

## **APPENDIX D - CONTRACT ADMINISTRATION; AGENCY FLIGHT PAYMENT DOCUMENTS**

### **I. Contract Administration.**

#### **A. Introduction.**

Administration of an aircraft contract is a joint responsibility of the unit for which the aircraft has been procured and the office with contracting authority, with ultimate responsibility vested in the Contracting Officer. Administrative functions are generally delegated to the local unit level.

One party to any government aircraft contract is the United States of America, the sovereign political entity on behalf of which the contract is entered into.

All persons involved in making and administering U.S. government contracts act solely as agents of the United States, commonly called Contracting Officers (COs), and have only the authority delegated to them.

#### **B. Contract File.**

The Contracting Officer's Representative (COR) and Project Inspector should all maintain a contract file. This file should consist, at a minimum, of the following:

- A copy of the contract, with all contract modifications
- Delegations of authority
- A bid price summary that specifies contract costs for all pay items
- Copies of all flight payment documents
- Copies of all contract daily diaries
- Correspondence from or to the COR/COR/PI and the vendor or Contracting Officer

#### **C. Types Of Contracts.**

1. **Exclusive-Use Contract.** Exclusive-use contracts are those awarded for a specific time period (eg, 30-day- 90-day, etc.). During this time period the government has exclusive use of the helicopter. The government may, at its option, release the helicopter for other work for a specified period of time.
2. **National Call-When-Needed Contract.** USDA-FS and OAS jointly issue a national contract for Type 1 and 2 helicopters. Vendors are not required to respond unless they accept an order to provide services.
3. **Aircraft Rental Agreement or Type 3 Call When Needed Contracts.** With AMD ARA, aircraft are published on the Aircraft Source List. USDA-FS units (eg, Forests) have Type 3 Call When Needed Contracts.

**D. Authority of Government Personnel.**

Before any person takes an action on behalf of the United States, he/she needs to ascertain whether authority to take the action has been given.

**E. Disputes with Vendors.**

Disputes that cannot be readily resolved at the local level (by the Project Inspector and/or COR/COR) should be referred to the Contracting Officer.

**F. Generic Duties and Responsibilities of Contracting Personnel.**

1. Contracting Officer (CO) or Administrative Contracting Officer (ACO). The Contracting Officer or Administrative Contracting Officer (ACO in USDA-FS) is responsible for all contracting actions including contracting procedures and methods, contract legality, compliance with existing laws and regulations, contract administration and terminations. The CO may delegate certain contract administration functions. In the contract administration function, decisions on claims and disputes are final, appealable only to the Board of Contract Appeals or Court of Claims.

The CO or ACO is the only individual who may modify or change a contract provision.

- a. U.S. Department of Agriculture - Forest Service. For all national contracts (eg, National CWN Type I and II), the Contracting Officer is located in Boise, Idaho. For other contracts, the Administrative Contracting Officer is located in the Regional Office.
  - b. U.S. Department of the Interior. For all aviation contracts, the Contracting Officer is located in Boise, Idaho or Anchorage, Alaska at DOI Aviation Management.
2. Contracting Officer's Technical Representative (COTR). The Contracting Officer's Technical Representative (COTR) is directly responsible to the Contracting Officer for assuring compliance with the technical provisions of the contract. The COTR conducts initial inspections and approves the vendor's equipment, facilities, and personnel prior to, and periodically during, contract performance.

The COTR may discuss changes or modifications in equipment or other requirements of the contract, but may not commit the Government to such changes, modifications, or adjustments without going through the Contracting Officer.

- a. U.S. Department of Agriculture - Forest Service. For all national contracts (eg, National CWN Type I and II), the Contracting Officer's Technical Representative is located in Boise, Idaho. For other contracts, the COTR may be located in the Regional Office.
- b. U.S. Department of the Interior. For all aviation contracts contracts, the Contracting Officer is located in Boise, Idaho or Anchorage, Alaska at DOI Aviation Management.

3. → Contracting Officer's Representative (COR). The Contracting Officer's Administrative Representative (COR) is directly responsible to the Contracting Officer for monitoring contract performance. The COR is primarily responsible for assuring compliance with the administrative provisions of the contract. The COR maintains communications with the vendor concerning day-to-day operations, though this may be further delegated to a Project Inspector (see below). The COR may represent the CO in making minor allowances which do not modify the price, or other provisions of the contract. The COR is responsible for verifying the work performed upon which payment is based.

→ The COR may recommend to the CO proposed changes and adjustments to the contract in order to meet the demands of the work project. The COR may discuss changes or modifications in equipment or other requirements of the contract, but may not commit the Government to such changes, modifications, or adjustments without going through the Contracting Officer.

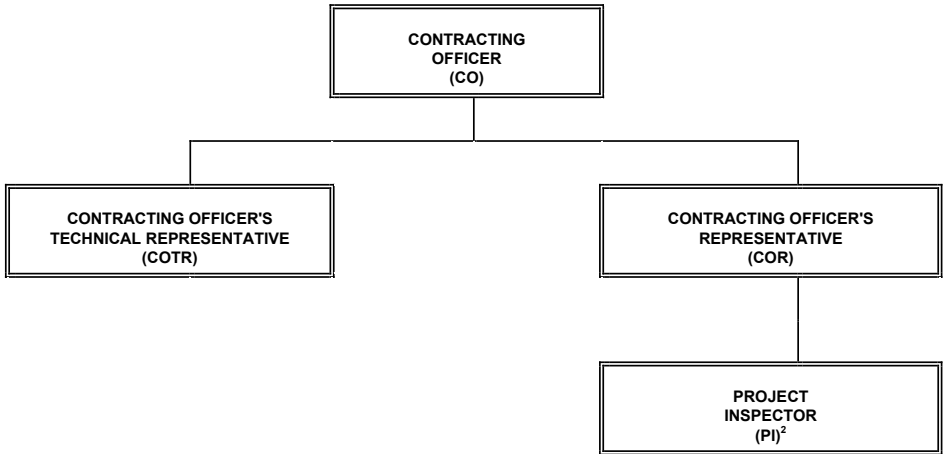
- a. U.S. Department of Agriculture - Forest Service. For all national contracts (eg, National CWN Type I and II), the Contracting Officer's Representative is the Aircraft Manager (eg, Helicopter Manager). For other contracts, the COR may also be the Helicopter Manager.
- b. → U.S. Department of the Interior. For all aviation contracts (except the National CWN contract), and unless otherwise stated by agreement, the Contracting Officer's Administrative Representative (COR) is assigned at the Bureau's or Office's option. For example, the State Aviation Manager in the Bureau of Land Management is usually the COR. For the National CWN contract, the Contracting Officer-Project Inspector relationship is direct, with no COR assigned.
4. Project Inspector (PI). The Project Inspector (PI) is designated by the COR to assist in implementing the COR's instructions, as required. Responsibilities of the PI may include:
- Verifying services performed by the vendor.
  - Ensuring vendor's compliance with contract specifications and provisions.
  - Discussing daily work requirements and ordering service within the contract provisions.
  - Discussing problems which occur with the vendor and recommending solutions to the COR.
  - Completing Form HCM-1, Aircraft Contract Daily Diary (see Appendix A). Any problems of a serious nature are brought immediately to the attention of the COR and CO.

➔ The COR may recommend to the CO proposed changes and adjustments to the contract in order to meet the demands of the work project. The COR may discuss changes or modifications in equipment or other requirements of the contract, but may not commit the government to such changes, modifications, or adjustments without going through the CO.

- a. U.S. Department of Agriculture - Forest Service. For all national contracts (eg, National CWN Type I and II), the Contracting Officer Representative is also the Project Inspector. For other contracts, the PI may also be the Helicopter Manager.
- b. U.S. Department of the Interior. For all aviation contracts, and unless otherwise stated by agreement, the Project Inspector is assigned at the Bureau's or Office's option. For example, both the District Aviation Manager and the Exclusive-Use Helicopter Manager in the Bureau of Land Management may have Project Inspector duties<sup>1</sup>.

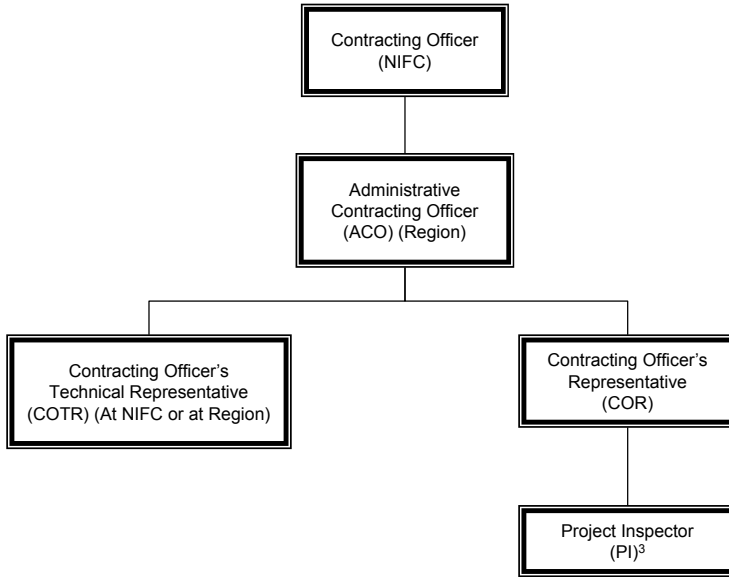
<sup>1</sup>The Helicopter Manager is assigned as the "field" PI so that he/she may function effectively when assigned off-District.

Exhibit D-1: U.S. Department of the Interior Contract Administration - Table of Organization



<sup>2</sup>For the national Call-When-Needed (CWN) Contract, there is no Project Inspector. The Helicopter Manager functions as the Contracting Officer's Administrative Representative (COR).

Exhibit D-2: U.S. Department of Agriculture - Forest Service Contract Administration - Table of Organization



<sup>3</sup>For the national Call-When-Needed (CWN) Contract, there is no Project Inspector. The Helicopter Manager functions as the Contracting Officer's Representative (COR).

**II. Flight Payment Forms and Instructions.**

The proper completion of flight payment documents (for example, OAS-23, USDA-FS 6500-122) is essential to the correct, timely payment of vendors.

To meet OMB Circular A-123, Internal Control Review, and OMB Circular A-126, Improving The Management And Use Of Government Aircraft, close attention should be paid to the processes and procedures outlined in Appendix A, Helicopter Management Forms and Checklists, and to the instructions contained in this appendix.

**A. USDA-FS 6500-122 Flight Use Record.**

Refer to the "Instructions/Invoice Kit" on the inside cover of the FS-6500-122 Flight Use Report booklet for form completion instructions. Additional detailed instructions can also be found in the front of the National CWN contract.

**B. USDI OAS-23 Aircraft Use Report.**

Refer to the "Instructions for Preparing Aircraft Use Report Form OAS-23" on the inside cover of the OAS-23 Aircraft Use Report booklet for form completion instructions. Additional detailed instructions can also be found in the front of the National CWN contract.

Agency-specific instruction for BLM is also contained in these exhibits. BLM instructions for entering Billee and Cost-Account Codes are contained on Chart D-1 at the end of the appendix.

Chart D-1: BLM Instructions For Assignment of Billee and Cost-Account Codes on OAS-23 Aircraft Use Reports (Page 1)

TYPE OF FLIGHT OR ACTIVITY	SAMPLE SITUATION	COST-ACCOUNT CODING	BILLEE CODE	WHO PROCESSES THE OAS-23
<b>FIRE FLIGHTS</b>				
<p>1. Fire flight taken as a result of:</p> <ul style="list-style-type: none"> <li>- Fire on your unit; including non-reimbursable mutual aid)</li> <li>- Fire on another BLM unit;</li> <li>- An order from any Federal cooperating wildland fighting agency (eg, USFS, FWS, BIA, NPS)</li> </ul>	<p>Your contract aircraft performs missions for units identified at left;</p> <p style="text-align: center;">or</p> <p>Your unit arranges a rental/charter in response to an order from any of the agencies identified;</p> <p style="text-align: center;">or</p> <p>Your unit supplies both a helicopter module and/or manager and a CWN helicopter for the agencies identified.</p> <p><b>Note the exception in #4 if your unit does not furnish the CWN aircraft.</b></p>	<p>Since all assistance to those agencies is non-reimbursable, assign your local unit's cost-account coding, including your State and Office code, but use the assigned BLM fire number of the Resource Order. <b>DO NOT ASSIGN OTHER-AGENCY PROJECT OR FIRE CODES (EG, USFS 'P' NUMBERS) ON OAS-23 PAYMENT DOCUMENTS.</b></p> <p><b>Examples of Valid BLM Fire Numbers:</b></p> <p>1-Digit Alpha plus 3-Digit Numeric for BLM Districts and State Offices (eg, C587)</p> <p><b>Example:</b> NV-040-1550-70-R645 (Ely District [NV-040] aircraft on Utah BLM fire [R645])</p> <p style="text-align: center;">OR</p> <p>4-Digit Numeric assigned by NICC for other-agency support, according to the following:<sup>1</sup></p> <p style="margin-left: 40px;">3000-3999 Miscellaneous Support (State, Military) 4000-4999 F &amp; WS Support 5000-5999 BIA Support 6000-6999 NPS Support 9000-9997 USFS Support</p> <p><b>Example:</b> NV-030-1550-70-9216 (Carson City Nevada District [NV-030] aircraft on Forest Service fire with NICC-assigned Forest Service Support Number [9216])</p>	<p>Use your unit's Billee Code.</p>	<p>Your Unit.</p>

**1 - NICC is encouraging local BLM units to immediately assign a local BLM support fire number that will be relayed throughout the system as orders are placed. This will hopefully avoid duplication of fire number assignment (ie, NICC-assigned number, other-District(s) assigned number(s), etc.) For example, Fire J221 in Carson City, a support fire number for the Toiyabe NF, would be transmitted throughout the system and would end up on an order for a helicopter from Montana BLM.**



Chart D-1: BLM Instructions For Assignment of Billee and Cost-Account Codes on OAS-23 Aircraft Use Reports (Page 2)

TYPE OF FLIGHT OR ACTIVITY	SAMPLE SITUATION	COST-ACCOUNT CODING	BILLEE CODE	WHO PROCESSES THE OAS-23
<b>FIRE FLIGHTS</b>				
2.	<p>Fire flight taken as a result of:</p> <ul style="list-style-type: none"> <li>- An order from any cooperating State firefighting agency (eg, CDF, NDF, Etc.)</li> </ul> <p>and for which charges are <u>reimbursable</u>.</p>	<p>There are three options for this situation:</p> <p>(1) If a NICC-assigned 3000-series number has been assigned, then assign your State and Office Code (costs will be recovered nationally) and use the 3000-series number.</p> <p>(2) Your unit may assign a local support BLM fire number and recover costs locally through cross-agency billing. This is <u>only</u> for incidents where a local BLM District is supporting a local cooperating State agency.</p> <p>This BLM District fire support number will be transmitted by NICC as part of any Resource Orders relayed through the system.</p> <p><b>HOWEVER, THE UNIT WHICH ASSIGNED THE BLM FIRE NUMBER IS RESPONSIBLE FOR RECOVERING REIMBURSABLE COSTS FROM THE STATE.</b></p> <p>(3) Assign the cost-account coding as identified by the <u>other</u> agency. This is the most streamlined approach, since OAS bills and recovers the costs <u>directly</u> from the State agency (ie, the BLM District will not receive a bill from OAS)</p>	<p>(1) Use your unit's Billee Code (costs will be recovered nationally).</p> <p>(2) Use your unit's Billee Code (costs will be recovered locally).</p> <p>(3) Use the other agency's Billee Code.</p>	<p>Your Unit.</p> <p>Your Unit.</p> <p>Your Unit.</p>
3.	<p>Fire pre-suppression standby.</p> <p>There are three situations that may be encountered:</p> <p>(1) Your contract aircraft is placed on pre-suppression standby by another unit from your interior agency.</p> <p>(2) Your contract aircraft is placed on pre-suppression standby by another agency (eg, USFS).</p> <p>(3) A contract aircraft is located and managed at the local level (eg, District) but the State Office holds the pre-suppression funding for the aircraft.</p>	<p>(1) Assign the other unit's pre-suppression cost-account coding.</p> <p>(2) Assign the other agency's pre-suppression cost-account coding.</p> <p>(3) Assign the cost-account coding of the unit holding the funding.</p>	<p>(1) Use your unit's Billee Code.</p> <p>(2) Use the other agency unit's (eg, Forest) Billee Code (available from OAS).</p> <p>(3) Use your unit's Billee Code.</p>	<p>Your Unit.</p> <p>Your Unit.</p> <p>Your Unit.</p>

Chart D-1: BLM Instructions For Assignment of Billee and Cost-Account Codes on OAS-23 Aircraft Use Reports (Page 3)

TYPE OF FLIGHT OR ACTIVITY	SAMPLE SITUATION	COST-ACCOUNT CODING	BILLEE CODE	WHO PROCESSES THE OAS-23
<b>FIRE FLIGHTS</b>				
4.	<p>CWN helicopter hired by your District sent off-unit. Helicopter module not furnished by your unit.</p>	<p>A CWN helicopter off the OAS Source List is hired by your unit and sent to another unit. A helicopter module from another unit is attached to the helicopter at the incident.</p>	<p>Module Leader assigns the receiving, benefiting unit's cost-account coding, regardless of agency.</p>	<p>The Receiving, Benefiting Unit. Module Leader must ensure copies of OAS-23's are given to the local Aviation Manager.</p>
5.	<p>Fire flight charged to: - Multiple fire code 8888 - Multiple fire code 9999</p>	<p>Your contract aircraft or a rental aircraft scheduled by your unit performs flight for another BLM unit in response to Multiple Fires 8888 (charges later split out to individual fires) or 9999.</p> <p style="text-align: center;">OR</p> <p>Your contract aircraft or a rental aircraft scheduled by your unit performs flight for your BLM unit in response to Multiple Fires 8888 (charges later split out to individual fires) or 9999.</p>	<p>Use the receiving, benefiting unit's Billee Code, regardless of whether agency is federal or non-federal.</p>	<p>Your unit.</p>

Chart D-1: BLM Instructions For Assignment of Billee and Cost-Account Codes on OAS-23 Aircraft Use Reports (Page 4)

TYPE OF FLIGHT OR ACTIVITY	SAMPLE SITUATION	COST-ACCOUNT CODING	BILLEE CODE	WHO PROCESSES THE OAS-23
<b>NON-FIRE FLIGHTS</b>				
6. Non-fire flight charged to unit funds.	<p>There are several situations possible:</p> <p>(1) Flight is arranged by your unit for the sole benefit of your unit.</p> <p>(2) Flight is arranged by another BLM unit, but at least part of the flight will be charged to your unit's funds.</p> <p>(3) Your unit will be using other funds (eg, Washington Office) to accomplish a project.</p> <p>(4) Flight is arranged by your unit, but at least part of the flight will be charged to another BLM unit's funds.</p>	<p>(1) Assign your unit's State and Office Code, plus subactivity, program element and project codes as identified on the Flight Request.</p> <p>(2) Other unit should assign your unit's State and Office Code, plus subactivity, program element and project codes as identified on the Flight Request.</p> <p>(3) Assign other unit's State and Office Code, plus subactivity, program element and project codes as identified on the Flight Request.</p> <p>(4) Flight charges must be split out appropriately on separate lines of the OAS-23, with your unit's and the other unit's coding entered appropriately. This may require alteration of lines originally entered (ie, only one line entry made for a recon whose charges will be shared); note the reason under "Remarks" on the OAS-23. Total flight time remains the same.</p>	<p>(1) Use your unit's Billee Code.</p> <p>(2) Other unit should use its Billee Code, not yours.</p> <p>(3) Use your unit's Billee Code.</p> <p>(4) Use your unit's Billee Code.</p>	<p>Your unit.</p> <p>The other unit.</p> <p>Your unit.</p> <p>Your unit.</p>
7. Non-fire flight charged to another agency (eg, USFS, non-BLM DOI agency, County, State)	<p>There are two situations which might be encountered.</p> <p>A non-fire flight is arranged by your unit for another agency who will bear all costs of the flight.</p> <p>A nonfire flight is arranged by your unit for another agency who will bear part of the costs of the flight, with your unit assuming the rest.</p>	<p>Assign other-agency's coding.</p> <p>If flight costs are to be shared with your unit, costs will have to be split out on separate lines of the OAS-23. Assign other agency's coding to appropriate lines on the OAS-23, and your unit's coding on the other lines.</p>	<p>Assign other-agency unit's Billee Code.</p> <p>Assign other-agency unit's Billee Code to appropriate lines on the OAS-23, and your unit's Billee Code on the lines to be charged to your unit.</p>	<p>Your Unit.</p> <p>Your unit.</p>