

**PERFORMANCE WORK STATEMENT**

**PROPERTY IN THE POSSESSION OF  
CONTRACTOR**

**for**

**Government Owned - Contractor Operated  
(GOCO)**

**HAWTHORNE ARMY DEPOT**

**as of 14 May 2010**

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**1. Introduction:** Property in the Possession of Contractor (PIPC): Contractor shall be responsible and accountable for all Government property provided under the contract and shall comply with Federal Acquisition Regulation (FAR) Part 45.6, Part 52.245-1 and Defense FAR Supplement (DFARS) 245.6/7. The property discussed in this section is all Real and Personal property including Equipment/Plant Equipment, Special Tooling (ST), and Special Test Equipment (STE).

**2. Responsibilities:**

2.1. The contractor shall be responsible for establishing Plans as defined in this Performance Work Statement (PWS).

2.2. The contractor is responsible for accurate accountability, care and maintenance of Government Property (GP) in accordance with FAR and DFARS requirements and the Property and Maintenance plans.

**3. General Requirements:**

3.1. Property Accountability and Management

3.1.1. The Contractor's Property Plan (PP) will be evaluated during the selection process and will become part of the final contract

3.2. Maintenance Plan

3.2.1. The Contractor's Maintenance Plan (MP) defines the Contractor's maintenance and property management requirements for the facility. Contractor shall prepare a MP in accordance with (IAW) a separate PWS. The MP shall be reviewed annually on/before 31 Aug.

3.3. Military Construction. The contractor shall prepare any needed Military Construction Army (MCA) project documents, DD Form 1391, and enter into the Corps of Engineers PAX system, after concurrence from the Government staff (facilities management specialist). The contractor shall enter MCA and maintenance and repair projects into the HQ IMCOM Project Priority System (PPS).

#### 3.4. Government Reviews:

3.4.1. The Government staff shall have access to all GP, including GP in possession of subcontractors/tenants, for purposes of reviewing, inspecting and evaluating the contractor's property control system and management procedures. This includes plans, records, systems, and supporting documentation that pertain to accountability, preventative maintenance, and protection of GP.

3.4.2. Contractor support includes pre-visits, on-site visits, and follow-up activities. Before the visit the contractor may be required to review past findings, gather information and maps, plan meetings and arrange escorts. During the visit the contractor may be required to discuss its programs, provide information and maps, plan and participate in meetings, and escorts visitors to various locations on the installation.

3.5. Prior to any modifications to GP the Government staff must be notified in writing and the GPA must approve. The request shall include: property number, location, and a description of the item to be modified to assure identification.

3.6. Government property is furnished "as is" IAW FAR 52.245.1(d)(2)(iii)

3.7. Any repair or modification of property furnished "as is" shall not affect the title of the Government unless expressly agreed to by the CO. Unless approved as permanent, modifications will be removed and item returned to its original condition, less reasonable wear and tear, for acceptance by GPA/Contracting Officer's Representative (COR) at end of contract. The Government takes complete ownership of the property and any associated intellectual property if it cannot be restored to previous condition with the same production process.

3.8. Contractor shall comply with applicable local, state and federal code(s), federal law(s), and executive order(s) in execution of this PIPC.

#### 4. PERSONAL PROPERTY

##### 4.1. Property Plan:

4.1.1. As required by FAR 52.245-1, contractor shall establish and implement property management plans, systems and procedures for Property Management, Acquisition of GP, Receipt and identification, Records of GP, Physical inventory, Subcontractor control, Reports, Maintenance, Disposition, and Contract close-out.

4.1.2. The PP will account for GP from acquisition through disposal and the PP shall be maintained in an electronic format.

##### 4.2. Table of Distribution and Allowance (TDA) equipment:

4.2.1. Contractor shall identify acquisitions of Government Equipment to the GPA for determination on need for special accounting as TDA equipment (reference Supply Bulletin (SB) 700-2) and inclusion in appropriate Army database by Government staff.

4.2.2. The contractor shall maintain listing of TDA equipment and update as required. Changes to the TDA shall be submitted to the GPA. Contractor shall complete annual review of the TDA list by 31 Aug and submit results to GPA for higher HQ reporting.

4.2.3. The contractor shall prepare and maintain Equipment Control Records (DA Form 2408-9) on all TDA equipment. These forms shall be sent through the GPA to HQ JMC, AMSJM-ISM.

4.2.4. Equipment operators shall possess appropriate licenses prior to operation of GP which is motorized; i.e. vehicles, construction equipment and TDA equipment.

4.2.5. The contractor shall be responsible for the cost to acquire/replace vehicle license plates.

##### 4.3. Not Used.

##### 4.4. Personal Property Reports/Records:

4.4.1. The contractor shall report to the GPA within 24 hours after the LDDT of GP provided under this contract.

4.4.2. Contractor shall establish and maintain document files with source documentation to support the financial and management information on GP items with \$100,000 and greater in acquisition costs.

4.4.3. The following reporting requirements are in addition to those identified in FAR 52.245-1:

4.4.3.1. The contractor shall submit a report to the GPA on inventory, utilization, costs and fuel use for the Army owned motor vehicles for input to the Federal Automotive Statistical Tool (FAST). The report shall be submitted by November 1 of each year.

4.4.3.2. The contractor shall prepare the Report of Disposition of Contractor Inventory (DD FORM 1638) and submit to the GPA for review, approval and transmittal to HQ JMC, AMSJM-ISM. This report is to be submitted on a quarterly basis (on or before April 10, July 10, October 10, January 10).

4.4.4. Within two years of contract award the contractor shall establish and maintain accountability of personal property inventory in a format compatible with the Army's automated database (currently identified as Defense Property Accountability System (DPAS)). The inventory shall be updated within 20 days of acquisition, disposal, or other data changes to facilitate compliance with DoD requirements for asset management, accountability, and financial reporting. At a minimum, the database will be used to track items with acquisition cost of \$5,000 and greater.

4.5. Personal Property Inventories: Contractor shall inventory and make all adjustments to the official account of all Government Property. The inventory frequency is listed below:

4.5.1. Government Property with acquisition cost of \$5,000 and greater shall be inventoried every three years.

4.5.2. Upon completion or termination of the contract the operating contractor shall perform a 100% physical inventory of all personal property including all LVP.

4.5.3. Contractor shall support other inventories as directed by Higher Headquarters.

4.6. Disposal of Personal Property:

4.6.1. The contractor shall be responsible for identification and disposal of excess personal property IAW requirements of the PP, FAR 45.6 and 52.245-1(j), and DFARS 245.6/7.

4.6.2. Prior to excess action, items will be assessed for potential contaminations; such as asbestos, Polychlorinated Biphenyl (PCB), explosives, etc. Contaminated items must be disposed of IAW applicable laws and regulations.

4.6.3. All proceeds from the sale of government property shall be deposited into the overhead account to be used to pay the contractor for disposal efforts and to fund additional disposal as directed by the CO.

4.7. Item Unique Identification (IUID):

4.7.1. DoD requires tangible items be marked with a Unique Item Identifier (UII).

4.7.2. The contractor is responsible to fully implement IUID requirements IAW DFARS 252.211.7007 for the legacy GP provided to the contractor and new government property acquisitions, as applicable.

4.7.3. The contractor shall assure that a UII is assigned, items are physically marked, and item information is input to the IUID Registry. New property acquisitions and legacy GP with acquisition cost of \$5000 and greater, all serially managed items, and all sensitive/pilferable items are to be tagged and registered within the three years after contract award. The contractor shall update the IUID Registry as items enter or leave their possession or control.

4.7.4. Information for the IUID Registry can be found

in the DoD Guide to Uniquely Identifying Items. The Guide and other information on IUID implementation are available at the DoD IUID website: <http://www.acq.osd.mil/dpap/pdi/uid/index.html>

## **5. REAL PROPERTY/REAL ESTATE**

5.1. The PP shall include management plans, systems and procedures for accountability, management and inventory of real property.

5.2. Real Property shall be physically inventoried once every 5 years, except for historic/heritage facilities which are physically inventoried every 3 years.

5.3. The contractor shall conduct annual Utilization Surveys (reference Army Regulation (AR) 405-70).

5.4. Contractor shall be responsible for preparing, maintaining, and providing support documentation for the management of all real property assets.

5.5. Regulation/pamphlets for Real Estate/Property (405-Series) are available at Army Publication Directorate (APD) Home Page: <http://www.apd.army.mil/> to use as reference and guidance for Real Property acquisition, management/outgrant, inventory, utilization, and disposal. Such actions will be coordinated with the GPA for Army staffing and approval.

### 5.6. Reporting/Records:

5.6.1. The contractor shall maintain new and existing installation maps and utility maps. Installation and Utility maps prepared under this contract shall be created or maintained in electronic format. The contractor shall review "as built" property drawings and update when required or when modifications are completed.

5.6.2. The contractor shall input and maintain the Real Property Inventory (RPI) in a format compatible with the Army's automated database (currently identified as Integrated Facilities System (IFS)). The RPI shall be maintained as transactions occur and IAW statutory and regulatory guidance to



facilitate data extractions by higher headquarters for routine and special reporting requirements, i.e. Facility Reduction Program (FRP) and Utilization Survey (reference AR 405-45).

## 6. Ammunition Peculiar Equipment

6.1 The contractor may request use of APE and Gages, if pre-approved by the Joint Munitions Command (JMC) and if it is in the best interest of the Government. If use of APE is granted, the contractor shall (at completion of the work for which use was granted) promptly request disposition from the HWAD Government Property Administrator. The contractor is responsible for the cost of receipt of the APE, as well as the cost for packing, crating, handling and transportation to return the APE to the Army's engineering support depots or other designated destination. The contractor is responsible for disposal of the APE/Gages as directed by the Government. For Commercial and other users, reference AR 700-20, paragraph 2-6 (a through f) and FAR 45.

## 7. Definitions

7.1. Maintenance: Work required to preserve and maintain a real property facility in such condition that it may be used effectively for its designed functional purpose. Maintenance includes work done to prevent damage which would be more costly to restore than to prevent. Maintenance includes work to sustain components. Examples include renewal of disposable filters, painting, caulking, refastening loose siding, and sealing bituminous pavements.

7.2. Maintenance and repair project: Logical plan of work for a single undertaking of finite scope which clearly satisfies a specific maintenance or repair requirement on one or more real property facilities.

7.3. Master Plan: An integrated series of documents that present in graphic, narrative, and tabular form the present composition of a garrison and the plan for its orderly and

comprehensive development to perform its various missions in the most efficient and economical manner over a 5-year period.

7.4. "Normal maintenance" is the recurrent, day to day scheduled systematic care of production and support equipment such as lubricating, adjustment, servicing and inspection. It shall also include normal parts replacement that will be required to forestall excessive wear, repair, malfunction or deterioration. All parts and or related components shall become U.S. Government Property unless otherwise specified in writing by the PCO.

7.5 "Abnormal Maintenance" is defined as excess of \$100,000.00 for any (each) particular occurrence. The contractor shall be, responsible for 100% of the first \$100,000.00 in accordance with the provisions of the contract. The Government shall fund 100% of the cost above \$100,000.00 per each occurrence for production and support equipment in active use, subject to the availability of funds. If it is determined that the contractor failed to maintain or operate the property in accordance with this PWS or operating procedures (demil procedures, as an example) they will be responsible for 100% of the repair or replacement. The Government reserves the right of final determination regarding maintenance or repair of plant equipment when the repair cost exceeds, 25% of the acquisition cost.

7.6. Equipment/Plant Equipment (PE): means personal property of a capital nature (including equipment, machine tools, test equipment, vehicles, and accessory items) for use in manufacturing for a specific items, storage or demilitarization. This does not include special tooling or special test equipment. Previous definitions for Other Plant Equipment (OPE) and Industrial Plant Equipment will now be identified as Equipment/Plant Equipment.

7.7. Special Test Equipment (STE): means either single or multipurpose integrated test units engineered, designed, fabricated or modified to accomplish special purpose testing in performing a contract.

7.8. Special Test (ST): means jigs, dies, fixtures, molds, patterns, taps, gauges, other equipment and manufacturing aids, all components of these items, and replacement of these items,

which are of such a specialized nature that without substantial modification or alteration to performance of particular services.

7.9. Low Value Property (LVP): means Government property in the classes of special tooling, special test equipment and plant equipment with an acquisition cost under \$5,000. Excluded are agency peculiar property, material sensitive property, property potentially dangerous to the public safety or security, protection, control, and accountability, such as classified property, weapons, ammunition, explosives, controlled substances, radioactive materials, hazardous materials or waste, or precious metals.

7.10. Sensitive Items: Items which require a high degree of protection and control due to statutory requirements or regulations, such as narcotics and drug abuse items; precious metals; items which are of high value, highly technical or of a hazardous nature; and arms, ammunition, explosives (AA&E) and demolition material.

7.11. Pilferable Items: Items that have a ready resale value or application to personal possession and that are, therefore, especially subject to theft (i.e. blackberries, computers, binoculars (night vision), communication radios, cameras, etc.).