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Air Charter Services - Brokers

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Department of Defense (DoD) use of commercial charter air service is restricted per Defense Transportation Regulation (DTR), 4500.9-R-Part I, Passenger Movement, Chapter 103. DoD's USTRANSCOM currently provides air charter services for all full-plane charter DoD missions exclusively and DoD personnel are directed to use these services as instructed by Chapter 3 of DTR 4500.9-R-Part I. DoD customers needing domestic air charter services must contact USTRANSCOM's Acquisition Directorate, National Transportation Division (TCAQ-R).

Air Charter Services Brokers shall provide passenger air charter service and related passenger services to assist the Government in meeting its travel needs for various types of domestic and international travel. Services under this schedule are limited exclusively to Civil-Use operations - not Military.

NOTE TO FEDERAL AGENCIES SEEKING PASSENGER AIR CHARTER SERVICES THROUGH THIS SCHEDULE:

Any passenger services obtained under this schedule must be recognized as travel on Government aircraft. Therefore, agencies seeking to hire or charter aircraft through this schedule to carry Federal and/or non-Federal travelers may do so only in accordance with the requirements contained in 41 CFR 102-33.215, 41 CFR 102-33.220, and the Federal Travel Regulation (41 CFR 301-70.900- 910).

DEFINITIONS:

14 CFR Part 119: Title 14 of the Code of Federal Regulations Part 119, issued by the Federal Aviation Administration (FAA), prescribes the certification requirements an operator must meet in order to obtain and hold a certificate authorizing operations under Parts 121 or 135 and operation specifications for each kind of operation to be conducted in each class and size of aircraft.

14 CFR Part 121: Title 14 of the Code of Federal Regulations Part 121, issued by the Federal Aviation Administration (FAA), prescribes operating requirements governing the domestic, flag, and supplemental operations of each person who holds or is required to hold an Air Carrier certificate or operating certificate under Federal Aviation Regulations Part 119.

14 CFR Part 135: Title 14 of the Code of Federal Regulations Part 135, issued by the Federal Aviation Administration (FAA), prescribes rules governing commuter and on-demand operations of each person who holds or is required to hold an Air Carrier Certificate or Operating Certificate under FAA Part 119.

14 CFR 135.25: Aircraft requirements to include fixed wing and helicopter.

(a) Except as provided in [paragraph \(d\)](#) of this section, no certificate holder may operate an aircraft under this part unless that aircraft—

(1) Is registered as a civil aircraft of the United States and carries an appropriate and current airworthiness certificate issued under this chapter; and

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(2) Is in an airworthy condition and meets the applicable airworthiness requirements of this chapter, including those relating to identification and equipment.

Ad Hoc charter: Ad Hoc charter may be viewed as an extension limb of the on-demand charter. This situation usually arises when a client is on an on-demand trip and needs to fly additional segments that did not exist in the original on-demand agreement at the point of trip origin. For example, a trip that was originally planned as a Washington D.C. to Boston roundtrip now requires additional segments such as a Chicago round trip.

Ancillary Supplies and Services SIN: This SIN includes supplies and services not within the scope of any other SIN on the Schedule Items that can be defined and priced upfront at the FSS-contract level and not required for the primary purpose of the order, but an integral part of the solution This SIN is identified as “ANCILLARY ”

Block Charter: Refers to a situation where a client pre-purchases a set amount of hours (e.g. 25, 50, or 100 hours) from an operator. Based on the actual flight time that a client uses, the appropriate time is deducted from the pre-purchased amount. Additional restrictions, rules, and regulations will vary greatly based on the specific contract and terms and conditions accompanying the situation as defined by Government Agency Task Order requirements.

Broker: A non-asset-based company that coordinates with its subcontractor carrier operators to provide air charter services to requiring agencies. All requirements on this SIN including but not limited to reporting, safety, and insurance apply to the brokers and the Government expects that all requirements will flow down accordingly to the subcontractor carrier operators.

Charter Operator: A company or individual that holds either a Part 121 or 135 aircraft charter certificates and provides charter services to retail and wholesale customers. Contracts under this schedule are limited to operators holding either a Part 121 or 135 certificate.

Civil Aviation Authority (CAA): Is the name for the national body governing civil aviation in a number of countries. In the United States of America, the CAA is the Federal Aviation Administration (FAA).

Code of Federal Regulations (CFR): Is the codification of the general and permanent rules and regulations (sometimes called administrative law) published in the Federal Register by the executive departments and agencies of the Federal Government of the United States. The CFR is published by the Office of the Federal Register, an agency of the National Archives and Records Administration.

Federal Acquisition Regulations (FAR): Is established for the codification and publication of uniform policies and procedures for acquisition by all executive agencies. The Federal Acquisition Regulations System consists of the Federal Acquisition Regulation (FAR), which is the primary document, and agency acquisition regulations that implement or supplement the FAR.

Federal Aviation Regulations (FARs): are rules prescribed by the Federal Aviation Administration (FAA) governing all aviation activities in the United States. The FARs is part of

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Title 14 of the Code of Federal Regulations (CFR). A wide variety of activities are regulated, such as airplane design, typical airline flights, pilot training activities, hot-air ballooning and even model rocket launches. The rules are designed to promote safe aviation, protecting pilots, passengers and the general public from unnecessary risk. They are also intended to protect the national security of the United States, especially in light of the September 11, 2001 attacks.

Federal Travel Regulation: Title 41 of the Code of Federal Regulations Parts 300-304, issued by the General Services Administration, implements statutory requirements and Executive Branch policies for travel by Federal civilian employees and others authorized to travel at Government expense.

Government aircraft: Any aircraft owned, leased, chartered, or rented and operated by an Executive Agency. An aircraft that is operated for the exclusive use of an executive agency and is a—

(a) Federal aircraft, which an executive agency owns (*i.e.*, holds title to) or borrows for any length of time under a bailment or equivalent loan agreement. See 41 CFR 102-33.20 for definition of all terms related to Federal aircraft, or (b) Commercial aircraft hired as commercial aviation services (CAS), which an executive agency—

(1) Leases or

(2) Lease-purchases with the intent to take title or

(3) Charters, rents, or

(4) Hires as part of a full-service contract or inter-service support agreement (ISSA).

Landing Fees: A charge paid by an aircraft to an airport company for landing at a particular airport. Landing fees can vary greatly between airports, with congested airports, ones where most of the landing slots are held by airlines being able to charge premium prices because of supply and demand, while less congested airports charge less because the demand is not as high. The money generated by landing fees is used to pay for the maintenance or expansion of the airport's buildings, runways, aprons and taxiways.

Non-scheduled Operation: Any common carriage passenger-carrying operation for compensation or hire, using aircraft designed for at least 31 passenger seats, conducted by an air carrier for which the departure time, departure location, and arrival location are specifically negotiated with the customer or the customer's representative. This includes any passenger-carrying supplemental operation conducted under 14 CFR Part 121 and any passenger-carrying public charter operation conducted under 14 CFR Part 380.

Office of Management and Budget (OMB) Circular A-126, Improving the Management and Use of Government Aircraft: Is intended to minimize cost and improve the management and use of Government aviation resources. It prescribes policies to be followed by Executive Agencies in acquiring, managing, using, accounting for the costs of, and disposing of aircraft. It

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restricts the operation of Government aircraft to defined official purposes; restricts travel on such aircraft; requires special review of such travel on Government aircraft by senior officials or non-Federal travelers; and codifies policies for reimbursement for the use of Government aircraft. Requires each agency's aircraft programs comply with the internal control requirements of OMB Circular No. A-123 and that the internal controls are included in the agency's Management Control Plan.

On-Demand Charter: Occurs when a client's need for utilizing air services surfaces. For example, a client may go directly to the airport or make arrangements by phone to make arrangements for a specific trip. Usually, an on-demand charter is a one-time trip with high probability that the trip will not be repeated with high frequency. If the trip occurs in a set pattern of high frequency, the client is better advised to engage in a block charter arrangement. For example, a client may make arrangements when there is a sudden need to fly from Washington D.C. to Boston. (One way or round trip).

On-Demand Charter is NOT CARGO Operations. MAS SIN 481211B Air Charter Services is passenger transportation services. GSA does not have the Aviation articles, compliance authority nor expertise with CARGO services.

Operational Control: A direct air carrier or commercial operator (certificate holder) certificated by the Federal Aviation Administration (FAA) includes any person or entity that provides or offers to provide transportation by air and who maintains control over the operational functions performed in providing that transportation. To legally act as a direct air carrier, a person or entity must hold an FAA Title 14 of the Code of Federal Regulations (14 CFR) Part 119 certificate and comply with applicable regulations. Throughout this section, the terms "air carrier," "certificate holder," or "operator" will mean the holder of either an Air Carrier Certificate or Operating Certificate issued with operation specifications (OpsSpecs), authorizing operations under Part 135, including those authorized operations under both Parts 121 and 135.

Ordering Contracting Officer (OCO): The ordering activity's Contracting Officer who is placing the order. The ceiling amount is set by the OCO when the order is awarded. It shall not exceed 33.33% of the total cost of the order (see [OLM SIN](#) for further details).

Point of Sale: A traditional charter format where each trip is bid separately. This includes on-demand and ad-hoc services. There are no guarantees on pricing or availability until the charter is booked. The offeror may charge explicitly for all aspects of the flight (including non-occupied flights to position the plane).

Rotorcraft/Helicopters - aircraft that use rotor-blades to generate lift and vertical takeoff and landing. CFR PART 135 Certificate will be required to offer rotorcraft/helicopters under SIN481211B. If a company has a 135 Certificate for their fixed wing / jet fleet - the company will also need to provide proof that their Helicopter fleet is included under the same fixed wing 135 Certificate. If an Offeror only owns helicopters, the company will need to provide a stand-alone 135 Certificate for their Helicopter(s) as they pertain to § 14 CFR 135.25. Rotorcraft operations include Passenger and/or Medical Transportation as required. The contractor will provide a phone number or Certificate Application (check boxes) that shows both airplane/jets and rotorcraft (PART 135/Listing D-085) are under the same SMS Certificate (ARG/US, Wyvern, IS-BAO).

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If the Offeror is a Broker - the Broker will be required to provide all the certifications mentioned just above.

Safety Program (Safety Management Systems (SMS)) - Clear evidence of up-to-date written policies that aircraft operator practices, policies, procedures, and goals are present to enhance the regulatory minimum operations and maintenance standards that have been established by the FAA. The US Department of Defense (DoD), as a customer of air transportation and operational support services, expects air carriers to employ programs and business practices that not only ensure good service but also enhance the safety, operational, and maintenance standards established by applicable Civil Aviation Authority (CAA) regulations. Accordingly, and as required by the 14 CFR 861.1 (a) and (b), the DoD has established a set of quality and safety criteria and requirements that reflect the programs and practices DoD seeks from air carriers. Air carriers must meet and maintain these requirements in order to be eligible for DoD business under this solicitation. Each carrier audits itself to detect unsafe practices, and findings are revealed to management, including safety problems. Management is supportive and takes prompt action to resolve unsafe conditions.

SMS Inspection Certifications

- Wyvern Wingman Pro
 - Fully effective Safety Management System Plan
- ARG/US Platinum
 - Emergency Operating Plan & Functioning Safety Management System
- IS-BAO Stage III inspection/certification(s)

Note: DOD CARB is not an Acceptable or Equivalent SMS requirement under SIN 481211. Please see 41 CFR PART 102-33.180 (Executive Agencies).

Trip: All flights to be operated for the Government under this contract.

REQUIREMENTS FOR OPERATORS:

Any operator that the broker represents must demonstrate the following: It is required that the operator has the assets (aircraft) to ensure that if the primary aircraft becomes inoperable due to a mechanical problem or other issue that they have the assets, with the same capabilities, readily available to complete the mission in the time frame agreed to in this requirements document.

Operators are expected to assist Federal Agencies seeking passenger charter services under this schedule to facilitate Federal Agency compliance with the necessary documentation and reporting requirements contained 41 CFR 102-33.215, 41 CFR 102-33.220, and the Federal Travel Regulation (41 CFR 301-70.900-910).

41 CFR 102-33.215 addresses an agencies entitlement to use Government aircraft to carry passengers; 41 CFR 102-33.220 outlines the responsibilities of an agency's aviation program in justifying the use of a Government aircraft to transport passengers; and 41 CFR

301-70.900-910 outlines policies and procedures for agencies that own or hire Government aircraft for travel.

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WEBLINK: <https://www.ecfr.gov/current/title-41/subtitle-F/chapter-301/subchapter-D/part-301-70>

Regulatory Issues Focal Areas (implemented by FAA) – operator must be in compliance and include with the following:

14 CFR Part 135 – Operating Requirements: Commuter and On Demand Operations
14 CFR Part 121 – Operating Requirements: Domestic, Flag, and Supplemental Operations
14 CFR Part 135 - Subpart L, Helicopter Air Ambulance Equipment, Operations and Training Requirements
14 CFR Part 135 - Helicopters: Appendix C and F.
FARs Part 43 – Maintenance, Preventive Maintenance, Rebuilding & Alteration
FARs Part 67- Medical Standards and Certification
FARs Part 91- General Operating and Flight Rules
FARs Part 119 (as applicable) – Certification: Air Carriers & Commercial Operators Operations Specifications A008 requirements

DESCRIPTION OF WORK

DESCRIPTION OF WORK - The Contractor shall provide air charter passenger transportation service and related ancillary services to assist the Government in meeting its travel transportation needs for various types of domestic and international travel destinations. Services under this schedule are limited exclusively to Civil-Use operations. Prior to placement or acceptance of orders, all agency protocol and oversight statutes must be met including going through the agency's Aircraft Office and/or Senior Aviation Management (as established under OMB Circular A-126).

On-Demand Charter is NOT CARGO Operations. MAS SIN 481211B Air Charter Services - Brokers is passenger transportation services. GSA does not have the Aviation articles, compliance authority nor expertise with CARGO services.

SCOPE & COMPLEXITY This solicitation applies to non-scheduled operations of air transportation conducted under:

- (a) 14 CFR Part 121 ("Supplemental Operations") <https://drs.faa.gov>
- (b) 14 CFR Part 135 ("Commuter and On-Demand Operations") <https://drs.faa.gov>

SECTION A - REGULATORY, POLICY REQUIREMENTS, VARIOUS SAFETY STANDARDS AND PERFORMANCE MEASURES

In order to receive an initial GSA schedule award, the carrier is required to demonstrate compliance with the necessary regulatory, legal, policy requirements, various safety standards and performance measures as outlined below:

- Required to be IOSA (IATA Operational Safety Audit Program) registered. **This applies to 121 operators only.** Operators must provide proof of certificate and must be placed on the IATA registry website.

Note Exception: In lieu of an applicant (offeror) meeting the requirements of (above) of

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this section, a full review of the offer may occur if the carrier has passed a safety audit conducted by an accredited FARs Part 121/135 audit services provider (Wyvern/ARG/US) within the last twelve (12) months.

- Part 121 Operators must be in compliance with applicable regulations as outlined in Federal Aviation Regulations Part 121: Operating Requirements: Domestic, Flag, and Supplemental Operations.
- Part 135 Operators must be in compliance with applicable regulations as outlined in Federal Aviation Regulations Part 135: Operating Requirements: Commuter & On-Demand Operations & Rules Governing Persons on Board Such Aircraft.

Note – Strict adherence as outlined in Part 135 Section 263 – Flight Time Limitations and Rest Requirements is mandatory.

Note – Strict adherence as outlined in Part 135 Section 265 – Flight Time Limitations and Rest Requirements is mandatory.

Note - Strict adherence as outlined in Part 135 Section 271 - Helicopter hospital emergency evacuation services (HEMES)

- FAA Approval (Req. Section B1) - All Operators must have FAA Approval
- Safety Requirements for U.S. Commercial Air Carriers (Req. Section B2)
- Required Insurance and Liability Coverage (Req. Section B3)
- Safety requirements (Req. Section B4) - provided in this SOW and may be specified by the ordering Agency.
- Audit Standards (Req. Section B5) - Carrier must demonstrate compliance with Audit Standards outlined in this solicitation.
- Upfront Performance Measures (Req. Section B6) - identifies performance measures that carriers need to provide to win and maintain a GSA schedule Award
- Ongoing Performance Measures (Req. Section B7) - identifies performance measures that carriers need to provide to win and maintain a GSA schedule Award
- Required Performance Measurements and Standards (Req. Section B8) - Historic Performance

DoD Temporary NonUse Status or Suspension

If at any time during the term of the contract, a carrier is placed in temporary nonuse status or suspension by the DoD in accordance with 32 C.F.R. Part 861, the Government may, with no

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cost or liability to the Government or any department, agency, entity, or official therein, discontinue use of services under the contract for the duration of the period of temporary nonuse/suspension.

Safety Standards: An operator under DoD approval shall at all times be in compliance with all requirements (“Air Carrier Quality and Safety”) as outlined in the following provisions:

(i) 32 CFR 861 Title 32: National Defense, Chapter VII: Department of the Air Force Subpart 861: Department of Defense Commercial Air Transportation Quality and Safety Review Program

(ii) DoD Directives 4500.3 Department of Defense (DoD) Commercial Air Transportation Quality and Safety Review Program. (i) 10 USC 2640 Charter Air Transportation of Members of the Armed Forces

FLY AMERICA ACT REQUIREMENTS

The Contractor shall:

(a) Ensure that travel is made in accordance with the Fly America Act. This Act requires Federal travelers to use a U.S. flag air carrier service for all air travel funded by the Government except when:

(i) Use of a foreign air carrier is determined to be a matter of necessity in accordance with Sec. 301-10.138 of the Federal Travel Regulation; or

(ii) The transportation is provided under a bilateral or multilateral air transportation agreement to which the United States Government and the government of a foreign country are parties, and which the Department of Transportation has determined meets the requirements of the Fly America Act; or

(iii) The traveler is an officer or employee of the Department of State, or USAID, and travel is paid with funds appropriated to one of these agencies, and travel is between two places outside the United States; or

(iv) No U.S. flag air carrier provides service on a particular leg of the route, in which case foreign air carrier service may be used, but only to or from the nearest interchange point on a usually traveled route to connect with U.S. flag air carrier service; or (v) A U.S. flag air carrier involuntarily reroutes travel on a foreign air carrier; or

(vi) Service on a foreign air carrier would be three hours or less, and use of the U.S. flag air carrier would at least double the en route travel time; or

(vii) The costs of transportation are reimbursed in full by a third party, such as a foreign government, international agency, or other organization.

(viii) Travel occurs between the US and another country:

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(1) If a U.S. flag air carrier offers nonstop or direct service (no aircraft change) from the origin to destination, a U.S. flag air carrier service must be used unless such use would extend the travel time, including delay at origin, by 24 hours or more

(2) If a U.S. flag air carrier does not offer nonstop or direct service (no aircraft change) between the origin and destination, a U.S. flag air carrier must be used on every portion of the route where it provides service unless, when compared to using a foreign air carrier, such use would:

- a. Increase the number of aircraft changes that the traveler must make outside of the U.S. by 2 or more; or
- b. Extend the travel time by at least 6 hours or more; or
- c. Require a connecting time of 4 hours or more at an overseas interchange point.

(ix) Travel occurs between the US and another country:

For travel solely outside the US, the traveler must always use a U.S. flag carrier for such travel, unless, when compared to using a foreign air carrier, such use would:

- a. Increase the number of aircraft changes you must make en route by 2 or more; or
- b. Extend your travel time by 6 hours or more; or
- c. Require a connecting time of 4 hours or more at an overseas interchange point

SECTION B - CHARTER OPERATOR REQUIREMENTS (Parts 121 and 135)

(B1) FAA Approval - All Operators must have FAA Approval.

- Most current documentation/certificate is required.

(B2) Safety Requirements for U.S. Commercial Air Carriers

Air Carrier Quality and Safety - required

- Prior to award, air carrier quality and safety will be demonstrated by one of the following methods:
 - (i) In accordance with the provisions of 32 CFR 861, Department of Defense Commercial Air Carrier Quality and Safety Review Program, DoD approval (applicable for DOD contracts only) has been obtained for the operator proposed for service

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(ii) The 135 operator has a current, successful **Wyvern Wingman Pro ARG/US Platinum, IS-BAO Stage III inspection/certification(s)** or approved equivalent.

- DOD CARB is not an Acceptable or Equivalent SMS requirement under SIN 481211B. Please see 41 CFR PART 102-33.180 (Executive Agencies).

DoD Temporary NonUse Status or Suspension

- Pertaining to above, if at any time during the term of the contract, a carrier is placed in temporary nonuse status or suspension by the DoD in accordance with 32 C.F.R. Part 861, the Government may, with no cost or liability to the Government or any department, agency, entity, or official therein, discontinue use of services under the contract for the duration of the period of temporary nonuse/suspension.
- Safety Standards: An operator under DoD approval shall at all times be in compliance with all requirements ("Air Carrier Quality and Safety") as outlined in the following provisions: (i) 32 CFR 861 Title 32: National Defense, Chapter VII: Department of the Air Force Subpart 861: Department of Defense Commercial Air Transportation Quality and Safety Review Program.
- DoD Directives 4500.3 Department of Defense (DoD) Commercial Air Transportation Quality and Safety Review Program. (i) 10 USC 2640 Charter Air Transportation of Members of the Armed Forces.

(B3) Required Insurance and Liability Coverage

Prior to performance of any services hereunder, the Contractor shall procure and maintain during the entire period of performance under this contract the following insurance.

- **Liability Insurance.** The Operator shall maintain, or cause to be maintained at its sole expense, bodily injury and property damage liability insurance.
- **Hull Insurance.** The operator shall maintain, or cause to be maintained at its sole expense, all risks aircraft hull insurance in an amount equal to the value of the aircraft. Such policy shall designate the Operator and any first lien mortgage holder as loss payees as their interests may appear.
- **Insurance Certificates.** Brokers shall ensure that operator provides GSA with a Certificate of Insurance evidencing the insurance coverage required upon execution hereof and immediately upon GSA's or ordering agency's request at any time thereafter.
- **Workers Compensation.** Operators shall maintain workers compensation insurance providing applicable statutory benefits for all employees performing services pursuant to this Agreement. The cost of such workers compensation insurance premiums is the Operator's responsibility.
- **Conditions of Insurance.** Each such policy shall insure Operator's contractual

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liability to GSA contained in this Agreement. The geographic limits, if any, contained in each and every such policy of insurance shall include at the minimum all territories over which the Operator will operate the Aircraft for which the insurance is placed. The insurer for Operator shall endeavor to give GSA 30 days advance notice of cancellation.

(B4) Safety requirements - provided in this requirements document and may be specified by the ordering Agency.

Air Carrier Quality and Safety:

- Prior to award, air carrier quality and safety will be demonstrated by one of the following methods:
 - (i) In accordance with the provisions of 32 CFR 861, Department of Defense Commercial Air Carrier Quality and Safety Review Program, DoD approval (applicable for DOD contracts only) has been obtained for the operator proposed for service - OR -
 - (ii) The 135 operator has current, successful Wyvern Wingman Level 4, ARG/US Platinum or IS-BAO Stage III inspection/certification(s)
- DOD CARB is not an Acceptable or Equivalent SMS requirement under SIN 481211B
- CFR PART 135 Certificate will be required to offer rotorcraft/helicopters under SIN 481211B. If a company has a 135 Certificate for their fixed wing/ et fleet - the company will also need to provide proof that their Helicopter fleet is included under the same fixed wing 135 Certificate. If an Offeror only owns helicopters, the company will need to provide a stand-alone 135 Certificate for their Helicopter(s) as they pertain to 14 CFR 135.25.

(B5) Audit Standards - Carrier must demonstrate compliance with Audit Standards outlined in this solicitation.

- Audit Standard Requirements: The prospective carrier (applicant) must meet the minimum criteria as outlined below. The applicant must submit an audit certificate or certificate number as proof of compliance.
- Operations Ratings Management:
 - Compliance with all policies, procedures and goals outlined by FAA/CAA (Civil Aviation Authority) in Federal Aviation Regulations (FARs) Part 135. A cooperative response to FAA/CAA inspections.
 - Compliance with all policies, procedures and goals outlined by critiques, or comments should be demonstrated. Cooperative response indicates a reasonable effort on the part of the operator to meet but generally exceed minimum requirements set forth in the FARs.

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- Support infrastructure should be provided at the operator's primary facility and en route stations, including facilities, equipment, parts, and qualified personnel.
- Personnel with prior aviation related management experience must fill key management positions.
- A documented internal quality audit program or other method capable of identifying in-house deficiencies, measuring company's compliance with their stated policies and standards, and audit results should be analyzed in order to determine the cause, not just the symptom, of any deficiency.

(B6) Upfront Performance Measures - identifies performance measures that carriers need to provide to win and maintain a GSA Schedule Award. An operator that wishes to apply for an initial GSA schedule award is expected to be fully aware and compliant with the reporting requirements outlined in this section of the solicitation.

- Aircraft accident history (7-year safety history) - accident, incidents and violations must be reported
- Safety ratings from third-party auditors
- Operational control of aircraft and aircraft insurance levels
- Fleet data (age of aircraft, location)
- Pilot roster (covers pilot certifications and experience levels such as type ratings)
- Referrals of clients served to determine customer satisfaction levels Copy of 135 or 121 operating certificates (demonstrates how long an operator has been in operation)

The Government reserves the right to amend this list at any time. Failure to demonstrate compliance and/or intentionally submitting partial and/or false information with respect to the reporting requirements outlined in this section (B6 & B7) of this solicitation may result in either (A) rejection of a prospective operator's initial application or (B) termination of schedule award if the violation occurs after a GSA contract has been awarded.

(B7) Ongoing Performance Measures - identifies performance measures that carriers need to provide after a GSA Schedule Award.

An operator will be expected to furnish ongoing data at the request of the GSA. These reporting requirements are in addition to the general reporting requirements for all contract award bidders and holders. All GSA reporting is at no additional cost to the Government. The

Contractor must delete all Personal Identifiable Information from all GSA reports.

The Government reserves the right to amend this list at any time. Failure to demonstrate compliance and/or intentionally submitting partial and/or false information with respect to the reporting requirements outlined in this section (B7) of this solicitation may result in either (A) rejection of a prospective operator's initial application or (B) termination of schedule award if the violation occurs after a GSA contract has been awarded.

Provide in-depth safety reports on your charter operation (monthly and/or quarterly basis).

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Provide pilot experience and historical safety ratings (quarterly basis). The following (*) information is to be provided (left to right) in an excel spreadsheet. If there are multiple ordering agencies orders, then itemize row by row. Please email **Excel responses** to transportation.programs@gsa.gov and ontheqo@gsa.gov

- Contract Number*
- Requesting Agency/Organization*
- Requesting POC (Name, Address, Email, Phone Number)*
- Task Order Number*
- Task Order Total*
- Number Of Flights Requested*
- Total Passengers*
- Contractor POC & Company Name*
- SIN Number*
- Assigned Aircraft Type*
- Flight Departure (City/State) & Time*
- Flight Arrival (City/State) & Time*
- Total Number of Hours*
- Total Ancillary Fee(s)*
- Total Fees Charged To Agency/Organization*
- Amount Subject To IFF*
- IFF Amount Due*
- Date IFF Paid*

*Accidents, incidents, and/or violations (must be reported upon occurrence)

Number of transactions by dollar value of those transactions by each task order/ordering agency

The contractor shall submit reports as identified herein:

A. Frequency. Reports are due quarterly in accordance with the following schedule:

Report Period	Due Date
January 1 and March 31	April 25
April 1 and June 30	July 25
July 1 and September 30	October 25
October 1 and December 31	September 25

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B. Submission Instructions

- The information shall be provided in an electronic commercial format readable in Microsoft Excel.

The report shall be:

1. Uploaded into the Sales Reporting Portal (SRP) <https://srp.fas.gsa.gov/> **as an attachment** to the contractor's quarterly IFF and sales reporting **AND**
2. Email to transportation.programs@gsa.gov and onthego@gsa.gov using **Subject Line: Quarterly Sales Report by Agency**

All GSA reporting is at no additional cost to the Government.

In addition, all contractors will need to provide GSA with task order information for each ordering agency. The Contractor shall develop and maintain a current database of agencies/organizations serviced under this contract. The database shall include, the agency/organization task order number, est. dollar volume of the task order, the agency/organization name; the agency/organization point of **complete electronic copy of the task order and its technical and price proposal and all subsequent modifications thereto, to the GSA Contracting Officer or his representative within five (5) business days after execution. Copies should be emailed to 1) onthego@gsa.gov and 2) transportation.programs@gsa.gov**

Agency reports: The Contractor shall provide Government agencies with standard commercial and custom reports as requested. It is expected that these reports will include at a minimum, the company name, the requesting agency, number of flights, Total amount of fees charged to agency, Type of aircraft assigned, Number of aircrafts assigned, Total number of passengers on all flights. Reports should be available on a monthly, quarterly, and yearly basis, and have the ability to roll up data at an aggregate level for the agency contact; and the address; telephone numbers and e-mail address for the point of contact. Within five (5) business days of a request from GSA, the Contractor shall provide a current report of the agency/organization program data.

The Contractor shall provide a copy of all Task Orders when awarded and any subsequent modifications or Option Renewals to GSA. After receipt of an awarded task order, the Contractor shall provide one.

GSA reports:

- (a) By Agency. The Contractor shall provide quarterly reports based on the Government's fiscal year (October 1 through September 30) that detail each ordering agency's aircraft rental expenditures for the given report period.
- (b) *Across Government*: The Contractor shall provide quarterly reports that detail the overall cumulative Government aircraft expenditures.

Failure to Submit Reports. The failure to submit the shipment report in two (2) consecutive

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quarters and or three (3) of four (4) quarters may result in negative evaluation when considering performance rating for renewing options and may result in termination of the contract. Contractors with contracts on file for this SIN **are required to submit a report even if no services were provided during the quarter.**

These reports are IN ADDITION to the reporting requirements set forth in **552.238-80**, Industrial Funding Fee and Sales Reporting.

(B8) Required Performance Measurements and Standards - Historic Performance

In addition to the reporting requirements specified above the GSA may impose additional performance measures. Historical performance measures may serve as one criterion to determine if the operator is given an initial GSA schedule award. An operator that wishes to apply for an initial GSA schedule award is expected to be fully aware and compliant with the performance measurements outlined in this section of this solicitation.

The GSA reserves the right to immediately terminate a schedule award, which has already been granted should an operator fail to demonstrate compliance with the on-going performance measurements and standards and/or intentionally furnishes partial or false information.

Furthermore, the GSA may amend this list at any time, at which time it will notify all award holders of any new requirements. An operator that has been awarded a schedule contract under this solicitation will be expected to comply with all performance measurements and standards for the entire length of the award period.

The performance measurements and standards include:

Historical Performance

- Measurements: FAA Sanctions (past 5 years)
- Accidents (past 5 years)
- Incidents (past 5 years)
- Vehicle Violation (past 5 years)
- Charter Operator PT 135 Certificate** (see below)
- Certificate Number
- Certificate Type
- Certificate Issue Date

Each operator must hold a Part 135 or Part 121 certificate, and each aircraft must have an airworthiness certificate (Federal Aviation Regulation, Part 119.5: Certification – Air Carriers & Commercial Operators).

Historical and On-going Performance Measures

- Status (up front and confirmed annually)
- Home Base
- Employment (confirm employment status of crewmembers: active payroll, on disability, or furlough)

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- Pilot Status (pilot currency and criminal offenses)

On-Going Performance Measures

The Contractor is required to provide to each of its ordering agencies the following information prior to performing each trip:

Minimum Crew: (minimum number of crewmembers for operation of aircraft) Pilot In Command's (PIC's) Total Time (hours)

- PIC's Time as PIC
- PIC's Time in Type as PIC
- Second In Command's (SIC's) Total Time
- SIC's Time as PIC

Please see Part 135.243 for PIC Minimum Standards (FAA)

Please see Part 135.245 for SIC Minimum Standards (FAA)

Please see Part 121.436/438/439 for PIC Minimum Standards (FAA)

Other Factors: SIN 481211B, Air Charter Services - Brokers

FARs 135.293 – Initial and recurrent pilot testing requirements (sub-paragraphs a1, a2-3, b)
FARs 135.297 – Pilot in command: Instrument proficiency check requirements

SECTION C - CONTRACT TERMS AND CONDITIONS

Standard Air Charter Agreement:

CHARTER SERVICE: The contractor will operate the flights in accordance with, and subject to, the terms and conditions negotiated herein. The flights will be operated by the contractor to transport persons in accordance with the provisions of FARs Parts 121 or 135. The contractor's pilots, who shall be in command of the aircraft at all times, shall be entitled to make all decisions regarding the boarding (or refusal to board) any passengers and the acceptance or rejection of any baggage on any flight.

52.212-4 CONTRACT TERMS AND CONDITIONS – COMMERCIAL ITEMS (OCT2018)
(DEVIATION FEB 2007)

(l) *Termination for the ordering activity's convenience.*

The ordering activity reserves the right to terminate this contract, or any part hereof, for its sole convenience. In the event of such termination, the Contractor shall immediately stop all work hereunder and shall immediately cause any and all of its suppliers and subcontractors to cease work. Subject to the terms of this contract, the Contractor shall be paid a percentage of the contract price reflecting the percentage of the work performed prior to the notice of termination,

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plus reasonable charges the Contractor can demonstrate to the satisfaction of the ordering activity using its standard record keeping system, have resulted from the termination. The Contractor shall not be required to comply with the cost accounting standards or contract cost principles for this purpose. This paragraph does not give the ordering activity any right to audit the Contractor's records. The Contractor shall not be paid for any work performed or costs incurred which reasonably could have been avoided.

TRAVEL DOCUMENTS: The ordering agency will be responsible for ensuring that passengers have in their possession all required travel documents for all flights, including passports and visas. The ordering agency will ensure passengers display their respective photographic identifications to the carrier or its pilot in command of the aircraft prior to each flight, and to comply with any other applicable security requirements and procedures.

PASSENGER BEHAVIOR: The ordering agency will instruct and cause the passengers to act in a reasonable and professional manner while aboard the Aircraft and to comply with the directives and instructions of the pilots in command of the Aircraft.

The Contractor will hold, in escrow, any funds received from the ordering agency for a trip until completion of the trip or, if sooner, upon cancellation of the trip (or the remaining part of any trip) by the ordering agency or carrier, at which time such funds shall be applied to ordering agency's obligations to the carrier under this agreement and/or refunded to ordering agency, as provided above.

SECTION D - REQUIREMENTS FOR SUBMITTING A PROPOSAL UNDER THE GSA SCHEDULES PROGRAM

SIN 481211B - Any operator that the broker represents must demonstrate the following: It is required that the operator has the assets (aircraft) to ensure that if the primary aircraft becomes inoperable due to a mechanical problem or other issue that they have the assets, with the same capabilities, readily available to complete the mission in the time frame agreed to in the SOW. Additional information can be found under Section B above.

All SIN 481211B applicants under this solicitation will also be required to submit the following information:

- 1) Proof of FAA Approval
- 2) Each applicant will include with their eOffer submission and any other supporting Task Orders copies of all appropriate safety certificates.
 - Wyvern Wingman Pro
 - Fully effective Safety Management System Plan
 - ARG/US Platinum
 - Emergency Operating Plan & Functioning Safety Management System
 - IS-BAO Stage III inspection/certification(s)

Note: DOD CARB is not an Acceptable or Equivalent SMS requirement under SIN 481211. Please see 41 CFR PART 102-33.180 (Executive Agencies).

Air Charter Brokers will need to certify that the 'sub-owner' they work with, have one

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of the three (3) Safety Management Systems in place (above). Contracting may ask for supporting SMS documentation.

CFR PART 135 Certificate will be required to offer rotorcraft/helicopters under SIN 481211B. If a company has a 135 Certificate for their fixed wing/jet fleet - the company will also need to provide proof that their Helicopter fleet is included under the same fixed wing Certificate. If an Offeror only owns helicopters, the company will need to provide a stand-alone certificate for their Helicopter(s). GSA contracting will ask a Certificate holder for a phone number (AR/GUS, Wyvern) to verify that both airplane/jets and helicopters are under the same Certificate to include the following information.

- 3) Insurance Certificates - Each applicant will include with their application copies of a current Certificate of Insurance evidencing the insurance coverage required in this Section (B3) of this requirements document, to include, at minimum, liability, and hull insurance.

Broker assigned suppliers must have on file and produce:

- Aircraft accident history (7-year safety history)*
 - Safety ratings from third-party auditors (Wyvern, AR/GUS)
 - Operational control of aircraft and aircraft insurance levels
 - Fleet data (age of aircraft, location)
 - Pilot roster (covers pilot certifications and experience levels such as type ratings)
 - Referrals of clients served to determine customer satisfaction levels Copy of 135 or 121 operating certificates (demonstrates how long an operator has been in operation)
- 4) Letter of Commitment - from every operator (subcontractor) confirming air charter service to the broker for the entire task order period of performance under the GSA contract.
 - 5) Operator certifications: Each applicant will include with their application a copy of its Part 135 or Part 121 certificate, and an airworthiness certificate for each aircraft. (Federal Aviation Regulation, Part 119.5: Certification – Air Carriers & Commercial Operators).

Technical Proposal Instructions - Required Response (Word Format)

- 6) How do you plan to execute & support the government's air charter requirements?
 - GSA needs information on your administrative & operational capabilities.
- 7) What measures are in place to ensure a high quality of safety and operations?
 - Air Charter Brokers will need to certify that the 'sub-owner' they work for, have one of the three (3) Safety Management Systems (or certificate equivalent) in place.

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- 8) Executive - GSA's need to see a complete historical and current operational "road map" of the proposer's maintenance & operations Including key members and their qualifications.
- Past Performance
 - GSA needs to see 3 historical and/or ongoing customers you have or are serving. Offerors that do not have any CPARS reports must upload a list of three (3) relevant customer references and three (3) completed Past Performance Questionnaires (PPQ) to eOffer.
- 9) Air Quality & Safety section/statements
- What measures do you have in place to ensure a high quality of safety and operations?
- 10) Are you a DoD approved carrier?
- 11) If a SIN 481211B proposal - How many and what type of aircraft do you personally own/operate?

SECTION E - Pricing Format

PRICING FORMATS: The following pricing approaches or combination thereof are used when selling air charter services (not all-inclusive). Applicants should submit their proposed pricing for services offered under SIN 481211B in accordance with the Transportation & Logistics Services - Price Proposal Template (PPT excel sheet).

Prices should be submitted under Economic Price Adjustment (EPA) Clause 552.216-70, unless basing future pricing on an agreed upon economic price adjustment [see I-FSS-969 Economic Price Adjustment)

Types of Pricing:

- Hourly rate round-trip (applies to charter operator)
- Hourly rate one-way (applies to charter operator)

Ancillary Services - Depending on the needs of the specific trip flown, an agency may request a carrier to provide common air charter accessorial services. All auxiliary services and supplies (including their descriptions) the offeror is providing in **conjunction** with air charter services that are not included in the air charter aircraft (block hour) price must be priced out. Accessorial services must be placed under SIN Ancillary if NOT integral to the operation of SIN 481211B. Ancillary services include, but are not limited to the following invoiceable / billable services:

- 1) Pilot
- 2) Flight Attendant
- 3) Security Guard (armed/not armed)
- 4) Medical Staff (Doctor/Nurse)
- 5) Rotorcraft related

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SECTION F – Order-Level Materials (OLM) - Please see FAR 8.402(f)

FAR 8.402 (f) For administrative convenience, an ordering activity contracting officer may add items not on the Federal Supply Schedule (also referred to as open market items) to a Federal Supply Schedule blanket purchase agreement (BPA) or an individual task or delivery order only if-

- (1) All applicable acquisition regulations pertaining to the purchase of the items not on the Federal Supply Schedule have been followed (e.g., publicizing ([part 5](#)), competition requirements ([part 6](#)), acquisition of commercial items ([part 12](#)), contracting methods ([parts 13, 14, and 15](#)), and small business programs ([part 19](#)));
- (2) The ordering activity contracting officer has determined the price for the items not on the Federal Supply Schedule is fair and reasonable;
- (3) The items are clearly labeled on the order as items not on the Federal Supply Schedule and they conform to the rules for numbering line items at subpart [4.10](#); and
- (4) All clauses applicable to items not on the Federal Supply Schedule are included in the order.

SECTION G - Additional Audit Standards

Additional Audit Standards (Section B5) The prospective carrier (applicant) must meet the minimum criteria as outlined below. The applicant must submit an audit certificate (Wvyern/ARG/US) or certificate number as proof of compliance.

Pilot Records

A pilot employed by the prospective carrier will be evaluated according to criteria outlined in Section B8 of solicitation.

Flight Crew Hiring

Established procedures ensure that applicants are carefully screened, including a review of the individual's health and suitability to perform flight crew duties.

If a carrier hires cockpit crew members who do not meet industry standards for experience or qualification, then management provides additional training and observation to ensure high standards are maintained.

Aircrew Training

Crew Resource Management (CRM) is a best practices measure that is taught, practiced and evaluated during all phases of operations training. There are no general mandates imposed on an operator regarding the frequency of CRM training. However, the expectation is that the frequency of CRM training is sufficient to ensure that the operator meets all Federal Aviation Regulations (all parts) from Title 14 and Code 49 of Federal Regulations. In order to ensure CRM competency, the following minimum areas must be covered:

- (A) Role playing scenarios between crew members to ensure clear channels of communication exist.

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(B) Role playing scenarios that demonstrate how to override a senior crew member's decision if that senior crew member has made an error.

(C) Delegation of duties under normal circumstances and situations where a senior crew member in a decision-making chain-of-command is incapacitated.

An approved motion-based simulator training course is required for PICs (Pilot in Command) and SICs (Second in Command) at least annually in each type of aircraft in which they maintain currency.

Flight and cabin crews have jet recurrent training as mandated in Federal Aviation Regulations 135.295 and 135.297 respectively.

Records of training are current and audited by operations management. Currency indicates that personnel records are immediately updated after any session conducted internally and/or by external entities that serves the purpose of verifying and/or adding job specific skills. Each update will record the date, length, instructors, and specific job-related skills covered.

Acceptable standards for each record will be determined by compliance with all Federal Aviation Regulations Parts from Titles 14 and 49 Code of Federal Regulations.

Training and evaluation are current and audited by operations management. Currency and acceptable standards are commensurate within Section G of the solicitation.

Flight/Cabin Attendant Program

Standards apply as outlined in Section B5 and Section G.

Crew Scheduling

Trips are managed to ensure Civil Aviation Regulations (CAR) compliance as well as fatigue reduction as outlined in FARs Part 135: Subpart F. The operator's scheduling system tracks flight and duty times for pilots as well as flight attendants.

Management closely monitors the scheduling process, to evaluate risks, assess the experience level of crews, and ensure the proper pairing of crewmembers. Operators avoid pairing inexperienced first officers with new captains.

Security, Dangerous Goods or Restricted Articles – Are prohibited under SIN 481211B Air Charter Services. Passenger Transportation ONLY.

Management Personnel

Ensure that contracted maintenance, including repair and overhaul facilities, is performed by maintenance organizations acceptable to the CAR. Maintenance supervisors ensure that, in spite of scheduling pressure, peer pressure, supervisory pressure, or other factors, the aircraft must be airworthy prior to flight.

Maintenance Personnel

Operators, (at their discretion) are expected to hire and train the number of employees that would be reasonably required to safely maintain the company aircraft and support the scope of the

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maintenance operation both at home station and at enroute locations.

Ensure that all maintenance tasks, including required inspections and airworthiness directives, are performed.

Maintenance actions are properly documented, and discrepancies identified between inspections are corrected.

Mechanics must be fit for duty, properly certified with the company's certification and knowledgeable of the necessary aircraft-specific requirements to accomplish the maintenance tasks.

Non-certified and inexperienced personnel must receive supervision from individuals compliant with FARs Part 43.3 (Persons authorized to perform maintenance, preventative maintenance, rebuilding and alterations).

Freedom from alcohol and drug abuse is required as outlined in Federal Aviation Regulations FARs Part 135: Subpart E "Flight Crewmember Requirements."

Quality Assurance/Quality Control

The carrier must ensure that a system which continually analyzes the performance and effectiveness of maintenance activities and maintenance inspection programs is required for all operators.

System evaluates the following functions: reliability reports, audits, component tear-down reports, inspection procedures and results, tool calibration program, real-time aircraft maintenance actions, warranty programs, and other maintenance functions. (The extent of this program is directly related to the operator's size and scope of operation.)

Cause of any recurring discrepancies or negative trend is researched and eliminated. Action is taken to prevent recurrence of these discrepancies and preventive actions are monitored to ensure effectiveness.

The results of preventive actions are provided to appropriate maintenance technicians.

Maintenance Training

Orientation, familiarization, on-the-job, and appropriate initial and recurrent training for all full and part-time personnel is expected. This training should include aircraft familiarization systems, and job specific duties related to avionics and power plants. The use of such training aids as mockups, simulators and computer-based training enhances maintenance training efforts, and is desired. Initial and recurrent training requirements and frequency are established for each operator as outlined by Federal Aviation Administration (FAA) Advisory Circular (AC) 120-42. All maintenance employees must be in compliance with Federal Aviation Regulations (FARs) Part 43.

Training documentation is required and must be current, complete, well-maintained, and correctly identifies any special authorizations such as inspection and airworthiness release.

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Trainers/Supervisors are to be fully qualified in the subject matter, as evidenced by holding an A&P Airframe and Powerplant license. Qualified personnel are determined by compliance with Federal Aviation Regulation Part 43 (Maintenance). Specifically, this applies to FARs Part 43, Subparts: 43.3 and 43.7.

Control and Planning

Qualified personnel must monitor maintenance preplanning, ensure completion of maintenance actions, and track deferred discrepancies. Constant and effective communication is ensured between maintenance and flight operations for exchange of critical information. Qualified personnel are determined by compliance with Federal Aviation Regulation Part 43. Specifically, this applies to FARs Part 43 (Maintenance), Subparts: 43.3 and 43.7.

Deferred maintenance actions are identified to supervisory personnel and corrected in accordance with the criteria provided by the manufacturer or CAR.

Maintenance Records

Maintenance actions are well documented and provide a complete record of maintenance accomplished and, for repetitive actions, maintenance required.

Such records as aircraft logbooks and maintenance documentation are legibly prepared, dated, clean, readily identifiable, and maintained in an orderly fashion as either hard copy or electronically.

Inspection compliance, airworthiness release, and maintenance release records, are complete and signed by approved personnel.

Fueling and Servicing

Aircraft is free from contamination; procedures and instructions pertaining to servicing, handling, and storing fuel and oil meet safety standards. Procedures for monitoring and verifying vendor servicing practices are included in this program.

Maintenance Manuals

Company policy manuals and manufacturer's maintenance manuals are current, available, clear, complete, and adhered to by maintenance personnel. Currency indicates the ability to demonstrate (upon a random audit) that all company manuals (maintenance or otherwise) contain the most recent entries. For a random audit, there should not be any entries left undocumented since the last verified entry and the date the random audit is performed.

Management policies, lines of authority, and company maintenance procedures are documented in company manuals and kept in a current status. Currency is indicated by the statement in A.3.40.

Facilities/Security

Facilities (shipping, receiving, and stores) areas are clean and orderly). Parts are correctly packaged, tagged, and segregated.

Stores/Shelf Life

Shelf life is properly monitored for all appropriate items. cause