate this authority down to a designated general officer within the deployed joint force. See DODI 3020.41 and AR 715-9 (for Army personnel) for more information on arming individual CAAF personnel for self-protection.

Use of Private Security Services

5-59. If consistent with applicable U.S., HN, international law, relevant SOFAs and security agreements, and JFC policy, a defense contractor may be authorized to provide armed private security contractor services for the protection of deployed U.S. forces, facilities, and supplies as long as these services are restricted to purely security-related (vice offensive) functions generally only permissible overseas (See DFARS 237.102 - 70). The Service component commander should, however, use caution when contemplating the use of private security contractor services to protect U.S. forces and facilities in any operation where there is a current or expected Level II or III threat. In general, threat levels above Level I require significant force protection measures (for example, crew served weapons, combined arms response, and indirect fire) that may be legally considered an inherently governmental (military) function.

5-60. Whether a particular use of contract security to protect military assets is permissible is dependent on the facts and requires detailed legal analysis. Variables such as the level and nature of the threat, the type of conflict, applicable host nation laws, and the nature of the activity being protected require case-by-case determinations. The use of force by contingency contractor personnel is often strictly limited by laws and not protected by SOFA provisions. Contractor personnel providing security services who exceed the limits imposed by applicable law may be subject to prosecution. Additionally, there can be significant civil-military-related risks when utilizing private security services in military operations. For example, the local populace may not distinguish between a private security guard and a U.S. military member when it comes to use of force or improper actions. Incidents involving private security guards can have potentially negative impacts on the operation, especially since the commander has significantly less direct control over contractors when compared to U.S. military members.

5-61. When DOD directed armed private security services are utilized in contingency operations to protect Service or host nation facilities, supplies, construction, or forces, the contracting officer is responsible to ensure the contract contains contract language and clauses informing the contractor of any known or potentially hazardous situations. This includes general stipulations limiting support to non-offensive operations and government responsibilities to provide back-up security support. The commander must ensure operational-specific private security services coordination procedures and control measures. This includes appropriate rules for the use of force are developed, promulgated, and enforced within the operational area. Additionally, requiring activities must ensure specific conditions, procedures, and control measures are addressed in the requirements package. DODI 1100.22 and DODI 3020.50 provide detailed regulatory guidance on the use private security services in contingency operations.

Other Government-Provided Support

5-62. In accordance with Service policy, contractors are required to provide their own logistical support in contingency operations except when this methodology is not practical or is cost-prohibitive. Since most military operations are conducted in austere or non-permissive environments, CAAF support will often be provided through military means or via a contract directed by the government. In all cases, the contracting officer, based on requiring activity input, will detail the government support to be provided in the terms and conditions of the solicitation, and subsequently the contract, after determining availability of such support from the designated authorities or requiring activity. Furthermore, as previously stated, all CAAF government support authorizations are required to be documented in a SPOT-generated LOA.

Base Operating Support and Facilities

5-63. In permissive and non-austere operations, contractors should arrange for their own lodging, subsistence, and facilities support; however, in hostile and austere environments this may not be practical or desirable. The circumstances under which the Service provides this support would be those in which the contractor has no commercial infrastructure from which to draw or when the cost for a contractor to furnish the support is not economical. In situations when contractor-arranged base operating support would impede the government's efforts to provide force protection, generate competition with the military, or adversely influence prices, the government must consider providing the support using organic support capabilities or arrange this support via contract means. The commander, pursuant to approved DOD, Service and JFC policies and directives, retains the authority to determine where CAAF reside and what government support will be provided. If the location is changed after a contract is awarded, this must be communicated to the contracting officer to modify the contract to direct changes to the contractor performance as soon as possible because of potential cost ramifications. CAAF must generally be provided the same standard of support provided to DOD civilians of similar responsibility level.

5-64. In some operations, or phases of operations, selected CAAF may be required to temporarily live in field conditions. In these situations, the requiring activity or the directed supported unit is responsible to ensure adequate tentage, field feeding support, and similar support is available for these personnel.

5-65. Subsistence may be provided to contractors when local dining sources are either unavailable or deemed unsuitable for health, force protection, or security-related reasons. For those CAAF living in field conditions, the food provided might be pre-packaged rations with very little opportunity for choice; consequently, special diets may not be accommodated. In some sustained operations, it may be desirable to have a separate, contractor-operated dining facility provide ethnic-based subsistence that may be both less expensive and more appealing to TCN employees. Most military pre-packaged rations are not intended as steady diet for long periods of time, so decisions on concept of food operations should consider the long term contractor workforce and not be solely based on the rotation schedule of the military force.

5-66. Although it is natural to expect reimbursement from contractors for the cost of lodging and subsistence, the cost for such support would normally be included in the overall cost of the contract. Therefore, when possible, subsistence support should be done on a non-reimbursable basis, eliminating the unnecessary administrative burden of reimbursement. However, Service component and subordinate command planners must include the cost of supporting contractors in the overall cost of the operation so adequate funding is provided. Remember, in cost type contracts, any reimbursed costs will be reimbursed in turn, with fee and overhead added.

Key Point: In joint operations, the GCC may designate a lead Service as the base operating support integrator for a selected country, particular joint operations area, or major base (or bases) within the joint operations area. As the base operating support integrator, the designated Service would be responsible to provide common base support functions as specified in the combatant commander's directive. This support would be for all military and designated civilians residing, or temporarily passing through, the designated country, base, or area. Additionally, this support may be provided via organic or contracted support, or a combination of both, as directed by the lead Service.

Government-Furnished Property, Materiel, Facilities, and Services

5-67. As stated in chapter 1, GFP includes not only property, but also equipment, materiel and facilities, all of which should be clearly identified in the terms and conditions of the contract. GFP may be provided to the contractor to achieve certain advantages such as reducing costs, reducing duplication of supply chains, reducing transportation burdens, and limiting the overall logistical footprint within an area of operations. Virtually all classes of supply can be furnished, and while not all are property book items, contractor accountability and oversight of that property is still required. Common government furnished equipment items may include test equipment, Service member protective items (helmets and ballistic vests), or even military specification class VII items. Government-furnished materiel can include such things as fuel support and class IX for government-furnished equipment. Government-furnished facilities may include access to military controlled buildings and parking areas.

5-68. In some contract support arrangements (LOGCAP, for example) a contract company may be provided a DOD activity address code, also called DODAAC, to permit ordering various classes of supply to support sustainment operations in theater. This can be beneficial in that ordered materiel is generally not subject to fee or overhead costs, it can simplify supply chain management, and it supports interoperability; however, government oversight is critical to prevent abuse.

Key Point: Commanders, along with their subordinate support units, must be cognizant of GFP matters in supporting contracts. Without such awareness, contractors may obtain government-furnished equipment, materiel and facilities they are not authorized to receive. When in doubt, contact the supporting contracting activity to determine the specific GFP-related terms and conditions of the contract in question.

Personnel Recovery

5-69. The DOD personnel recovery program is the aggregation of military, civil, and political efforts to recover captured, detained, evading, isolated, or missing personnel from uncertain or hostile environments and denied areas. Personnel recovery may occur through military action, action by non-governmental organizations, other USG approved action and diplomatic initiatives, or through any combination of these options. In accordance with DOD and Service policy, CAAF must be included in the personnel recovery program. Operational-specific CAAF personnel recovery requirements should be identified as early as possible to ensure the specific personnel recovery training and administrative requirements are addressed in the contract.

Medical and Dental Support

5-70. During contingency operations in austere or non-permissive environments, CAAF will most likely be unable to access adequate medical and dental support from local sources. Therefore, DODI 3020.41 states that all CAAF will have emergency medical and dental care if injured while supporting contingency operations. Additionally, non-CAAF employees who are injured while in the vicinity of U.S. forces will also normally receive emergency medical and dental care. Generally, the DOD will only provide resuscitative care, stabilization, hospitalization at Role 3 medical treatment facilities, and assistance with patient movement in emergencies where loss of life, limb, or eyesight could occur. DODI 3020.41 also states that contractors are generally responsible for providing their own logistical support. Any required ongoing health care or medications must be available or accessible to the contractor, independent of the Military Health System. However, in austere, uncertain, and hostile environments, CAAF may receive government-furnished support commensurate with the operational situation in accordance with the terms and conditions of their contract to ensure continuation of essential contractor services. Methods for government reimbursement by contractors for medical care provided should be addressed in Annex W, Appendix 2, *Contractor Management Plan* or Annex Q, *Medical Services*. See DODI 3020.41, for additional information.

Postal

5-71. The nationality of the contractor employee usually determines postal support. U.S. citizen CAAF may be authorized use of the military postal service if there is no U.S. postal service available and if military

postal service use is not precluded by the terms of any international or host-nation agreement. CAAF employees normally are provided postal support through the existing host-nation system or through arrangements made by the contractor. In some operations, TCN personnel may be authorized limited access to Military Postal Service for the purpose of mailing paychecks to their home country. TCN personnel may also rely on mail to resupply critical medications (a connection to medical support above), and host nation mail may be unreliable or even constitute an exploitable force protection gap.

Mortuary Affairs

5-72. The joint mortuary affairs program is a broadly based military program providing the necessary care and disposition of deceased personnel, including personal effects, across the range of military operations. This program includes the search, recovery, tentative identification, care, and evacuation or temporary interment, disinterment, and re-interment of deceased personnel, to include all CAAF, within the operational area. Non-CAAF personnel who die in the vicinity of U.S. forces may also be covered by this program as determined by local command policy. The specific nature and extent of mortuary affairs support is determined during the planning process. It is communicated to military forces and contractors through governing plans and orders, local command policy guidance, and contractual documents.

Post or Base Exchange Privileges

5-73. When deployed, CAAF are generally eligible to use Army and Air Force Exchange Service, Navy Exchange, or Marine Corps Exchange facilities for health and comfort items in operations where CAAF do not have access to local commercial sources for these items. This privilege is dependent upon the overall operational situation, SOFAs, and individual terms and conditions in the contract. Post or Base Exchange privilege must be annotated on the LOA.

Morale, Welfare, and Recreation

5-74. The availability of Morale, Welfare, and Recreation (MWR) programs in the operational area vary with the deployment location. MWR activities available may include self-directed recreation (for example, issuance of sports equipment), entertainment in conjunction with the United Service Organization and the Armed Forces Professional Entertainment Office, military clubs, unit lounges, and some types of rest centers. CAAF may be authorized to utilize MWR support on a space-available basis when contractor MWR sources are not available or practical.

ENSURING FAIR LABOR PROCESSES

5-75. The uncontrolled use of labor brokers in order to avoid CAAF deployment and quality of life standards has been identified as a recurring problem in recent operations. Serious cases of these practices in the past have reached the level of CTIP policy violations. The following list contains examples of prohibited CAAF related labor practices seen in recent operations—

- Paying excessive labor broker fees.
- Confiscating passports or other travel documents.
- Providing housing that does not meet local command standards.
- Transportation without adequate force protection.
- Denying reasonable access to transportation out of the operational area when requested.

5-76. Any one of the actions listed above, and much more serious infractions such as sex trafficking, can be a violation of international law, U.S. law, Presidential directives, DOD policies, and military alliance policies and must not be tolerated by joint and Service component commanders.

COMBATING TRAFFICKING IN PERSONS INCIDENTS

5-77. Combating trafficking in persons is a serious and global problem in which traffickers use force, fraud, or coercion to compel a person to provide labor, services, or commercial sex. Sadly, some members of the U.S. Armed Forces, DOD civilians, and DOD-associated contractors and subcontractors have knowingly and

unknowingly participated in activities that directly or indirectly contributed to trafficking in persons. Some examples from recent military operations include—

- In 2016, military criminal investigators substantiated allegations that a DOD contractor violated the FAR CTIP clause. As described in a March 2017 memorandum from the U.S. Army Judge Advocate General Senior Defense Official (also called SDO), the contractor, which operated food services for U.S. and coalition personnel on Camp Arifjan, Camp Buehring, and Ali Al Salem Air Base, failed to pay its employees the legally required minimum monthly salary after having required them to pay an exorbitant recruitment fee, creating a “state of enslaved bondage” for its employees.
- In 2012, a TCN working on an installation in Afghanistan reported that he and others were being beaten by their employer, a DOD sub-contractor. During interviews, other TCN employees confirmed threats of serious harm and physical restraint used against them by the sub-contractor. Investigators also discovered unacceptable living conditions such as unsanitary water, cockroaches, large holes in roofs, and found four individuals locked in rooms.

Key Point: Commanders and leaders at all levels must be on the lookout for CAAF-related unfair labor practices and possible CTIP violations.

5-78. Appendix H contains additional information on CTIP.

Appendix A

Army Organizations and Capabilities

Over 18 years of counterinsurgency operations have created a reliance upon commercial services and support to move, house and sustain Army formations. This reliance continues in large-scale combat operations as the Army Service component commands will depend heavily on non-organic support from the host nation and commercial sources to open ports, establish initial staging bases, and execute the reception, staging, and onward movement of combat forces. As the operation develops, most organic sustainment capabilities will deploy forward to support the corps, division, and brigade headquarters engaged in direct combat, leaving an enormous joint security area dependent on contractors to operate the theater distribution network and provide security and base life support. The Army's current allocation of active component and reserve component forces, known as the AC/RC mix, is also a contributing factor of the need for commercial support. Approximately 80 percent of the Army's sustainment capability resides in Army Reserve and National Guard units, according to FM 3-0. The scale and tempo of large-scale combat operations and the constraints of existing Army force structure will require commanders to depend even more heavily on contracted capabilities to fight and win the next war. A general overview of the Army's OCS and related functions and capabilities follow.

REQUIRING ACTIVITY ROLES AND RESPONSIBILITIES

A-1. A requiring activity is a military organization responsible for developing acquisition-ready requirements packages and submitting them through the established requirements review and approval process. The requiring activities OCS process begins with an identification of a commercial support requirement and concludes with contract close out. The requiring activity has an important role in translating timely and accurate requirements into PWS and SOW language. The requiring activity is also responsible, in conjunction with the requisite contracting activity, for ensuring there is adequate post-contract award oversight. This oversight is done via nomination of qualified CORs for service contracts and receiving officials for commodity contracts.

A-2. Functional area experts within the requiring activities are responsible to develop a clear description of the requirement, in conjunction with the advice and assistance of the OCS trained personnel. A clear description of the requirement lets the contracting officers (KO) know what, where, how much, what quality, and how long the requirement is needed. A requiring activity uses a PWS for service contracts to tell the contractor what service the commander requires, when it's needed, and to what measurable standard it must be performed. Rather than telling the contractor how to perform, providing clear objectives with measurable standards allows the contractor to execute the service in the most efficient manner. Examples of services needed during long deployment include laundry, shower service, food service, sanitation, transportation, maintenance, construction, and security. Figure A-1 on page A-2 depicts requiring activity key players' roles and responsibilities in contract support integration and contractor management. The roles and responsibilities listed below are not all inclusive and the commander must use judgment in application.

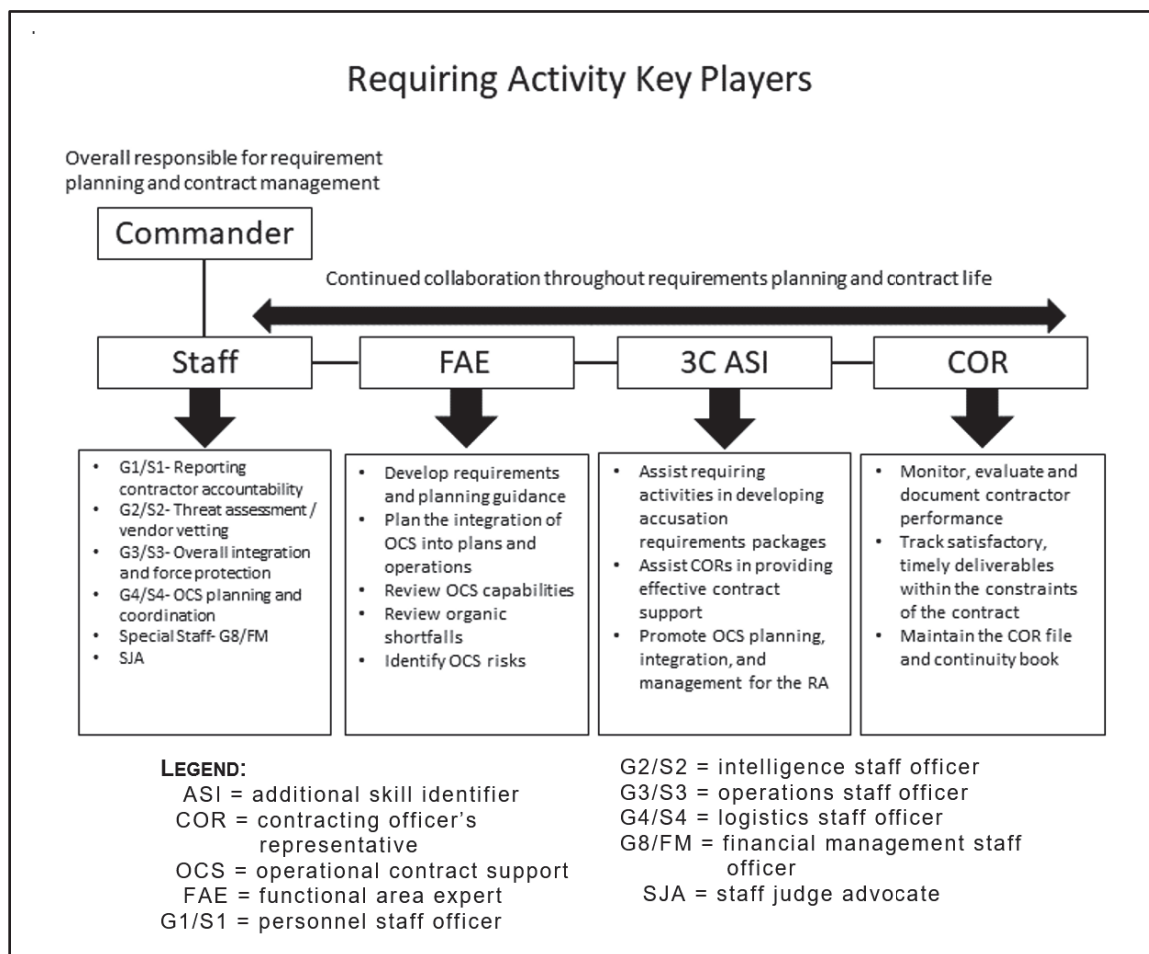


Figure A-1. Requiring activity key players

COMMANDER

A-3. The commander directs the staff to conduct operational contract support planning and ensures Annex W (OCS) and associated appendixes are developed.

A-4. The commander will—

- Lead contract support planning and management.
- Ensure the staff is trained and organized to carry out required OCS-related tasks.
- Nominate CORs and ensure they meet mandatory training requirements for certification.
- Lead and participate in the requirements review boards.

Key Note: Depending on level of command see CJCSM 3130.03A, CJCSM 4301.01 or FM 6-0 for more details on planning.

STAFF

A-5. The assistant chief of staff, personnel (G-1)/battalion or brigade personnel staff officer (S-1) is the principal staff officer for all matters concerning human resources support (military, civilian) and CAAF. Specific responsibilities of the G-1/S-1 include manning, personnel services, personnel support, and

headquarters management. The G-1/S-1 prepares a portion of Annex F (Sustainment) to the operation order or operation plan. The G-1/S-1 will—

- Ensure CAAF employees follow theater entrance requirements.
- Provide liaison to, and coordinate for CAAF accountability and visibility systems to capture CAAF employee accountability in SPOT.
- Monitor Army CAAF casualties with the contractor.
- Issue guidance for in-theater CAAF personnel services such as, morale, welfare, recreation, identification cards, postal.
- Serve as functional area expert for current and future personnel readiness and programs related to CAAF.

A-6. The assistant chief of staff, intelligence (G-2)/ battalion or brigade intelligence staff officer (S-2) is the principal staff officer responsible for providing intelligence to support current and future operations and plans. This officer gathers and analyzes information on enemy, terrain, weather, and civil considerations for the commander. The G-2/S-2 is responsible for the preparation of Annex B (Intelligence) and assists the operations (G-3/S-3), in the preparation of Annex L (Information Collection). The G-2/S-2 will—

- Establish policy on the vetting of vendors, linguists, and interrogators.
- Participate in operational contract support coordination and planning meetings.
- Serve as the functional area expert for security, threat assessment, and contract linguists.

A-7. The assistant chief of staff, operations (G-3)/ battalion or brigade operations staff officer (S-3) is the principal staff officer responsible for all matters concerning training, operations and plans, and force development. In addition to coordinating the activities of the movement and maneuver warfighting function, the operations officer is the primary staff officer for support requirement validation and prioritization, integrating and synchronizing the operation as a whole for the commander. The G-3/S-3 ensures warfighting function integration and synchronization across the planning horizons in current and future operations, The G-3/S-3 will—

- Review organic shortfalls and develop requirements and planning guidance.
- Be the focal point for organization, integration, decision-making and prioritization for operational contract support issues.
- Incorporate operational contract support considerations into CONPLAN and OPLANs.
- Chair and advise the requirements review board.
- Coordinate with supporting contracting support brigades and battalions.
- Determine base access procedures.
- Coordinate personnel recovery actions.
- Plan for the use of private security contractors to include rules for the use of force.
- Coordinate contractor arming (for self-defense) policy.
- Serve as functional area expert for training policy for CAAF employees.

A-8. The assistant chief of staff, logistics (G-4) / battalion or brigade (S-4) is the principal staff officer for sustainment plans and operations, supply, maintenance, transportation, services, and operational contract support. The G-4/S-4 helps the commander and staff maintain logistics visibility. The G-4/S-4 will—

- Lead Annex W (OCS) development.
- Manage disposition and accountability of GFP and contractor acquired property.
- Maintain contract synchronization and operational performance reports.
- Coordinate CAAF movement.
- In coordination with support operations officer, serves as functional area expert on acquisition and cross-serving agreements and host-nation support.

A-9. The assistant chief of staff, financial management (G-8) is the principal staff officer singularly responsible for all financial management (resource management and finance operations). As the principal financial management advisor to the commander, directs, prioritizes, and supervises the operations and functions of the G-8 staff. In addition, the G-8 validates and certifies the availability of funds. In conjunction

with the financial management center and through the theater sustainment command, the G-8 establishes and implements command finance operations policy. The G-8 (Financial Management) will—

- Monitor contract expenditures.
- Submit budget change request.
- Plan for funding and ensure correct funding streams.
- Serve as function area expert on color of money analysis.

A-10. The staff judge advocate provides legal advice and support regarding SOFAs, international security agreements, acquisition cross service agreements, host-nation laws, the Military Extraterritorial Jurisdiction Act, Section 3261, Title 18, United States Code (18 USC 3261), the UCMJ, procurement fraud, contract and fiscal law, and other legal considerations regarding CAAF. The staff judge advocate will—

- Conduct legal reviews.
- Maintain strategic awareness on evolving issues affecting military operation in foreign countries.
- Serve as functional area expert for legal review of the OCS aspects of OPORDs, FRAGORDs, and OPLANs.

FUNCTIONAL AREA EXPERT

A-11. The functional area experts are personnel with operational experience or education in a particular occupational specialty. They understand military operations and are able to conduct research and analysis of the OCS operational environment for commanders in support of mission planning and execution. The functional area experts will—

- In accordance with 3C develops PWS and QASP.
- Identifies risk associated with using OCS capability to support functional mission.
- Identifies shortfalls in functional area requirements that commercial support could fill.

3C ADDITIONAL SKILL IDENTIFIER TRAINED PERSONNEL

A-12. The Army Logistics University trained OCS (3C) has the responsibility to educate the commander and staff on requirements management. The trained 3C does not have the authority to make a binding contract for the USG. The 3C will—

- Assist the unit FAE in preparing the acquisition-ready requirements package.
- Synchronize the commander's requirements management process.
- Promote OCS planning and integration.
- Assist in the military decision making process with the requiring activity related to requirement package management for the unit.

CONTRACTING OFFICER'S REPRESENTATIVE

A-13. The COR is a key player for requiring activities. Commanders must ensure they have an active COR management program. The COR is nominated by the commander and appointed by the KO, after review of the nomination and certifications. Next, the KO authorizes in writing the COR to perform specific technical or administrative functions. The requiring activity must monitor contract performance and assist the KO in the contract administration process, through the nomination and aggressive tracking of qualified CORs (for service contracts) and receiving officials (for supply contracts). The COR will—

- Successfully complete required COR training.
- Be appointed by the KO.
- Provide oversight and surveillance of contractor performance.
- Document contractor performance on a monthly basis (COR Report).
- Have Invoicing, Receipt, Acceptance, and Property Transfer (iRAPT), formerly Wide Area Workflow, access to perform their duties, including filing reports and validating invoices.
- Report any deficiencies in contractor performance, or non-compliance with contract terms and conditions to the KO and commander.

OPERATIONAL CONTRACT SUPPORT FLOW

A-14. The Army's OCS requirements flow through multiple echelons from the tactical, through the operational as described in figure A-2.

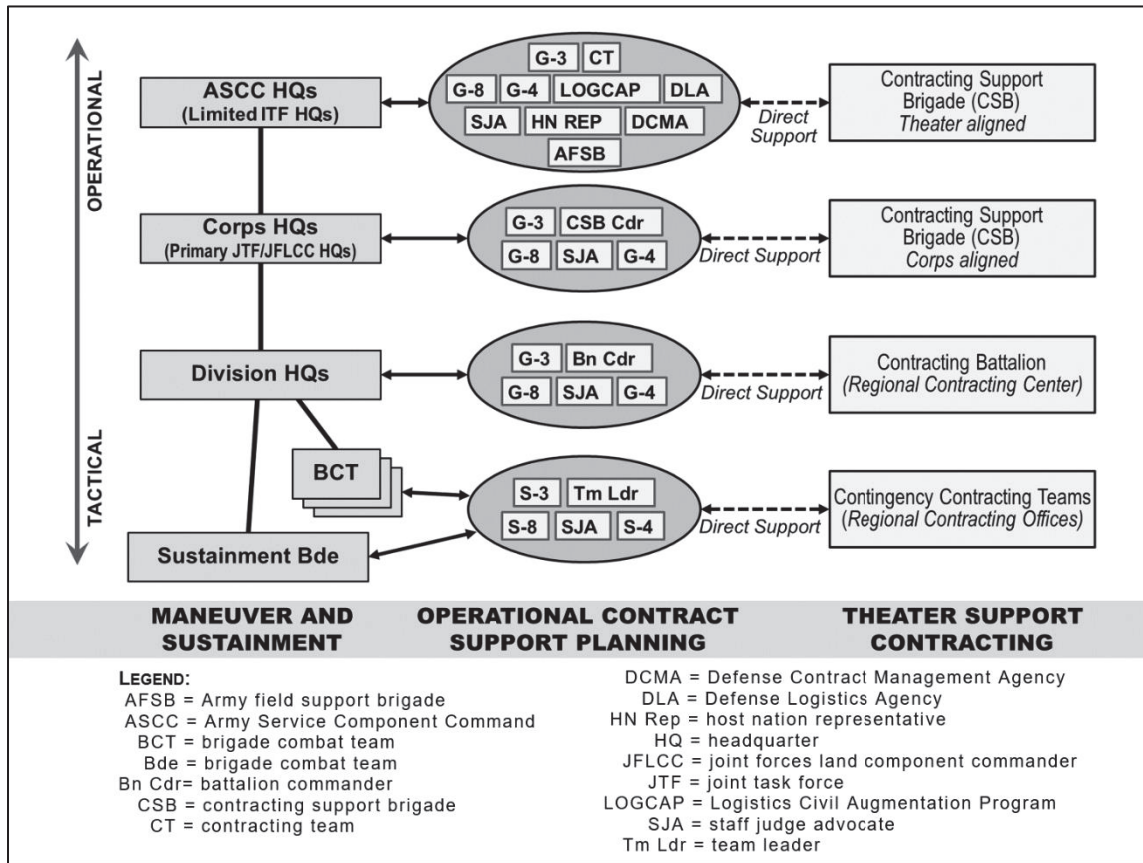


Figure A-2. Army operational contract support flow operational to tactical level

TACTICAL LEVEL

A-15. Figure A-2 depicts the organization and staff relationships to support OCS functions, such as developing contract support requirements, preparing a PWS, acquisition-ready requirements packages, and contracting officer representative management. Positions that perform those functions are functional area experts and may have the additional skill identifier of 3C.

A-16. Tactical level Army OCS planning and integration focuses on requirements management, and supporting contract execution. The Army has codified various doctrine, organizational, and training solutions to prepare Army tactical level staffs to perform this function. Of note, the Army has developed a 3C OCS skill identifier (officer)/additional skill identifier (non-acquisition non-commissioned officer) awarded through successful completion of the OCS Course offered by the Army Logistics University.

OPERATIONAL AND THEATER LEVELS

A-17. Theater Army, field army, theater sustainment commands, expeditionary sustainment commands and, when operating as a joint task force, corps and division HQs are all critically important units when it comes to higher level OCS planning and execution. While other higher-level Army units such as the U.S. Army Materiel Command (USAMC) provide mission essential OCS functions, these higher-level Army units are responsible to lead the overall Army, and in some cases subordinate joint forces commands in the OCS effort as described below.

Theater and Field Armies

A-18. Per guidance provided by the CCMD, the theater and field army HQs lead the Army OCS planning and integration effort. Per joint policy and doctrine, these units are responsible to develop the Army component Annex W in accordance with combatant command Annex W and other command guidance. Because commercial support impacts multiple staff sections and lines of effort, commanders, per joint doctrine, may establish bureaus, boards, centers, cells, and working groups to plan, synchronize and integrate desired effects. The theater Army (and when constituted, the field army) do not have an OCS cell and should form one to fulfill OCS planning and management. At a minimum, the theater Army and the field army OCS cell should have a logistic plans or operations field grade officer along with direct support advice and assistance from the aligned contracting support brigade (CSB) and the Army field support brigade (AFSB) LOGCAP forward operator. Part time OCS cell members should likewise be identified in all primary staff sections as well as the supporting staff judge advocate office. These same primary and special staff members should be prepared to support requirements review boards and various OCS working groups as required.

A-19. Army theater sustainment commands and expeditionary sustainment commands play a key role in planning and execution of OCS operational actions. As the senior requiring activity for sustainment-related OCS, these units provide expertise to OCS planning activities. TSCs and ESCs provide guidance on developing acquisition-ready requirements packages for what are commonly called theater-wide support requirements.

Key Point: The Army is currently working on developing an OCS planning capability. Commanders are encouraged to send staff members to the Joint OCS Planning and Execution Course.

Corps or Divisions Headquarters

A-20. The corps, division commander, and staff may find themselves in operations with significant OCS equity challenges. To mitigate this gap, Army maneuver HQs must provide their staffs with requirements management training. The lack of training presents a critical challenge when the corps or division is operating as a joint task force. Corps and divisions should establish an OCS cell and run associated OCS boards and working groups, when required.

U.S. ARMY MATERIEL COMMAND UNITS

A-21. The U.S. Army Materiel Command supports effective execution and oversight of commercial support. The Army directed the consolidation of most theater support contracting capabilities under USAMC. In addition to its theater support contracting mission, USAMC is also the Army's LOGCAP lead agent. A general overview of the USAMC units and functions, along with other OCS organizational-related initiatives, is provided below.

U.S. ARMY CONTRACTING COMMAND

A-22. The U.S. Army Contracting Command is a major subordinate command within the USAMC. The U.S. Army Contracting Command provides external, systems, and theater support contracting, execution, coordination, and administration through its subordinate Mission and Installation Contracting Command contracting centers and CSBs. (See ATP 4-71, for more information).

CONTRACTING SUPPORT BRIGADE (CSB)

A-23. Contracting support brigades (CSBs) are modified table of organization and equipment units that serve as the Army's primary theater support contracting HQs. The CSB commander and designated staff members also serve as the primary contracting support advisors to their aligned, supported HQs.

A-24. CSBs, through contracting authority, execute contracting actions in support of Army forces in all CCDR directed operations. They also coordinate other common contracting actions as directed by the supported Army force commander. CSB's are aligned with specific regionally focused theater armies, the

field army, and Army corps HQs as designated. When deployed, the CSB normally has a direct support relationship with the Army force commander in the operational area and executes its contracting mission under the contracting authority and technical direction of the U.S. Army Contracting Command. CSBs execute command and contracting authority over a number of contracting battalions as determined during the mission planning process. See ATP 4-71 for additional information.

Contracting Battalions

A-25. Like the CSBs, the primary mission of the contracting battalions is planning, command, and contracting authority. The contracting battalion headquarters personnel do not normally write, award, or directly administer contracts. Their organic contracting detachment are responsible for the mission of writing, awarding, and administering contracts. Contracting battalions, in accordance with the theater Annex W, apportion forward contracting elements from their organic detachments to supported units based upon METT-TC. Contracting battalions are normally placed under the direct command of the deploying CSB. In small scale operations, they may deploy separately from the CSB headquarters as a regional contracting center (RCC) to perform high-dollar, complex contracts, intra-theater reach-back, and other Service and/or attached contracting elements performing as regional contracting offices per mission, enemy, terrain and weather, troops and support available, time available, and civil considerations. See ATP 4-71 for additional information.

U.S. ARMY SUSTAINMENT COMMAND

A-26. The U.S. Army Sustainment Command integrates and synchronizes the delivery of USAMC materiel enterprise capabilities at echelon from the strategic to the tactical level. Army Contracting Command delivers materiel readiness, force generation, power projection, and sets the conditions for future readiness at home station. Army Contracting Command forward stationed capabilities provide command and control to USAMC assets in theater and shape the logistics environment and help set the theater to accelerate force reception into theater. Deployable logistics support elements provide the ability to rapidly integrate the theater delivery of USAMC capabilities at echelon in support of warfighter priorities.

ARMY FIELD SUPPORT BRIGADE

A-27. The AFSBs are subordinate ASC commands designed to provide general USAMC support, synchronizing, and coordinating national-level support to deployed Army forces. AFSBs are regionally aligned to a designated area of responsibility or other designated support area and serve as the ASC's bridge between the generating force and the operating force. The AFSB's OCS focus is on LOGCAP and the synchronization and coordination of sustainment maintenance support, often executed via contracted means. The AFSBs also assist in coordination of Army systems contract efforts in deployed operations. For more information regarding the AFSB, see ATP 4-98.

Army Field Support Battalion

A-28. The Army field support battalion mission sets vary from supporting strategic to tactical elements. The Army field support battalion is responsible for the physical management of Army pre-positioned stock, both on-shore and afloat, operational project stocks, and Army War Reserves.

LOGISTICS CIVIL AUGMENTATION PROGRAM

A-29. LOGCAP is a performance-based program that provides broad, contracted sustainment support to joint operations, coalition partners, and other federal agencies to address ASCC regional and country planning requirements, where a military capability is not readily available, in support of setting the theater and theater sustainment. Pre-awarded task orders are regionally aligned for rapid response to emerging events. Planning elements are embedded within the AFSB to coordinate Annex W development, integrate and synchronize LOGCAP capabilities into OPLANs and concept plans, with focus on OCS related analysis of the operating environment. For further information on LOGCAP, see ATP 4-10.1.

LOGCAP Forward Operators

A-30. LOGCAP forward operators are Army civilians or LOGCAP support brigade personnel responsible to assist the supported theater and field Army to plan for LOGCAP support in any CCDR directed operation and to integrate LOGCAP into operational joint and Army component level training. The LOGCAP forward operator is the link between the LOGCAP Program Office and the Army component HQs. These LOGCAP forward operators coordinate all actions with the aligned AFSB.

Team LOGCAP Forward

A-31. Team LOGCAP Forward is an ad hoc deployable USAMC element responsible to provide centralized in-theater LOGCAP management structure and to ensure effective and efficient execution of LOGCAP requirements within the operational area. Team LOGCAP Forward is organized, deployed, and managed under the auspices and direction of the USAMC's LOGCAP Executive Director. Team LOGCAP Forward is usually formed and deployed in support of a major exercise or contingency where LOGCAP support is planned or being executed. The specific size and composition of a deployed Team LOGCAP Forward is determined by mission, enemy, terrain and weather, troops and support available, time available, and civil considerations factors. However, they normally include a deputy program director who takes technical direction from the LOGCAP executive director, and logistics support officers from the U.S. Army Reserve LOGCAP Support Brigade.

Key Point: There are no fixed rules of allocation for logistics support officers. Logistics support officers are provided to selected units (normally sustainment brigade, expeditionary sustainment commands, theater sustainment commands, divisions, or corps HQs on a mission specific basis).

OTHER ARMY ORGANIZATIONS

A-32. The following Army organizations are external to USAMC; however, they routinely have significant OCS responsibilities. A brief summary of their OCS functions and capabilities follow.

UNITED STATES ARMY CORPS OF ENGINEERS

A-33. The United States Army Corps of Engineers is an engineering agent responsible for military construction (also called MILCON) planning and execution in various designated nations across the globe. Joint and Army commanders leverage U.S. Army Corps of Engineers to provide technical engineering assistance for design and award of construction contracts to civilian companies in support of military operations in their designated support countries. They also have deployable civilian contracting officers who provide in-theater contracting support utilizing U.S. Army Corps of Engineers contracting authority. Naval Facility Engineering Command provides similar support in selected countries outside of U.S. Army Corps of Engineers' designated support areas. Specific information on the responsibilities of DOD construction agents is contained in DODD 4270.5.

UNITED STATES ARMY SPECIAL OPERATIONS COMMAND

A-34. The United States Army Special Operations Command receives special operations forces peculiar contract support from U.S. Special Operations. Non-special operations forces peculiar contract support is provided by the supporting CSB or CCDR directed lead Service for contracting support. United States Army Special Operations Command units work closely with the appropriate theater special operations command, the supporting CSB, the supporting theater army G-4, and the aligned 528th Sustainment Brigade (Special Operations) (Airborne) Army special operations forces liaison element to determine mission specific OCS requirements. Specific support arrangements are determined by operational factors in the planning process.

THE UNITED STATES ARMY HEALTH CONTRACTING ACTIVITY

A-35. The United States Army Health Contracting Activity is a subordinate unit within the U.S. Army Medical Command and supports Army readiness through responsive, accountable, and flexible medical

contracting services and business solutions. U.S. Army Health Contracting Activity has been designated as the medical contracting center of excellence by the Deputy Undersecretary of the Army and leverages strategic vehicles to support delivery of health care as well as Army readiness. U.S. Army Health Contracting Activity augments deployable medical formations and operational contracting missions through tailored teams across the range of military operations. U.S. Army Health Contracting Activity simultaneously supports Army and DOD medical organizations and Army readiness mission requirements through the Health Readiness Contracting Office and the alignment of its subordinate Regional Health Contracting Offices.

Key Point: The Army is currently documenting 3C OCS additional skill identifier in various Army units from sustainment brigade up to and including the theater Army. While most of these 3C additional skill identifier positions are in logistic military occupational specialty staffs, these positions are found in both combat and support units across the Army's operating force. Additionally, while most of these 3C staff positions execute their OCS functions as an additional duty, higher level Army sustainment units (sustainment brigades, expeditionary sustainment commands and theater sustainment commands) all have stand-alone OCS branches in their support operations sections.

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Appendix B

Air Force Organizations and Capabilities

Although the Air Force (AF) is prepared to operate in both contested and denied operational environments, AF operating locations are normally within countries that the United States maintains access and basing agreements. The AF will use main operating bases, forward operating sites and locations and co-located operating bases with partner nation air forces to project air power. In garrison and during steady state operations it is realistic to expect some level of host nation support from partner nations, however, the AF must prepare to support itself through military and U.S. contingency contracting capabilities across the range of military operations.

While the AF is integrating the appropriate OCS equities across most functional areas in the AF, the contracting career field is currently leading the development and production of OPLAN Annex W's (*Operational Contract Support*) at their respective air components or their component aligned theater support contracting organizations. Additionally, the contracting squadrons at the wing/base are the business leaders for their commanders.

The AF has the largest full time contracting force amongst the DOD Services. Both the officer (64P) and enlisted (6C) career fields are considered core AF specialty codes with accession at the E-1 and O-1 ranks. Although not all of these Airmen are deployable contingency contracting officers, they do provide a formidable reach back capability when organized appropriately to support contingency operations. The pairing of highly experienced mid-grade contracting officers/airman with civil engineers or logistics planners, and qualified paying agents can produce rapid and effective results for commanders during any contingency response. Contracting civilians (GS-1102s) do not perform contingency contracting officer duties but may provide support to OCS or senior contracting official (SCO) staffs.

THEATER AND SERVICE COMPONENT COMMANDS

B-1. AF contracting support at the component major command or component numbered AF varies from command to command. U.S. Pacific Air Forces and U.S. Air Forces Europe rely on their component-aligned Air Force Installation Contracting Center for operational contract support and contracting expertise. Other air component commands have contracting staff positions within the air component command staff. These contracting staff positions will normally form a contracting division (for example, A4K: OCS Team or A7K: Contracting) within the A4 (Logistics, Engineering and Force Protection) directorate. Aligned to each air component is an Air Force contracting O6/Colonel SCO. The SCO is the director of the Air Force Installation Contracting Center Operating Location. The SCO staff and A4K must work together to inform planning and operations at the air component command to ensure the most effective contracting support is provided to the air component and the joint force at large. The A4K will have the responsibility to provide contracting support and expertise for operations, planning, security cooperation engagements, exercises, President of the United States visits, and general planning for OCS. In some cases, the A4K can be aligned to an air component command and the A4K SCO can be the lead or co-lead for OCS planning and contracting actions.

B-2. Below is a list of OCS planning tasks performed at the air component. The complete list of roles and responsibilities for OCS planners and component aligned SCOs may be found in 0, *Contingency Contracting Support*.

- Execute multifunctional OCS planning through integration across the A-staff.
- Integrate OCS throughout A-staff annexes & appendices.
- Link OCS to the commander's objectives and effects during plan mission analysis.
- Anticipate, derive, and verify contract requirements to support plans.
- Lead OCS operational environment efforts to support adaptive operations.
- Integrate OCS concepts from plans into exercise design.
- Review TPFDDs and Requests for Feedbacks for contract support opportunities.
- Assess plans through OCS related measures of effectiveness and performance.
- Synchronize the contractor management plan with the staff and subordinate units.
- Below is the breakout of OCS and contracting support relationships at the time of this publication.

AIR FORCE INSTALLATION CONTRACTING CENTER

B-3. The Air Force Installation Contracting Center, located at Wright Patterson AFB, can provide two distinct deployment packages—

- The Air Force Installation Contracting Center can augment the lead Service for contracting coordination or the lead Service for contracting if the AF is designated as the lead. This package could consist of additional staff support to an existing SCO (Colonel/O6) or a SCO package that includes an O6 and three staff members.
- Additionally, the AF could establish the initial elements of a joint task force for contracting joint task force for contracting. This package would include the Air Force Installation Contracting Center Air Force Installation Contracting Center Commander (Brig Gen/O7) who would command the joint task force for contracting. No additional HCA authorities are required if the Air Force leads the joint task force for contracting. Additionally, because additional HCA isn't required, AF could lead a joint task force for contracting with an O6 commander if the O7 wasn't required.

BASE LEVEL OPERATIONS

B-4. Each main operating base has a mission support group (MSG) or similar unit that provides base support and services. The vast majority of contract support requirements for a base will originate from a squadron within the MSG. Each squadron of an MSG is a portfolio owner for a type of support. As an example, units on a base requiring a non-tactical vehicle would be sent to the Vehicle Operations Flight within the logistics readiness squadron to fulfill their transportation requirements instead of each requiring activity going to the contracting squadron separately. An MSG will typically have the subordinate organization capabilities as listed in table B-1.

Table B-1. Mission support group capabilities

<i>Mission Support Group Subordinate Units</i>	<i>Operational Contract Support Equity, Potential Contract Support Requirements, or Contractor Management Function</i>
Force Support Squadron	Accountability, Morale Welfare and Recreation, Billeting, Food Service, Mortuary Affairs, and Postal.
Civil Engineering Squadron	Provides civil engineering project management. Consolidates all base requirements (contract or other) from other squadrons. Firefighting commodities and/or services. Explosive Ordnance Disposal elements. Emergency management of Chemical, Biological, Radiation, Nuclear, or Explosive preparation and response.
Security Forces Squadron	Force protection, base access, base hardening, and biometrics, participates in threat working group.

Table B-1. Mission support group capabilities (continued)

Mission Support Group Subordinate Units	Operational Contract Support Equity, Potential Contract Support Requirements, or Contractor Management Function
Communications Squadron	Network access, commercial internet, commercial and cell phones, spectrum management (frequencies for contractors if needed), and base level cyberspace security.
Logistics Readiness Squadron	Material management (supply), Traffic management (receiving shipping, movement and storage, control of property), Ground vehicle management and maintenance, Execution of unit movement, receptions, War reserve material management, storage, and maintenance. Small air terminal operation (Aerial Port) for cargo and passenger movement, Fuels management (storage plan, testing, into-plane and vehicle support), hazardous material storage and removal.
Aerial Port Squadron (as required)	Air terminal operation for cargo and passenger movement and manifests.
Contracting Squadron	Mission focused business leader to the wing, MSG and all squadron commanders. Provides squadrons with sample performance work statements and recommendations for their requirements. Ensures performance management in support of installation contracting requirements and contingency contracting during a contingency.

B-5. The contracting squadron (CONS) commander works for the AF Wing/base commander but they must also coordinate with the aligned Air Force Installation Contracting Center Operating Location Director. During a contingency, the CONS will normally remain in-place at the main operating base but may need to forward deploy CCOs to COBs or FOLs to support their Wing's expeditionary mission.

- The CONS could become the foundation of a RCC headquarters if properly staffed and coordinated in orders from the air component to the Wing commanders.
- A CONS that isn't dual hatted as a CONS and RCC, could be required to coordinate contracting actions with an RCC.
- CCOs on the TPFDD could fall under the command of RCC Chiefs or be under the control of the SCO but coordinate through the RCCs.

B-6. The CONS is responsible to complete Chapter 34 (Contracting) of the base support plan Part 1 (In-Garrison) and Part 2 (Contingency). Chapter 34 is also produced for expeditionary site plans. Chapter 34 is similar to a tactical level Annex W. There is one base support plan per base regardless of the number of OPLANs/CONPLANs that the base may support. Wings/bases will update their base support plan as required. The timing of base support plan updates is not necessarily in cycle with updates to supporting plans to CONPLANs and OPLANs managed by the air component command. The Air Force Installation Contracting Center operating location SCO should ensure that Annex W and contracting force laydown in CONPLANs and OPLANs are informed by the CONS commanders.

B-7. Additional roles and responsibilities of a CONS or contracting officer are outlined in AFI 64-105, *Contingency Contracting Support*. Additional information on AF base support and expeditionary site planning process can be found in AFI 10-404. OCS staff planning guidance in this publication AFMAN 10-409-O.

CONTRACT REQUIREMENTS SUPPORT PACKAGE FLOW

B-8. Requirement flow in the AF is due to the functional orientation of Air Force units, there is a logical consolidation point where vetting of requirements occurs at the base or wing level.

REQUIREMENTS FLOW

B-9. Most of these consolidation points are at squadrons within the MSG. As the previous example of non-tactical vehicles illustrates, all vehicle requests on a base (where AF is the lead unit) should flow through the logistics readiness squadrons, Vehicle Operations Flight. This means the CONS should not be receiving

multiple requests for non-tactical vehicles from individual tenants on the base, and the CONS should point tenants to the logistics readiness squadrons for requirement consolidation.

B-10. Air defense artillery and special operations forces are examples of tenant forces that may not be OPCON to the air component commander but may reside on, or be in the immediate vicinity, of USAF bases. If these tenant units require life support, and the USAF element is tasked to be the base operating support-integrator, then the tenant units would route their base operating support-integrator requirements through normal USAF approval processes. Non-base operating support-integrator type requirements, of those tenant units, would need to be routed through their chain of command.

B-11. The U.S. Army component is typically delegated responsibility to provide common user logistics to the joint force. In this case, a USAF commander movement requirement for theater distribution will need to route the requirement through the Army component for sourcing and may be contracted. However, trucking assets that are not related to theater distribution (for example, local use) do not fall under common user logistics and may be executed by the AF commander through contract or other means.

REQUIREMENTS VALIDATION

B-12. Air components and their subordinate commands may establish thresholds that require approval of contract support requirements at a certain level of command. If this is done, the functional area owners of the capability, not the OCS team or contracting, would determine the need to approve requirements at their level (for example, the air component A4 may determine the need to approve all new non-tactical vehicle contracts for OPCON USAF elements). Culturally, USAF does not financially restrict Air Force forces and Wing/base commanders with funding thresholds that would require approval at the air component level. However, the financial management community could decide to do so.

B-13. AF units will almost never require acquisition ready contract support packets to approve requirements in the early phases of a contingency operation. However, during later phases of a declared contingency, or when practical, the air component command may add more rigor to its requirements approval and follow AFI 63-138 for service contracts.

B-14. A decision to use contracts as a source of support in a long range planning group or operational planning team is considered operational approval of the commercial requirement; however, signatures may still be required on funding and justification documents. Commands may only approve, through a joint resource requirement board or similar process, the contract support requirements of units that are OPCON to that command, or if that command is responsible for the common user logistics items or base operating support-integrator commodities.

Appendix C

Marine Corps Organizations and Capabilities

The Marine Corps has a small contingency contracting force that makes up the operational contract support advisor capability. The Marine Corps contingency contracting force is organized for the sole purpose of providing OCS and contracting support to Marine Corps operations. It has limited capacity to support other Services or multinational partners due to the limited size and capacity of both its contracting and OCS communities. The OCS advisors are tasked within the Marine Corps to help facilitate the planning, synchronization, and management of commercial support across the spectrum of Marine air-ground task force (MAGTF) operations.

Note: The MAGTF is the Marine Corps' principal organization for all missions across the full range of military operations. MAGTFs are task organized Marine Corps organizations that range from Marine expeditionary force (MEF), an Army corps sized unit, down to Marine expeditionary unit, which is somewhat equivalent to an Army battalion task force, but with some Marine unique capabilities.

THEATER AND SERVICE COMPONENT COMMAND

C-1. The Marine Corps has OCS staff positions at the Service component level referred to as Marine Corps Forces (MARFOR). Each MARFOR has an OCS advisor staff responsible for contract support planning, integration and synchronization of all OCS matters with Marine Corps operations in the area of responsibility. MARFOR OCS advisors provide general guidance to the MARFOR commander and serve as the MARFOR commander's OCS planners. In this capacity, Marine Corps OCS personnel assist in determining specific contract support requirements and are the liaison for coordinating contingency contracting support from other Services or outside agencies in the operational area. These OCS advisors also validate the requirement for further requests of Marine Corps contingency contracting force support to deployed Marine Corps organizations.

C-2. The Marine Corps integrates the OCS function within each of its Marine Component Commands (Fleet Marine Forces') aligned to the GCC and each of the three MEF command elements. During steady-state operations, the Fleet Marine Forces' OCS advisor reports to the G4 operations section and is typically filled with one officer (designator 3006) at the rank of O-3/O-4 or one enlisted Marine (designator 3044) at the rank of E-8. At the Marine expeditionary force (command element), the OCS advisor reports to the MEF G4 and is typically filled with an O-4 (MOS 3006) and an E-8 (MOS 3044). Figure C-1 on page C-2 depicts an example of OCS cell structure.

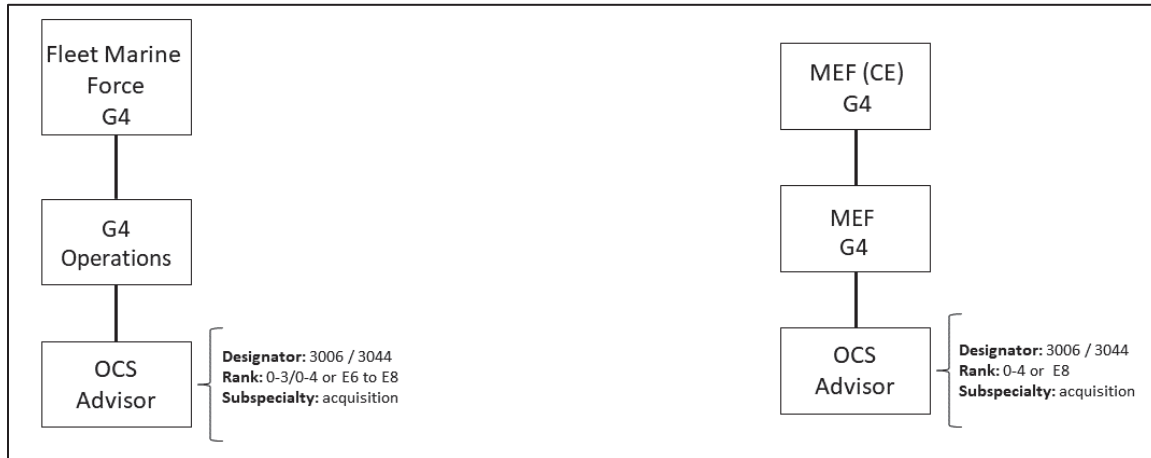


Figure C-1. Operational contract support cell structure

C-3. The primary OCS responsibilities and tasks at the Marine Component Command and Marine Expeditionary Force include—

- Plan and integrate commercial support into Marine Corps operations to include develop appropriate Annex D and W inputs.
- Coordinate contracting support with appropriate source such as U. S. Marine Corps contracting, executive agent, lead services contracting activities.
- Develop and recommend policies relating to management of contractors in support of combatant commander directed operations (for example, COR functions).
- Lead OCS integration cell and coordinate across staff.
- Coordinate with logistics representatives' contractor support and host-nation support requirements.
- Research the available commercial market to support adaptive operations in the operational environment.
- Assist the command leadership in the feasibility of support from non-organic requirements.
- Manage OCS data and metrics to provide situational awareness to the command.

OPERATIONAL AND TACTICAL LEVEL

C-4. Each MEF has OCS advisors within the G-4 staff. The OCS advisors are non-warranted and unable to obligate government funds. MEF OCS advisors are responsible to assist to facilitate the command in the planning, coordination, and synchronization of contracting support with MAGTF and smaller deploying unit mission requirements. OCS advisors normally serve as the secretariat for the command's requirements review board and help facilitate the validation of the contracted requirement. MEF OCS advisors provide the following support—

- Serve as the MEF commander's advisors on all operational contract support and contracting matters.
- Assist in determining contingency contracting support requirements for deploying MAGTFs.
- Serve as liaisons responsible for coordinating contingency contracting support to assigned MARFOR missions.
- Coordinate OCS matters with the MARFOR OCS staff.
- Task assigned and attached contingency contracting force capability required to support specific missions.
- Ensure that all deploying MAGTFs and deployable units are trained on contracting and contract support requirements.

- Facilitate the monitoring of contractor performance in both expeditionary and joint operational areas.
- Facilitate MAGTF contract requirements determination, validation, and prioritization process, as the requirements review board Secretariat.
- Develop policies and procedures that integrate contracting support with the MAGTF staff planning process.
- Deploy in support of the MAGTF operational support integration cell as required.

COORDINATING SUPPORT IN JOINT OPERATIONS

C-5. In joint environments where the contracting support is provided by another Service or joint contracting command per GCC's directives, a deploying MEF or Marine expeditionary brigade sized MAGTF will establish an OCSIC to plan and coordinate contract support. A MAGTF OCSIC is generally staffed with a field grade contracting officer, a senior enlisted contracting specialist and several logistic personnel. Neither of the contracting personnel are warranted. Operating as part of the G-4 staff, the MAGTF OCSIC staff performs the following functions—

- Provide OCS-related advice and assistance to the MAGTF commander and staff.
- Conduct operational contract support planning.
- Develop aspects of the operational environment.
- Act as the Secretariat to the requirements review board to facilitate requirements development, prioritization, and validation processes to include execution or participation in any additional requirements review boards.
- Provide training and assistance in developing contract support requirements packages.
- Provide training and oversight on government commercial purchase cards and FOO programs.
- Provide contracting oversight to deployed Marine Corps contingency contracting force personnel.
- Conduct COR management and oversight.
- Provide liaison to lead Service, joint contracting command or Service CAP organization as appropriate.

THEATER SUPPORT CONTRACTING

C-6. The Marine Corps meets its theater support contracting requirements by task organizing from its contingency contracting force made up of officer and enlisted contracting professionals. The primary focus and organization of the contingency contracting force is to support Marine Corps MAGTF operations and provide small unit deployment contracting support. Contingency contracting force personnel are task organized from the Marine Corps operational forces and garrison support contracting offices as required by theater-specific mission assignment or tasking.

C-7. The Marine Corps maintains an organic contingency contracting force capability within each MEF. More specifically, each MEF has an expeditionary contracting platoon within its assigned Marine logistics group. The Marine logistics group employs its contracting capability as an organic contracting support element to the MAGTF or smaller deploying units as required. The mission of the expeditionary contracting platoon is to develop, train, and sustain the appropriate mix of contingency contracting force Marines to provide responsive expeditionary contracting support and maintain the technical proficiencies required for the employment as a MAGTF capability. The expeditionary command post consists of uniformed personnel that can rapidly deploy and provide theater support contracting services to any size MAGTF or deploying unit during exercises, contingency, foreign humanitarian assistance, foreign disaster relief operations.

C-8. Each MEF's OCS section develops a contracting support plan as part of the overall logistics support plan that includes the number of contracting personnel required to deploy. The Marine Corps' contingency contracting force has the capacity to provide contracting personnel to support in proportion to the size of the MAGTF conducting operations. The Marine Corps does not deploy civilian contracting personnel in support of its operational mission. Additionally, Marine Corps contracting officers are not warranted to contract for major construction.

C-9. In some large-scale, long-term joint operations, the deployed MAGTF may be supported by a joint theater support contracting command. In these situations, the supporting MARFOR will be tasked to provide contingency contracting personnel support to the JTSCC's joint manning document. The Marine Corps contingency contracting force capability has the joint theater support contracting command capacity to provide contracting personnel that is proportionate to the size of the MAGTF conducting the operation and does not have the personnel to provide sustained support to the overall deployed joint force.

C-10. The Marine Corps maintains contingency contracting force capabilities in support of special operations forces assigned to United States Marine Corps, Special Operations Forces Command. The contingency contracting force Marines assigned to United States Marine Corps, Special Operations Forces Command are warranted through U.S. Special Operations Command.

C-11. The Marine Corps maintains contingency contracting force capability in the supporting establishment to augment civilian contracting support within bases and installations in order to train contingency contracting force Marines and increase contracting proficiency to support the OCS mission. Organization of contingency contracting force support is dependent upon the size of the base or installation along with operational mission requirements for the supported units on location. Contingency contracting force Marines are placed in base and installation contracting offices where they can obtain the best training and contracting experience commensurate with the contracts that are required in the expeditionary environment.

SYSTEMS SUPPORT

C-12. U.S. Marine Corps Systems Command is one of the Department of the Navy systems commands and the commandant of the Marine Corps' agent for acquisition and sustainment of Marine Corps specific systems requirements. These systems' requirements include Marine Corps unique chemical, biological, radiological, and nuclear defense materials and equipment; training systems and equipment associated with Marine Corps unique requirements; amphibious raid; and ground reconnaissance systems and equipment. The U.S. Marine Corps Systems Command is responsible to develop and support Marine Corps unique ammunition and weapons, to include procurement, surveillance, and maintenance of associated ordnance items.

CIVIL AUGMENTATION PROGRAM

C-13. The Marine Corps does not have its own civilian augmentation program, nor is it reliant on CAP support when conducting standard Marine Corps doctrinal missions less than 60 days in length. In cases where the deployed MAGTF requires CAP support, it is leveraged through one of the other Service CAPs (normally Army's LOGCAP). Initial planning and coordination of CAP support is accomplished through the OCS advisors at the MEF or MARFOR levels.

C-14. For more information on Marine Corps capabilities, refer to MCO 4200.34.

Appendix D

Navy Organizations and Capabilities

The operational logistics required to support a globally dispersed naval force presents complex challenges. Sustainment for warships, aircraft, and expeditionary detachments of differing mission and size must be planned, orchestrated, synchronized, and integrated all over the world. Contractors provide an adaptable mix of unique skill sets, flexibility, and local knowledge in support of joint and naval operations that a strictly naval force cannot provide for all scenarios. From logistical support and intelligence analysis, to private security services, emergent repair, maintenance, construction, and operational support tasks, the efforts of contractors are not only integral to the success of Navy component commands (NCCs), they are also integral to the success of Navy missions and operating forces around the globe. The Navy has very limited OCS capabilities, and as such are based on two principles—

- The Navy does not maintain a dedicated contingency contracting force. Instead, deployable contracting officers and civilians, assigned to field contracting and systems acquisition commands performing contracting functions, are deployed as contingency contracting officers as operations dictate.
- The Navy leverages a logistics network that provides global logistics support to maritime and expeditionary forces operating worldwide to create a scalable and multilevel response to a real world situation.

OPERATIONAL CONTRACT SUPPORT ORGANIZATIONAL STRUCTURE

D-1. The Navy integrates its OCS function within the Maritime Operations Center/Sustainment and Service cell in each of its numbered fleets. During steady-state operations the OCS position is typically filled with one supply corps officer (designator 3100) at the rank of O-3/O-4 or civilian GS-340 series at the grade of GS-13/14 both with an operational logistics planning subspecialty. During crisis operations, Navy reservists (designator 3105) with an operational logistics subspecialty will provide augmentation to increase capacity and capability. Figure D-1 on page D-2 depicts an example of an OCS cell.

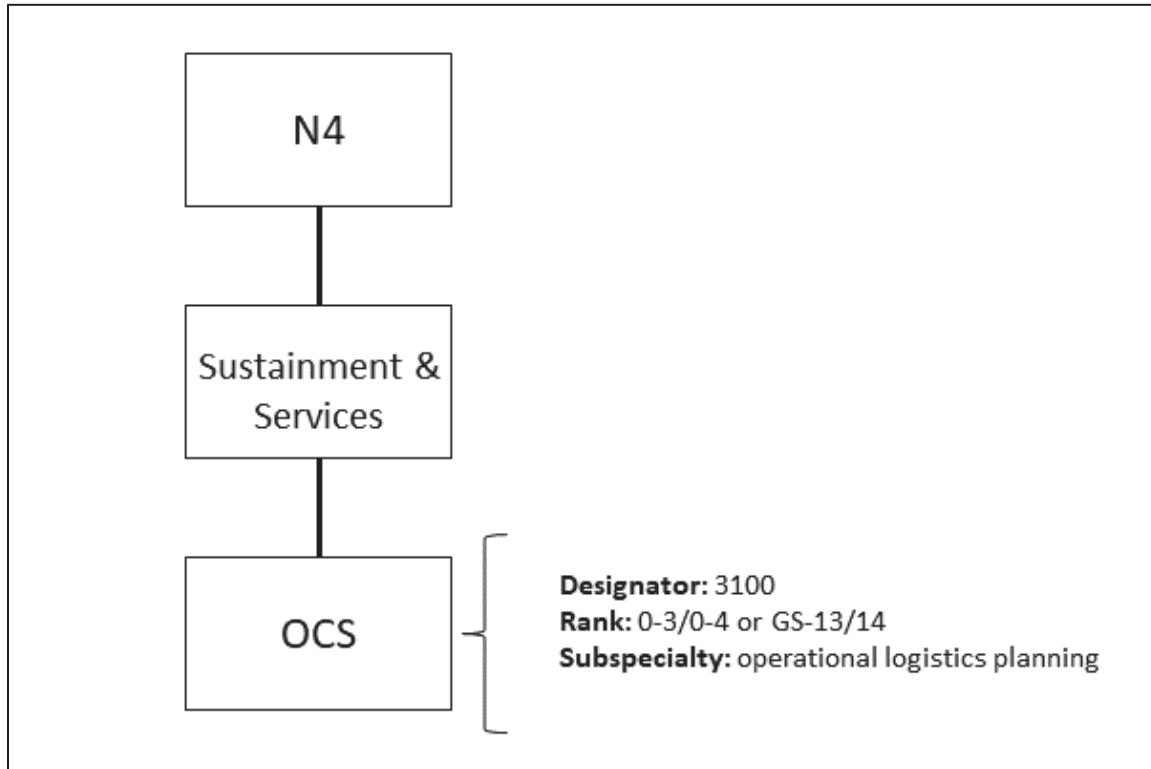


Figure D-1. Operational contract support cell

D-2. Primary OCS responsibilities and tasks at the fleet include—

- Develop and recommend policies relating to management of contractors in support of combatant commander directed operations.
- Integrate commercial support to operations into plans, CONOPS and the Annex W within Navy and joint operational planning teams.
- Identify commercial support options to support naval operations.
- Assist the command leadership in the prioritization and validation of contracted requirements.
- Manage OCS data and metrics to provide situational awareness to the command.
- Research the operational environment from a commercial support perspective.
- Manage an effective COR oversight program.

D-3. Via the Maritime Operations Center, the Naval Component Commands assess, validate, and consolidate requirements submitted by subordinate requiring activities. Validated requirements are submitted to the appropriate HCA usually to subordinate contracting activities (for example, Fleet Logistics Centers and Facilities Engineering Commands).

ASSISTANT SECRETARY OF THE NAVY FOR RESEARCH, DEVELOPMENT, AND ACQUISITION

D-4. The Assistant Secretary of the Navy for Research, Development, and Acquisition is the Department of the Navy's acquisition executive and senior procurement executive. The Department of the Navy's acquisition executive has authority, responsibility, and accountability for all acquisition functions and programs through PEOs and/or PM offices or systems command commanders. The Navy systems command commanders act for and exercise the authority of the Department of the Navy's acquisition executive to directly supervise management of assigned programs, to maintain oversight of cost, schedule, performance, and report directly to the Assistant Secretary of the Navy (Research, Development and Acquisition) for all matters pertaining to research, development, and acquisition. Common responsibilities for these commanders

include serving as HCA for both assigned programs and project manager programs and overseeing in-service support of weapon and informational/technical systems. Navy systems support contracts can therefore be awarded by any of the systems commands for their specific types of systems under their responsibility.

DEPUTY CHIEF OF NAVAL OPERATIONS FOR FLEET READINESS AND LOGISTICS

D-5. Deputy Chief of Naval Operations for Fleet Readiness and Logistics (CNO N4) is responsible for advocating Navy logistics plans, policies, concepts, and exercising staff supervision over joint and Navy logistics matters. As the advocate for operational logistics capabilities, CNO N4 has responsibility for Navy's operational contract support (OCS) policy and integration under the Logistics - Supply Chain Operations Division (Naval Operations Fleet Supply [OPNAV N41]). OPNAV N41 will—

- Provide a single, service-level policy voice for all Navy OCS matters to organizations internal and external to U.S. Navy.
- Represent Navy OCS capabilities and requirements necessary to support and inform force development.
- Provide subject matter expertise and oversight of Navy OCS doctrine development.

NAVY COMPONENT COMMANDS

D-6. The commander through its Deputy Chief of Naval Operations for Fleet Readiness and Logistics (CNO N4) conducts OCS functions as prescribed in OPNAVINST 3020.12. In addition, the commander is responsible for the following—

- Integrate OCS into theater campaign plans, operation plans, naval doctrine, and analysis of strategy and future force structure. When properly planned, OCS can provide enhanced operational flexibility and rapid increases in support force capabilities.
- Develop and refine NCC supporting plans in Annex W (OCS) and the Contract Support Synchronization Matrix.
- Drive combat support requirements planning, determination, and development for deployed forces. Requirements determination is normally a tactical level requiring activity function; however, it can and should be planned and orchestrated at the operational level by fleet staffs in collaboration with type commanders, hardware system commands, and supporting activities that fulfill their responsibilities with commercial support.
- Capture and document anticipated contracted combat support requirements in planning across personnel, equipment, supply, training, ordnance, network system, and installations in acquisition-ready requirements packages.
- Facilitate improved requirements definition, acquisition strategies, sourcing solutions, contract surveillance, and total ownership cost approaches, which in turn accelerates the appropriate use, application, and agility of contract support during contingencies.
- Develop, assess, and maintain contract support planning factors, and where appropriate, update existing contractor unit type codes with type unit characteristics data for use by planning staffs for level 3 and level 4 plans (those plans that require TPFDD), and for use by requirements generators and the analytic community.
- Direct, coordinate, and integrate for theater support contracting and other common external support contract actions for limited scope and short duration contingency operations in a geographic location, normally a country, region, or joint operations area (JOA), when designated by a GCC as the Lead Service for Contracting Coordination. In this organizational option, the Services retain command and control and contracting authority over their deployed theater support contracting organizations.
- Direct and oversee a limited scope lead service for contracting for theater support contracting actions for specified common commodities and services in a geographic location, normally a JOA or major expeditionary base, designated by a GCC.

- Establish an OCS integration cell to coordinate, and integrate OCS actions across all primary and special staffs for a designated contingency operational area, designated by the GCC as the joint force commander.
- Issue guidance in operational plans and orders for a process to rapidly conduct contract coordination and reach-back support.
- Integrate OCS training and exercises.
- Ensure maritime operations center OCS leads and logistics planners attend the Joint OCS Planning and Execution Course.
- Provide requirements for all OCS contracts supporting fleet operations.
- Establish an enduring OCS programmatic capability at the Fleet (2nd Echelon) and at all subordinate and supporting commands.
- Maintain universal joint task lists and Navy mission-essential tasks (METs) for OCS and enter in the Defense Readiness Reporting System.

COMMANDER, NAVAL SUPPLY SYSTEMS COMMAND AND COMMANDER, NAVAL FACILITIES ENGINEERING COMMAND

D-7. Commander, Naval Supply Systems Command and Commander, Naval Facilities Engineering Command provide a regional structure to support contracting operations consistent with assigned responsibilities in the Navy Marine Corps Acquisition Regulations Supplement. In addition, it is responsible for the following—

- Collaborate with fleet staffs, type commanders, and supporting activities that fulfill their combat support responsibilities through contracted solutions to plan, capture, document and develop external support contract and theater support contract requirements in acquisition-ready support packages for forward deployed supply, services, and construction capabilities.
- Ensure deployable external support contracted capabilities are coordinated with TPFDD development where appropriate.
- Coordinate theater support contracting and other common external support contract actions for a limited scope and short duration lead service for contracting coordination for a contingency operation in a geographic location, normally a country, region, or JOA, directed by an NCC. In this organizational option, the Services retain C2 and contracting authority over their deployed theater support contracting organizations.
- Execute a limited scope and short duration lead service for contracting for theater support contracting actions for specified common commodities and services in a geographic location, normally a JOA or expeditionary base, directed by an NCC; apply DFARS 217.502 and FAR Part 17.502-1 when needed.
- Develop guidance and a process for NCCs to rapidly conduct reach-back support for contract coordination.
- Ensure OCS leads, and logistics planners attend Joint OCS Planning and Execution Course, or other available OCS training.
- Coordinate support via applicable NCC and Office of Assistant Secretary of the Navy for Procurement, for the Defense Contract Management Agency to deploy administrative contracting officers and perform contract administration, quality assurance, property administration, or other combat support functions as may be directed by the Secretary of Defense.
- Participate in NCC exercises to refine OCS procedures, improve integration, and develop individual skills.

HARDWARE SYSTEMS COMMANDS, HEAD OF CONTRACTING ACTIVITY AND SERVICE ACQUISITION PROGRAM OFFICES

D-8. The Hardware Systems Commands, Head of Contracting, and Service Acquisition Program Offices have the following responsibilities

- Collaborate with fleet staffs, NCCs, type commanders, and supporting activities to ensure readiness of systems support contracts.
- Base contracts, options, and contract line items must be crafted to anticipate, prepare, deploy, employ, and redeploy commercial capabilities to provide technical support, maintenance, and repair.
- Ensure contracted deployable systems support is coordinated with TPFDD development where appropriate.

NAVY CONTRACTING

D-9. The Navy leverages a logistics network infrastructure, which does not include organized contingency contracting units, to sustain maritime and expeditionary forces operating worldwide. Navy contracting officers assigned to field contracting and systems acquisitions commands perform theater support contracting functions in support of deployed Navy forces operating afloat and ashore as delegated by their HCA authority. The fleet logistics task force commander is responsible at the tactical level within the Navy service component to resupply maritime forces. Naval Supply Systems Command (NAVSUP) is the HCA for the fleet, the Navy Installations Command regional commanders, and their subordinate activities for services and supplies, and for all Navy activities outside the chain of command of other Navy HCAs (for example, Naval Facilities Engineering Command, Naval Sea Systems Command, and Military Sealift Command). Naval Facilities Engineering Systems Command (NAVFAC) is the HCA for construction or base operating support services. NAVSUP contracting support is delivered through delegation of contracting authority to operational units and through the NAVSUP fleet logistics centers' contracting offices.

NAVY GLOBAL CONTRACT AUGMENTATION PROGRAMS

D-10. The Navy, through NAVFAC, maintains two worldwide CAP contracts: The Global Contingency Construction Multiple Award Contract (GCCMAC) and Global Contingency Services Multiple Award Contract (GCSMAC). The GCCMAC is focused on construction while the GCSMAC is focused on facilities support. The following paragraphs describe both in detail.

GLOBAL CONTINGENCY CONSTRUCTION MULTIPLE AWARD CONTRACT

D-11. The GCCMAC is a competitively solicited multiple award indefinite-delivery/indefinite-quantity type contract with provisions for the placement of either cost-plus award fee or firm fixed price task orders.

D-12. This acquisition vehicle provides pre-qualified sources to provide up to a maximum of \$800 million of construction over five years. The contract provides construction, design/build construction, and related engineering services in response to natural disasters, humanitarian assistance missions, conflicts, or projects with similar characteristics. This includes occasional projects to ensure readiness to perform during emergencies and military exercises. GCCMAC is also an acquisition tool that NAVFAC utilizes to support roles for authorized DOD construction agents as outlined in DODD 4270.5.

D-13. The GCCMAC, under the control of the NAVFAC, provides the joint force, and USG departments or agencies, when authorized, an immediate civilian construction response capability. The scope includes the capability to provide general mobilization services for personnel, equipment, and material in support of naval construction forces mobilization and similar mobilization efforts, and to set up and operate material liaison offices at a deployed site in support of naval construction force operations. Work is predominately construction. However, services incidental to the construction may also be included.

GLOBAL CONTINGENCY SERVICES MULTIPLE AWARD CONTRACT

D-14. GCSMAC is a competitively solicited multiple award, indefinite-delivery/indefinite-quantity type contract with provisions for the placement of either cost-plus award fee or firm fixed price orders. This performance-based contract is designed to respond to natural disasters, humanitarian efforts, contingencies, or other requirements such as nonperformance by an incumbent contractor or instances where there is an unanticipated lapse in service.

D-15. The GCSMAC program is designed to quickly provide short-term facilities support services with incidental construction at various locations (including remote locations) throughout the world. The GCSMAC acquisition vehicle provides six prequalified commercial sources to provide up to a maximum of \$900 million of facilities support services over five years.

NAVY FLEET HUSBANDING CONTRACTS

D-16. The Navy maintains a worldwide network of contracts to support U.S. Navy ship visits in foreign ports. These contracts provide worldwide coverage based on geographic regions, which include countries and individual ports. These contracts are maintained by Naval Supply systems command's FLCs that are strategically aligned and located to support Navy operational units, joint maritime component commands, and Navy supporting commands. Many of these contracts contain provisions to provide basic service and materiel support for small-scale military operations or humanitarian assistance/disaster relief missions in emergent situations. However, they are not intended as a primary source of support for major, long-term contingency operations.

WORLDWIDE EXPEDITIONARY MULTIPLE AWARD CONTRACTS

D-17. NAVSUP's Worldwide Expeditionary Multiple Award Contract is a geographically region-based indefinite delivery, indefinite quantity multiple award contract supporting Navy's worldwide expeditionary requirements. It will be a responsive tool for use in humanitarian assistance/disaster relief support, contingency support, exercise support, lodging support, logistics support, and ashore support in locations without established Department of Navy contracting offices and/or contracting vehicles.

NAVAL SEA SYSTEMS COMMAND

D-18. Naval Sea System Command provides contingency towing, salvage, harbor clearance, and ocean engineering support services. Three regional Naval Sea Systems Command contracts were awarded in August 2019 that support worldwide contingency operations for the Navy.

MILITARY SEALIFT COMMAND

D-19. Military Sealift Command provides worldwide Phase O and contingency ship & barge charters to support afloat and ashore operations for all Services

Appendix E

Operational and Tactical Planning Execution Checklist

The following operational and tactical level checklist is intended to provide the Service component requiring activity commanders and staffs, along with their supporting contracting activity (Marine MEF contracting staff or Army CSB) and OCS organization staff (Army LOGCAP forward operator, for example) a detailed list of issues that should be addressed in any OCS planning action. This checklist is not intended to be exhaustive. It is designed to serve as a basic guide when preparing, staffing, and publishing OCS plans and when executing the operational and tactical level contract support oversight requirements. Depending on the scale and type of the operation, some items may not apply.

CONTRACT SUPPORT INTEGRATION PLANNING QUESTIONS

E-1. Ask the following questions to assist in planning for support integration.

- Is your OCS staff properly trained (for example; the Army OCS Course and Joint OCS Planning and Execution Course)?
- Are the supporting contracting organizations and supporting related organizations integrated into the OCS planning process? Are they integrated into Annex W, Appendix 1 and 3? Do they understand their role in the overall OCS planning effort?
- Are the unit's primary and special staff members aware of their role in OCS planning? Do you have pre-identified points of contact in each staff section?
- Does your OCS integration or coordination staff need temporary staff augmentation?
- Do you have higher-level command logistic and OCS plans, policies, and procedural references on hand?
- Have you completed an analysis of the higher-level command's plans, policies, and procedural references?
- Do these documents contain guidance on lead Service for common user logistics, base operating support functions, lead Service for contracting, lead Service for contracting coordination, or joint contracting command guidance? If so, ensure you do a separate analysis on how this guidance may affect your planning.
- Are any other joint, HN support, or multinational support capabilities available? If so, are necessary legally binding agreements and other documents in place and can meet performance requirements for U.S. forces?
- What force protection support is required to support contractor operations?
- Will the business climate in the operational environment adequately support local contracting?
- What agreements (such as SOFA) exist and what are the business clearance requirements?
- Will GFP be made available, and how will property be managed (theater property book)?
- Are funds available (including military construction and procurement when needed) and sufficient to meet contracted sustainment if needed?
- Is the LOGCAP forward planner engaged in the process (whether planning for LOGCAP engagement or not)?
- Will contractors work and or reside within the military footprint, and has adequate space and support been anticipated for contractor operations?
- What is the mission, level of forces deploying, location, and duration of the operation?

- Do subordinate unit staffs have OCS functional and SPOT trained members?
- Are there adequate CORs identified and trained to assist in managing contractor performance?
- Is there adequate COR or other technical expertise available, especially in facilities-related support? If not, what is the risk mitigation plan?
- Based on the analysis of organic and other support capabilities, what support gaps may need to be filled by contracted sources?
- Are any buy local national first type programs in place? Should there be?
- Are any restrictions on the use of CAP or other external support contracts in place?
- Are anticipated CAAF support requirements incorporated in the logistic requirements estimate?
- Have mission essential commercial support requirements been identified?
- Have plans been developed to replace CAAF who are performing mission essential contractor services in contingency operations or to otherwise mitigate the loss of services? This task includes assessing alternative sources (military, DOD civilian, LN, or other contractors) or identification of actions that will mitigate the loss of such support.
- Does the mission essential contract clearly obligate contractors to continue essential contractor services during a contingency operation even in the event of hostile acts?
- What support arrangements are in place for theater support contracting?
- Is there any directed OCS play in unit mission rehearsal exercises?

CONTRACTOR MANAGEMENT QUESTIONS

E-2. The following questions aid the focus on contractor management.

- Do you have local command's guidance on contractor management? Are the various staff sections properly familiar with their functions when it comes to contractor management (for example, personnel staff familiar with SPOT contractor accountability reports; operations staff prepared to coordinate force protection and security issues)?
- Are CAAF and other contractor personnel, GFP, and CAP support requirements properly planned in conjunction with the requiring activity, contracting officer, and the unit(s) required to provide this support?
- Has non-reimbursable cost of supporting contractors been captured in the overall cost of the operation so that adequate funding is provided?
- Have specific CAAF theater entrance requirements been established? Are they integrated into Annex W, Appendix 2? At a minimum do they include—
 - ID, security card issuance policy.
 - Government-furnished support policy and procedures – Is there a base operating support integrator designated per joint force command order or directive?
 - LOA generation and approval.
 - Medical and dental qualification standards, immunizations, and screening procedures.
 - Military protective clothing and equipment directives.
 - Uniform policy.
 - Training verification.
- Have you verified CAAF deployment preparation requirements with command guidance such as the Army's Personnel Policy Guidance Army Mobilization and Deployment Reference found on the assistant chief of staff, personnel (Army) G-1 website?
- Are CAAF employee statuses and authorized government-furnished support authorizations identified up front in the requirements development process?
- Have CAAF completed theater-specific training requirements (selected training may also be required for non-CAAF employees who's area performance is on a U.S. base or in the immediate vicinity of U.S. forces) to include—
 - Specific force protection and security.
 - Legal status, criminal jurisdiction authority, prevention of human trafficking authority.

- Detainee handling (required for CAAF who will be in contact with detainees).
- Hazard awareness (for example, health threats and unexploded ordnance).
- Local commander's authority.
- Wear and use of protective gear (if issued).
- Survival, evasion, resistance, and escape training, especially for CAAF who operate in a "high risk of capture" environment).
- Prevention of sexual harassment, reporting of sexual assault, and human trafficking.
- Are CAAF being deployed into an operational area properly certified and fully integrated into the unit's deployment plan in accordance with one of the contractor personnel certification and deployment methodologies?
 - Process and deploy with the supported unit.
 - Process and deploy as a non-unit-related personnel.
 - Self-certification and deployment.
- Are CAAF and their equipment being properly integrated into the time-phased force and deployment data time-phased force and deployment data list process?
- Are there established procedures for redeploying CAAF to include—
 - Updating SPOT.
 - Recovering government-issued badges and ID cards.
 - Recovering GFP or CAP equipment.
 - Follow-on medical screening.
 - Required debriefings.
 - Withdrawing security clearances (as applicable).

IN-THEATER CONTRACTOR PERSONNEL MANAGEMENT AND GOVERNMENT-FURNISHED SUPPORT QUESTIONS

E-3. Ask the following questions.

- Are Service commanders and members of their legal staffs aware of the legal status regarding contractors in wartime or contingency operations?
- Are specific contractor personnel discipline policies in place? Do these policies include specific procedures to deal with both minor and major discipline cases?
- Are there workable CAAF accountability and SPOT policies in place?
- Are all CAAF required to be processed in and out of the operational area through an Army or Joint reception center or other personnel centers and processes designated by the JFC or Service?
- Has the contractor been issued any required operational-specific identification or base access documents prior to onward movement?
- Have onward movement transportation responsibilities been identified for CAAF and their equipment to the point of performance?
- Have intra-theater transportation responsibilities been identified for CAAF whose area of performance is on multiple bases?
- Which transportation services contracts require integration into the military movement control system? CAP? Any theater support contracts?
- Have government-provided contractor support requirements been identified, forwarded, and coordinated with the unit or location providing the support?
- Have contractor requirements for living space been identified and made available?
- Have contractor requirements for work space and power requirements been identified and coordinated?
- Is CAAF government-furnished support being executed in accordance with JFC and Service policies?

- Are CAAF generally provided the same standards of support and living arrangements applied to DOD civilian personnel of similar grade and responsibility level?
- Do contracts specify, when possible, subsistence support provided to contractors is done on a non-reimbursable basis or annotated on an LOA? If not, have reimbursement procedures been established?
- Have steps been taken to ensure TCN CAAF are fairly treated and not being taken advantage of in CTIP schemes?
- Are CAAF properly integrated into the personnel recovery program?
- Are the deployed medical treatment facilities prepared to provide emergency medical care to CAAF and non-CAAF employees injured in the performance of their contract duties while in the immediate vicinity of U.S. forces or on a U.S. base?
- Are there plans to provide primary and routine medical care to CAAF as outlined by contractual requirements and as the mission dictates? If not, do the terms of the contract provide for transportation of ill CAAF out of the operational area in a timely manner? Have reimbursement procedures for care received and transportation been established?
- If transfer of GFP or CAP equipment is anticipated, have the Service component command or Service HQs staff properly coordinated disposition instructions with the appropriate Department of State, DOD, and affected component organization to ensure the instructions are clearly understood and provided in a timely manner?
- If applicable, are the following support arrangements in place?
 - Postal.
 - Mortuary affairs.
 - Post exchange/Base exchange access.
 - MWR.

FORCE PROTECTION AND SECURITY QUESTIONS

E-4. Compile the following data.

- Has the Service component command, base command, or designated area command developed, promulgated and enforced operational-specific procedures and responsibilities to coordinate force protection support with military security and, when appropriate, contracted security?
- Are all CAAF and non-CAAF requiring base access incorporated in the overall force protection and security plan?
- Are standardized security badge issuance policies in place across the operational area?
- Has the requiring activity included operational-specific force protection-related information into the requirements package?
- Has the contracting officer included operational-specific force protection-related information into the contract?
- Does the contract specify all contingency contractor personnel whose area of performance is in the vicinity of U.S. forces are required to comply with applicable CCDR and Service commander force protection policies and procedures?
- Are all CAAF provided protection during transit within the operational area commensurate to protection provided to DOD civilians?
- Have contractor convoy force protection standards and procedures been established and enforced?
- Are individual contractor personnel arming policies in place and enforced?
- Do contractor personnel authorized to carry weapons for personal protection meet applicable U.S., HN, and international law; relevant SOFAs or other international agreements; DOD policy; and or Service- established guidance?
- Are private security services provided by contractors in accordance with applicable U.S., HN, international law, and relevant SOFAs?
- Have all Service-related contractor personnel, authorized to be armed, been fully briefed on the U.S. and HN laws, SOFAs, and JFC policies regarding the rules for the use of force?

- Does the contract contain provisions informing the contractor of any known or potentially hazardous situations? Are there any general stipulations limiting contractor support to non-offensive operations or government responsibilities to provide back-up security support?
- Are there non-military (Department of State or local government, for example) armed contractors operating in the operational area? If so, are the Services and subordinate commands aware of and enforcing JFC and other government agency (also called OGA) private security service coordination policies and procedures?
- Are there workable and reliable information sharing and communication mechanisms in place to coordinate operations of all private security service contractors?
- Do the Services have a requirement to provide back-up security support requirements to Department of State or other organizations?
- Are subordinate area or base commanders properly informed of and prepared to execute these back-up security requirements?
- Have the subordinate area and base commanders conducted proper coordination with these private security service contractors and rehearsed back-up security actions?

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Appendix F

Requirements Development Checklist

This appendix is intended to provide Service component units' OCS staffs with a checklist to guide them in the development of some of the most critical, and most challenging, parts of the acquisition-ready requirements package. These checklists are not intended to be exhaustive, but are intended to provide basic considerations for development of the PWS, IGE, QASP, and COR nomination.

F-1. The following questions should be asked—

- Do you have any OCS trained personnel on staff? If not, can you acquire this training through a formal course such as the Army's OCS Course?
- Do you have current local command requirements development guidance? If not, do not proceed until you collect this guidance.
- Do you know where to go for requirements development advice and assistance (for example, your supporting theater support contracting element, other organizations such as LOGCAP forward, or OCS integration or coordination cell)?
- Are you aware of procurement lead times (the administrative time required to process a requirements package, prepare the solicitation, advertise the acquisition, receive and analyze bids or offers, obtain necessary approvals, and issue a contractual document) for various types of procurements to allow adequate time for requirements planning and development?
- If you are relatively sure which contracting activity will be servicing your request, did you initiate advance acquisition planning for the acquisition plan or strategy (when required) with this activity? Planning for a requirement is the single most important element in receiving accurate, efficient, and timely contracting support. When possible, contracting officers should be involved at the first sign of an upcoming requirement.
- Does the requirement require validation before it can be submitted to contracting personnel for contracting planning, solicitation, and contract award action? Sometimes these are not contracting-directed or contracting-owned processes. Examples include: Service requirements review board or joint requirements review board. If so, do you understand the thresholds and minimum documentation requirements that would require your packet to go through the requirement review board?

F-2. Obtain the following market research information—

- How and where to purchase a service or supply (local or GSA).
- Procurement history or previous contract awards.
- Prices and performance results for previous contracts.
- Past or present government contractors.
- Assessment of the commercial sector; are required products/services available?
- Applicable documents, specifications, manuals, and regulations governing the requirements in the PWS. Does it contain, at the end a performance requirements summary?
- Competitive sources that meet the government's need at a low cost.
- Current status of technology.
- Request for Information from vendor.
- Can the contractor provide the items all at once or as partial shipments?
- Shipping cost and time, manufacturing time, and lead time.

F-3. Consider the following to create a performance work statement—

- Do you have a good example PWS available? If not, try to find one through an adjacent or higher OCS cell, an adjacent or higher requiring activity, or finally via your supporting contracting activity.
 - Do you have personnel with sufficient technical expertise in the area of service to be provided by commercial means to assist with writing the technical portions of the PWS?
 - Did you conduct market research to identify commercial support availability, capabilities, standard industry practices, and performance parameters?
 - Does the PWS writing team understand the requirement needs to be satisfied, how the acquisition will meet the needs of the requirement, the criticality of the need, and the desired results of the procurement?
 - If you are using a previous PWS as an example, did you remember to change dates, times, locations, and other requiring activity-specific information so as not to confuse the supporting contracting activity or potential bidders?
 - Regardless of format, does the PWS contain at least the following general information—
 - General information to include scope of work and general operating conditions.
 - Definitions of all special terms, phrases, and acronyms used in the PWS.
 - Government-furnished property and services that will be provided to the contractor.
 - Items the contractor is required to provide in executing the PWS.
 - Specific tasks and deliverables the contractor must execute or provide to include reports, outputs, outcomes, schedule, and quality.
 - Applicable documents, specifications, manuals, and regulations governing the requirements in the PWS.
 - Was the PWS screened to ensure there are not inherently governmental or personal services tasks involved prior to being submitted to the supporting contracting activity if this is not a personal services requirement?
 - Was the PWS staffed with all the customers (supported units) of the requiring activity prior to being submitted to the supporting contracting activity?
- F-4. Ensure the quality assurance surveillance plan is prepared with the following considerations—
- Is the acquisition-ready requirements package for a service? If so, is there a PWS and the required performance requirements summary as it is key to COR contract surveillance, COR nomination, and a draft QASP?
 - Are the same technically qualified personnel who prepared the PWS preparing the QASP?
 - Does your supporting contracting activity or LOGCAP support office have a QAR who may be able to assist personnel in building the QASP?
 - Are sample QASPs available from adjacent or higher OCS cells, an adjacent or higher requiring activity, supporting finance office, or supporting contracting activity?
 - Regardless of format, does the QASP contain the following minimum components?
 - Overall purpose of the QASP to include surveillance checks on both the technical matters (Was the service provided at the quality level specified by the contract?) and tactical matters (Did contractor employees follow security and force protection guidance as required by the contract and local command policy).
 - Roles and responsibilities of those who will oversee and coordinate surveillance activities.
 - Methods and frequency of surveillance (contractor metrics, random sampling, periodic inspection, 100% inspection, customer feedback and third party audits).
 - A sampling guide, which states what will be checked, the acceptable quality level, and how the checking will be done.
 - Checklists to record what has been checked by sampling and to record additional information on contract items not covered by sampling.
 - Performance rating definitions to be used when evaluating the quality of contractor's performance.

- Samples of performance assessment reports, customer complaint records, and corrective action reports.
- Is each performance objective in the PWS linked to a method of inspection incorporated in the QASP?
- Does the QASP include procedures to monitor the contractor's performance regarding CTIP?
- Additional information on QASP development can be found in the Defense Contingency COR Handbook at the Office of the Under Secretary of Defense for Acquisition, Technology and Logistics website.

F-5. Prepare and evaluate the independent government estimate using the following criteria—

- Are there personnel available who have previously prepared IGEs or received training on how to prepare IGEs? Does your adjacent or higher OCS cell, an adjacent or higher requiring activity, supporting finance office, or your supporting contracting activity offer training material on how to prepare an IGE?
- Do you know what type of IGE is required for your requested supply or service? IGEs for commercial supplies and basic services require significantly less detail than those for complex services not generally available to the public. Your adjacent or higher OCS cell, an adjacent or higher requiring activity, supporting finance office, or your supporting contracting activity should be able to guide you.
- Has a team been formed with the requisite functional knowledge to prepare an IGE for the requested service? (Some IGEs can be quite complex and require a team of stakeholders and experts to complete.)
- Does the IGE development team have a plan and a structured, logical approach to building the IGE?
- Was market research conducted to determine industry standards, practices, procedures, and rates (when developing a cost estimate) or to conduct comparison and analysis of published catalog prices, historical prices paid, market surveys, and General Services Administration (also called GSA) schedules (when developing a price estimate)?
- Is the IGE required to be in a standard format? Are templates available from your adjacent or higher OCS cell, an adjacent or higher requiring activity, supporting finance office, or the supporting contracting activity?
- Regardless of format used, does the IGE account for the following standard elements—
 - Direct labor – number, type, and wages of personnel required to perform the service.
 - Labor burden – the percentage of costs for direct labor associated with the employee benefits.
 - Other direct costs - an estimate of the type and quantity of material, equipment, and travel necessary for the contractor to perform the service.
 - Indirect costs (overhead) – costs that are not directly associated with any single project or contract, but are incurred in the performance of some or all of the company's projects or contracts (examples: transportations costs, utilities, facilities use).
 - General & administrative costs – costs that are borne by all elements of a company and not associated with one particular project (example: cost associated with operating the corporate home office).
 - Profit or fee – dollar amount over and above any allowable costs paid to a contractor for performance.
- Did the appropriate supervising official sign the final IGE?
- Is the IGE marked and handled as a procurement-sensitive document, and access granted on a need- to-know basis only?
- Additional information on IGEs can be found in the Defense Contingency COR Handbook at the Office of the Under Secretary of Defense for Acquisition, Technology and Logistics website.

F-6. Military interdepartmental purchase request is a method for transferring funds by one military organization to another to procure services, supplies, or equipment for the requiring service. Below are some commonly seen errors with purchase requests—

- There are NO itemized dollar amounts (breakout) for the Transient Accommodations Tax and Customer Shared Direct Cost.
- An INCORRECT Transient Accommodations Tax number or NO Transient Accommodations Tax number present on the military interdepartmental purchase request.
- The military interdepartmental purchase request has NO Business Partner Network, Department of Defense Activity Address Code, or data universal numbering system number present.
- The military interdepartmental purchase request does not state the contract number.
- The requesting activity's line of accounting is INCORRECT or INCOMPLETE.
- No financial or technical POC information present on military interdepartmental purchase request.
- Military interdepartmental purchase request is not legible.
- Grand total for the military interdepartmental purchase request series is incorrect.
- Military interdepartmental purchase request is not signed, dated, or addressed to Defense Technical Information Center.

F-7. The Procurement Integrated Enterprise Environment introduces some changes as well as enhancements to the COR nomination and appointment process to allow for a more flexible and streamlined approach. The Joint Appointment Module and Surveillance and Performance Monitoring module have replaced the Contracting Officer Representative Tracking Tool support, thereby improving the nomination and appointment functionality. (See PIEE website, for additional information regarding the Joint Appointment Module and the Surveillance and Performance Monitoring module).

- Does the service requirement package contain the required COR nomination?
- Is the nominated COR qualified to inspect the technical matters of the service being provided? If not, has this issue been coordinated with the supporting contracting activity, the requiring activity's headquarters, and next higher headquarters?
- Is the nominated COR available and have access to the area of performance site(s)? If not, has this issue been coordinated with the supporting contracting activity, the requiring activity's headquarters, and next higher headquarters?
- Does the nominated COR fully understand their delegated duties and responsibilities, their limitations and their importance?
- Are there any personal, financial, or organizational conflicts of interest that might prevent the nominated COR from satisfactorily executing their delegated duties and responsibilities?
- Does the nominated COR have the requisite technical training, certification, and experience in accordance with DODI 5000.72 plus any additional local experience and training requirements?
- Has the nominated COR's required experience and training been documented and supplied to the appointing contracting officer along with the COR nomination letter?
- Additional information on COR nomination can be found in the *Defense Contingency COR Handbook* and DODI 5000.72. Both documents are located at the Office of the Under Secretary of Defense for Acquisition, Technology and Logistics website.

F-8. There are other supporting documents required by local command policy, for example, a letter of justification for the requirement? Below are some common questions to consider if there is a need for other supporting documentation.

- Are you requesting a sole source contract, or other exception to full and open competition? If so, then you may be required to develop a justification and approval (also called J&A).
- Does your Service require any specific forms like the Army forms discussed below?

F-9. Additional required Army forms for contracted services requests—

- U.S. Army Contract Requirements Package Antiterrorism/Operations Security Review Cover Sheet (Army only requirement for most services contract requests) can be found at the Army Office of the Provost Marshal General Antiterrorism Enterprise Portal (requires common access card login).
- Request for Services Contract Approval Form (Army only requirement for most services contract requests) can be found at the Assistant Secretary of the Army for Manpower & Reserve Affairs website.

- Recommend all DOD activities provide affirmation OPSEC requirements were properly verified In accordance with Service regulations or instructions to the cognizant procurement contracting office with the acquisition requirements package. This can be transmitted as the Service approved format (for example. Army is the Anti-Terrorism/Operational Security [AT/OPSEC] Coversheet).

F-10. The requirements package process plays a key role in the successful completion of an acquisition-ready requirements package, culminating with and the commander and staff validating all required documentation. Below are some commonly asked review questions:

- Did the designated action officer review the package to ensure package staffing and approval is complete in accordance with all Service and local command guidance?
- Did the designated action officer review the package to ensure package staffing and approval timelines are accurate when estimating the overall time it takes to plan and execute commercial support?
- Does the requirements package require a requirements review board due to high-value or high-visibility requirements?
- How will the designated staff officer monitor and track acquisition-ready requirements packages through established requirements review and approval process?

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Appendix G

Special Authorities and Programs

Special programs similar to OCS may be authorized to provide rapid support to local reconstruction and humanitarian needs. Authorization for these special authorities must be formally requested by the operational commander and must receive congressional approval prior to implementation.

THE COMMANDERS' EMERGENCY RESPONSE PROGRAM

G-1. The Commanders' Emergency Response Program, as seen in recent operations in Iraq and Afghanistan, is an example of a special program established through specific congressional authority. CERP was designed to enable area commanders to respond to urgent humanitarian relief and reconstruction requirements that are of an immediate benefit to LNs within their operational areas. Congress exempted CERP projects from normal statutory fiscal and contracting controls. These exemptions did not exempt commanders from being good stewards of USG funds used for CERP or similar programs in the future.

G-2. Special programs similar to contract support—

- Do not apply to all operations; require special congressional authorization to implement.
- Should be coordinated with local contracting official in order to prevent duplication of contract support effort.
- Are highly susceptible to fraud, waste, and abuse.
- Require significant additional training and command oversight.
- For more information regarding CERP, see ATP 1-06.2.

FIELD ORDERING OFFICERS

G-3. The role of the FOO is to procure authorized, urgently needed supplies and services from local sources during deployments because normal supply channels are either not available or not capable of providing them in a timely manner. FOOs derive their purchasing authority from a warranted contracting officer. FOOs are authorized to purchase supplies or non-personal services immediately available, as one delivery/one payment purchases, up to the established micro-purchase threshold. As with any purchase, FOOs cannot split requirements to avoid monetary threshold levels.

G-4. There are several players involved in field ordering operations besides FOOs and pay agents. The G -8/S-8, finance and comptroller, and the JAG officer are parts of the Fiscal Triad synchronization. The Fiscal Triad and the unit commander are all part of the team that enables the effectiveness of this triad. Proper training of pay agents and separation of duties between pay agents and FOO are crucial to deterring and preventing fraud, waste, or abuse of funds. Whenever possible, the pay agents and FOOs should receive combined briefings and training on their respective duties and responsibilities. Patience, flexibility, and creativity are required to reach the ultimate goal of supporting Soldiers. The following list includes just a few of the challenges FOOs and pay agents may encounter:

- Corruption (number one threat).
- Customs and culture differences.
- Trafficking in persons.
- Enemy threats against vendors.
- Information security and operations security (vendors can provide intelligence to the enemy).
- Language barriers.
- Time-management challenges.

- Unauthorized commitments by PA or by someone speaking for the PA.
- Chain of command and conflicting responsibilities.
- Contingency/combat environment.

G-5. See ATP 1-06.1 for more information on the Army FOO responsibilities.

Appendix H

Combating Trafficking in Persons

As stated earlier in this publication, unscrupulous labor practices can lead to serious CTIP infractions, especially in long-term operations where there are large numbers of CAAF supporting the force. The first step in preventing CTIP problems is command awareness of the potential for these types of problems to arise and full understanding of joint force and higher-level Service command mission-specific CTIP policies and procedures.

RESPONSIBILITIES

H-1. All service members, but especially tactical commanders, senior command non-commissioned officers, and all OCS staff members need to be aware of common contractor-related CTIP infractions such as illegal confiscation of passports, providing substandard housing, forcing sex acts, and use of unlicensed labor brokers (normally through subcontractors) to avoid deployment preparation requirements. Service component commanders have a responsibility to ensure subordinate units are trained and report potential trafficking in person's infractions.

Key Point: Units deploying to an area of operation where there are significant TCN CAAF deployed in support of the operation should include information from this appendix in their CTIP training awareness program in addition to the standard DOD CTIP training.

CONTRACTORS ACCOMPANYING THE FORCE BILL OF RIGHTS

H-2. Commanders must be prepared to take preventative measures such as directing issuance of CTIP and workers' rights cards in the appropriate language(s). Commanders must also ensure potential CTIP violations are reported to their higher level HQs and the supporting contracting activity. The following list provides a CAAF bill of rights framework.

- No agency may hold your passport or other identification documents.
- CAAF personnel must receive agreed upon wages on time without unlawful deductions.
- CAAF personnel will be allowed to take lunch-breaks and work-breaks.
- CAAF personnel may leave the place of employment at any time.
- CAAF personnel are allowed to report grievances to the military without fear of reprisal.
- CAAF personnel should be given a copy of their employment contract in their native language.
- CAAF personnel may be paid for work hours and wages in line with your native country laws.
- If housing is provided, it must be a habitable space that is comparable to other personnel living on the U.S. base.

CTIP CHECKLIST

H-3. Area and base camp commanders should ensure their routine health and safety inspections include CAAF working areas and living spaces to include separate contractor man camps. Additionally, this effort must be directly coordinated with the appropriate contracting organizations with the results of these inspections reported to both higher-level headquarters, the cognizant contracting activity, and when appropriate, the military inspector general or military criminal investigation organization. A suggested base camp commander or COR CTIP checklist follows.

GENERAL QUESTIONS

H-4. Gather the following data.

- Do you have TCN CAAF living on the base?
- Are they living in contractor controlled man camps or are they living in military controlled barracks?
- Are they properly documented with camp ID cards and LOAs? Do their LOAs properly describe authorized government-furnished support?
- If they are living in man camps, what unit is responsible to inspect these camps for basic sanitation and safety?
- Have these man camps ever been inspected?
- Basic man camp inspection points:
 - Are the facilities generally clean, safe, and ventilated?
 - Do they meet joint task force engineer established minimum square footage per person?
- Are TCNs properly fed? Where do they eat? Is their food acceptable and are dining sites sanitary? Are they provided potable water in the barracks and in the work site?
- Are they provided reasonably safe and secure worksite?
- Are these TCNs workers aware of basic force protection and security procedures in conjunction with LOA?

WORKER INTERVIEW

H-5. Query workers to acquire the following information.

- Is this the job and work location that you expected? What is different?
- Are you being paid on a regular basis? Are you allowed to send money home?
- Were there other benefits promised? Have you received the benefits yet?
- How many hours do you work? Are the pay and hours what you expected?
- Do you get breaks? How long? How many?
- Who is your company supervisor? Tell me what it is like to work with your supervisor.
- What kind of information about human rights, ethical conduct and treatment have you received?
- Are you allowed to socialize with your co-workers?
- Do you have identification on you? Can I see it? Do you have a LOA? Can I see it? Where is your passport? Can I see it?
- If you have a problem, can you contact the host country government? How would you do that?
- Can you end your contract and return home? What is the penalty?
- Would you like to renew your contract? If not, why? If so, why?
- Do you have any major issues with base services (billeting, food, hygiene facilities)? If so, please explain.
- Do you feel you are safe when on base in terms of force protection and general security? If not, please explain.
- Have you ever been a victim of robbery, physically attacked, sexually harassed or assaulted while working on base?
- Do you feel you are being put at undue risk at work or while living on base due to enemy threat, lack of protective gear, or lack of safety equipment? Do you know what to do in the event of an emergency or enemy attack?

Key Point: If you do not get satisfactory answers to these CTIP questions, contact the appropriate authorities: unit COR, joint force command operational contract support integration cell, contracting officer, military police, or Office of the Inspector General.

H-6. The following references provide additional information and resources on CTIP:

- DODI 2200.01 establishes DOD policy and assigns responsibilities for CTIP.
- DOD Combating Trafficking in Persons website—
 - Provides information and training materials to educate personnel and satisfy DOD annual training requirements.
 - Contains information on CTIP events and conferences.
 - Contains resources to support unit CTIP programs and brochures, posters, and cards that communicate to TCNs DOD CTIP policy and suspected violation reporting procedures.

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Glossary

SECTION I – ACRONYMS AND ABBREVIATIONS

3C	operational contract support staff officer
A4	Logistics, Engineering, and Force Protection
AF	Air Force
AFSB	Army field support brigade
CAAF	contractor personnel authorized to accompany the force
CAGO	contractor-acquired, government-owned
CAP	civil augmentation program
CCDR	combatant commander
CERP	Commanders' Emergency Response Program
CNO N4	Deputy Chief of Naval Operations for Fleet Readiness and Logistics
COA	course of action
CONS	contracting squadron
CONUS	continental United States
COR	contracting officer's representative
CSB	contracting support brigade
CTIP	combating trafficking in persons
DFARS	Defense Federal Acquisition Regulation Supplement
DOD	Department of Defense
FAR	Federal Acquisition Regulation
FRAGORD	fragmentary order
G1	assistant chief of staff, personnel
G2	assistant chief of staff, intelligence
G3	assistant chief of staff, operations
G4	assistant chief of staff, logistics
G8	assistant chief of staff, financial management
GCC	geographic combatant commander
GCCMAC	Global Contingency Construction Multiple Award Contract
GCSMAC	Global Contingency Services Multiple Award Contract
GFP	government-furnished property
HCA	head of contracting activity
HN	host nation
IGE	independent government estimate
iRAPT	Invoicing, Receipt, Acceptance, and Property Transfer
JFC	joint forces command
JOA	joint operations area

LN	local national
LOA	letter of authorization
LOGCAP	logistics civil augmentation program
MAGTF	Marine air-ground task force
MARFOR	Marine Corps forces
MEF	Marine expeditionary force
MSG	mission support group
MWR	morale, welfare, and recreation
NAVFAC	Naval Facilities Engineering Systems Command
NAVSUP	Naval Supply Systems Command
NCC	Navy component command
OCS	operational contract support
OPNAV N41	Naval Operations Fleet Supply
PIEE	procurement integrated enterprise environment
PWS	performance work statement
QAR	quality assurance representative
QASP	quality assurance surveillance plan
RCC	regional contracting center
S1	battalion or brigade human resource staff officer
S2	battalion or brigade intelligence staff officer
S3	battalion or brigade operation staff officer
S4	battalion or brigade logistics staff officer
SCO	senior contracting official
SOFA	status of forces agreement
SOW	statement of work
SPOT	Synchronized Predeployment and Operational Tracker
TCN	third-country national
TPFDD	time-phased force deployment data
UAC	unauthorized commitment
UCMJ	uniform code of military justice
USAMC	United States Army Materiel Command
USA PATRIOT	Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism
USG	United States Government

SECTION II – TERMS

administrative contracting officer

Contracting officer whose primary duties involve contract administration. Also called ACO. (JP 4-10)

civil augmentation program

Standing, long-term external support contracts designed to augment Service logistic capabilities with contracted support in both preplanned and short notice contingencies. Also called CAP. (JP 4-10)

contracting officer

A Service member or Department of Defense civilian with the legal authority to enter into, administer, modify, and/or terminate contracts. (JP 4-10)

contracting officer's representative

An individual designated in writing by the contracting officer to perform specific technical or administrative functions. Also called COR. (JP 4-10)

contractor management

The oversight and integration of contractor personnel and associated equipment in support of military operations. (JP 4-10)

contractors authorized to accompany the force

Contractor employees and all tiers of subcontractor employees who are authorized to accompany the force in applicable contingency operations outside of the United States and have afforded such status through the issuance of a letter of authorization. Also called CAAF. (JP 4-10)

external support contract

Contract awarded by contracting organizations whose contracting authority does not derive directly from the theater support contracting head(s) of a contracting activity or from systems support contracting authorities. (JP 4-10)

independent government estimate

The independent government estimate is a cost estimate developed by the government requiring activity, based on the requirements of the PWS. (JP 4-10)

letter of authorization

A document issued by the procuring contracting officer or designee that authorizes contractor personnel authorized to accompany the force to travel to, from, and within the operational area; and, outlines government-furnished support authorizations within the operational area. Also called LOA. (JP 4-10)

privity of contract

The legal relationship that exists between two contracting parties. (JP 4-10)

requirements development

The process of defining actual contract support requirements and capturing these requirements in acquisition-ready contract support requirements packages. (JP 4-10)

requirements management

All activities necessary to develop and approve contract support requirements, along with the associated post-contract award oversight functions, in support of combatant commander-directed operations. (JP 4-10)

requiring activity

A military or other designated supported organization that identifies and receives contracted support during military operations. (JP 4-10)

supported unit

As related to contracted support, a supported unit is the organization that is the recipient, but not necessarily the requester of, contractor-provided support. (JP 4-10)

systems support contract

A prearranged contract awarded by a Military Department and the United States Special Operations Command program management office that provides fielding, technical, and maintenance support for selected military weapon and other systems. (JP 4-10)

task order

Order for services placed against an established contract. (JP 4-10)

theater support contract

A type of contingency contract awarded by contracting officers in the operational area serving under the direct contracting authority of the Service component, United States Special Operations Command, or designated joint head of a contracting activity for the operation. (JP 4-10)

unauthorized commitment

An agreement that is not binding solely because the United States Government representative who made it lacked the authority to enter into that agreement on behalf of the United States Government. (JP 4-10).

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