



DEPARTMENT OF THE NAVY
NAVAL SUPPLY SYSTEMS COMMAND
5450 CARLISLE PIKE
PO BOX 2050

NAVSUPINST 4230.37B
SUP 22C
11 July 2003

NAVSUP INSTRUCTION 4230.37B

Subj: NAVAL CONTINGENCY CONTRACTING PROGRAM

Ref: (a) Joint Pub 4-0
(b) SECNAVINST 5300.36 Series
(c) NAVSUP Pub 713
(d) NAPS Part 1
(e) NAVSUPINST 4200.81 Series
(f) OPNAVINST 1001.24 Series
(g) BUPERSINST 1001.39 Series

Encl: (1) Naval Contingency Contracting Program Assignments
(2) Sample Letter for Appointment to the Naval Contingency Contracting Program

1. Purpose. To revise and reissue guidance and procedures for establishing and maintaining a viable contingency contracting program capability within the Department of the Navy (DON).

2. Cancellation. NAVSUPINST 4230.37A. This instruction is a complete revision and should be read in its entirety.

3. Background

a. In recent years, crisis situations worldwide have required the rapid deployment of personnel to support United States national interests. These contingencies in Military Operations Other Than War (MOOTW) have involved military and other public, joint or allied elements. Contingencies require planning, rapid response, flexible procedures and integration of efforts.

b. The need for a viable contingency contracting capability arises from the complex nature of the acquisition process and the necessity to support joint or multinational forces. A trained contracting cadre to support contingency operations ensures that proper methods are employed in the procurement of supplies and services and that responding forces receive the required logistics resources to perform their mission. Localized contracting reduces the dependence on Continental United States (CONUS) based logistics systems, reduces response time and frees up critical storage space within military airlift and sealift channels. Properly executed, a contingency contracting capability becomes an "arrow in the quiver" of the force commander and can be used as a force multiplier.

0526-LD-102-5071

NAVSUPINST 4230.37B
11 July 2003

c. The DON's Contingency Contracting Program is based upon a triad concept of support elements: the existing infrastructure of the CONUS and Outside the Continental United States (OCONUS) regional contracting activities of the Navy Field Contracting System (NFCS); the existing worldwide network of husbanding services contracts; and the military and Navy civilian contracting personnel designated for rapid deployment under this program. Prospective use of husbanding services contracts for littoral support during OOTW together with trained, deployable contingency contracting personnel provide the Combatant Commander's (CC) with flexibility as well as a sustainable surge capability.

d. It is expected that Navy organic military and civilian personnel assigned under the auspices of the Naval Contingency Contracting Program will normally supplement existing contracting operations established in-theater. Joint or multinational contracting operations will usually be established by the applicable Acquisition and Contracting Board under the authority of reference (a). Warrant authorization will be geographically collocated within the deployment area. The close proximity between the Contingency Contracting Officer (CCO) and the warrant authority will facilitate timely, efficient technical support for the CCO. If required to facilitate warrant authorization, the CCO's parent command will provide past performance, technical expertise and capability information on the CCO. The Procurement Performance Management Assessment Program (PPMAP) detachment in the deployment area will provide oversight and audit of the CCO. NAVSUP 02 reserves the right to review all warrant authorizations.

e. To effectively support the contingency mission, it is incumbent upon the DON to ensure that military and civilian augment personnel meet the statutory warrant qualifications as delineated in reference (b).

f. Express information regarding planning for contingency contracting operations, in-theater contracting procedures and applicable procurement policies germane to contingency contracting operations can be found in reference (c). Reference (c) also details supplies and support equipment associated with the deployment of assigned augment personnel.

4. Policy. The Deputy Assistant Secretary of the Navy for Acquisition Management (DASN (ACQ)) has delegated authority to the Naval Supply Systems Command (NAVSUP) to coordinate the Naval Contingency Contracting Program. This authority is derived from NAVSUP's responsibility as Head of Contracting Activity (HCA) for the NFCS. Per references (d) and (e), NAVSUP, through the NFCS, is responsible for contracting for

supplies and services throughout the DON for which no other contracting authority, office or command is otherwise delegated specific contracting authority.

5. Program Objective. The Naval Contingency Contracting Program is chartered to provide logistics support to the Fleet and designated joint or multinational forces in support of their mission in both MOOTW and Major Theater Wars (MTW). The program is not chartered for use in providing personnel to support military exercises or for use in filling routine contracting staff vacancies. Support for contingency contracting functions is provided through the dedication of personnel, resources and centralized policy coordination within DON. This is accomplished through the following program elements:

a. Designation of NAVSUP as the central point of contact within DON as the coordinator for the Naval Contingency Contracting Program.

b. Designation of the existing infrastructure of the regional buying activities of the NFCS as the anchor of DON's contingency contracting capability.

c. Designation of the Fleet and Industrial Supply Center (FISC) Norfolk as the program management for the Navy's worldwide husbanding services contract network.

d. Identification of Defense Acquisition Workforce Improvement Act (DAWIA) statutory requirements and other necessary qualifications for military and Navy civilian contingency contracting personnel.

e. Establishment of procedures to select, assign and rotate military and Navy civilian personnel assigned within the Naval Contingency Contracting Program.

f. Identification of designated active military, reserve military and civilian contracting personnel available to deploy in support of contingency operations within 72 hours.

g. Identification of necessary support equipment and supplies (contracting support kit) for contingency contracting operations.

h. Establishment and maintenance of general contingency contracting procedures codified in a Naval Contingency Contracting Handbook.

6. Scope. This instruction applies to the Naval Regional Contracting Centers and to all DON commands, activities and organizational elements exercising delegated contracting

NAVSUPINST 4230.37B
11 July 2003

authority under the HCA of the Naval Air Systems Command, Naval Sea Systems Command and NAVSUP.

7. Definitions

a. Acquisition. Acquiring by contract with appropriated funds, supplies or services by and for use of the federal government. Acquisition begins at the point when organizational needs are established and includes, as a subset, the contracting process.

b. Contingency. Defined for purposes of this instruction as any operation involving the activities of U.S. forces in MOOTW and MTW.

c. Contingency Contracting. The process of contracting for available supplies and services in immediate local support of deployed units, posts, camps or stations during a contingency operation.

d. Contracting. Purchasing, renting, leasing or otherwise obtaining supplies or services from nonfederal sources. Contracting includes description of supplies and services required, selection and solicitation of sources, preparation and award of contracts and all phases of contract administration. It does not include making grants or cooperative agreements.

e. DAWIA (PL 101-510). Establishes statutory standards for education, training and experience levels that must be met prior to certain personnel assignments within the DOD acquisition community. DAWIA also establishes statutory qualifications for all warranted contracting officers authorized to award or administer contracts above the authorized Simplified Acquisition Threshold (SAT).

f. HCA. The individual cited by FAR, DFARS or NAPS having overall responsibility for managing the contracting activity.

g. Husbanding Services. A nonpersonal services contract awarded for support of Fleet units in foreign ports. The contract duplicates a variety of littoral logistics support services commonly available from CONUS regional supply operations.

h. Major Theater War (MTW). A conflict where hostilities are ongoing, imminent or likely and where there is a substantial commitment of U.S. military forces.

i. Military Operations Other Than War (MOOTW). Per Joint

Pub 3-0, include the following categories: arms control, combating terrorism, counter-drug operations, nation assistance, non-combatant evacuation operations, civil support operations, peace operations and support to insurgents. Domestic Disaster/Emergency Relief is a subset of MOOTW. Domestic Disaster/Emergency Relief operations can range from domestic natural and man-made disasters to civic disturbances to terrorist activity within the U.S.

j. Simplified Acquisition Threshold (SAT). The monetary threshold for exercising contracts under the authority of Federal Acquisition Regulation (FAR) Part 13.

k. Supplies. Includes all property except land or the interest in land.

8. Responsibilities and Authorities

a. NAVSUP Deputy Commander for Contracting Management (NAVSUP 02) is responsible for policies and procedures associated with the Naval Contingency Contracting Program as defined within the scope of this instruction. NAVSUP 02 shall:

(1) Maintain and develop any needed changes to this instruction and the Naval Contingency Contracting Handbook.

(2) Maintain a database of contracting personnel designated under the Naval Contingency Contracting Program. Enclosure (1) details personnel quotas for commands covered under the scope of this instruction.

(3) Assess the need for, and, if necessary, recommend required deviations, waivers or legislative changes necessary to support declared contingency operations.

(4) Coordinate with the designated lead service component, organic contracting activity or requiring CC to provide travel and per diem funding and furnish the required equipment and resources necessary to provide contracting support within the contingency theater of operations.

(5) Maintain a central repository of "lessons learned" reports from contingency contracting operations.

b. FISC Norfolk is responsible for worldwide program management of the Navy's husbanding services network. FISC Norfolk shall:

(1) Coordinate with respective Navy Regional Contracting Centers and FISCs to define and promulgate DON policy and procedures relative to the award and administration of Navy husbanding services contracts within the scope of existing

NAVSUPINST 4230.37B
11 July 2003

statute, regulation and international agreement. Ensure contract vehicles provide for instant support and contain provisions for surge capacity to support contingency operations in the applicable Area of Responsibility (AOR). Navy Regional Contracting Centers and FISCs will award and administer husbanding service contracts in their respective AOR.

(2) Coordinate specific requirements for all husbanding commanders, type commanders and the responsible regional contracting activities.

(3) Maintain and promulgate a worldwide husbanding services contract bulletin summary on a quarterly basis to include: contract number; contractor; geographic area of coverage; scope of services available; contractor's representative and contact's phone, facsimile number and internet address; designated procuring and administrative contracting officers, designated contracting officer's representative and period of coverage and general ordering information.

c. NAVSUP Reserve Liaison Staff Division Head (NAVSUP 09R), is responsible for policies and procedures associated with designated Navy reserve components of the Naval Contingency Contracting Program. NAVSUP 09R shall:

(1) Coordinate with Commander, Naval Reserve Forces in the establishment and support of the Advanced Base Functional Component Naval Reserve Units and the NAVSUP OCONUS Naval Regional Contract Center units for contingency contracting.

(2) Act as the single point of contact in the coordination of a voluntary or involuntary recall of Navy reserve supply corps officers in support of contingency contracting operations.

(3) Submit requests for Active Duty for Special Work (ADSW) as required to bring selected reservists on active duty to support contingency contracting billets.

(4) Coordinate processing recalled selected reserve members through the designated servicing Navy mobilization processing site.

(5) Notify all claimants and commands identified in enclosure (1) of the DAWIA level II and III contracting certified reserve military personnel assigned to their respective commands.

d. Commands and Navy activities covered under the scope of this instruction shall:

(1) Identify, appoint and make known a Naval Contingency Contracting Program coordinator.

(2) Identify qualified active military, reserve military, and civilian contracting personnel to support contingency operations. Command quotas are listed in enclosure (1).

(3) Maintain and provide NAVSUP 02 a current listing of personnel assigned under the auspices of the Naval Contingency Contracting Program. Commands shall provide the following information for each assigned individual (ensure compliance with 5 U.S.C 6311, Privacy Act):

- (a) Full name
- (b) Rank/Grade;
- (c) Subspecialty code or occupational series (e.g., 1306P or 1102)
- (d) Social Security Number
- (e) Current DAWIA certification level
- (f) Current warrant level
- (g) Current billet
- (h) Expiration date of official and tourist passport
- (i) Sex
- (j) Religion
- (k) Current and highest held security clearance
- (l) Home mailing address
- (m) Home phone number
- (n) Work phone number
- (o) DOD e-mail address
- (p) CON 234 and purchase card training completion date
- (q) Foreign language proficiency (if applicable)
- (r) Previous contingency contracting experience (if applicable)
- (s) Projected rotation date (military personnel)

(4) Ensure designated active military, reserve military and civilian personnel are notified in writing and are made aware of the potentiality of deployment within 72 hours of notice. Enclosure (2) contains a sample letter of designation.

(5) Ensure that the designated personnel receive adequate formal and on-the-job training and meet the DAWIA statutory requirements for warrant authority. Claimant/command quota requirements are listed in enclosure (1) by category of warrant authority. Those designated personnel formally qualified to hold a warrant above the SAT as delineated in reference (b) need not currently hold a warrant at their respective claimant/command.

(6) Ensure designated personnel receive and maintain

NAVSUPINST 4230.37B
11 July 2003

current official and tourist U.S. passports; have a bar-coded Armed Forces ID card (military personnel) and have identification ("dog") tags with chain.

(7) Ensure designated personnel are aware of their personal responsibility for maintaining their immunization and health records, arranging their family and personal lives for a short-notice departure and making any other personal arrangements as necessary.

(8) Claimants/commands covered under the scope of this instruction will normally fund all costs with the exception of travel and per diem associated with preparation and outfitting of personnel designated in the program. NAVSUP will coordinate travel and per diem funding for deploying personnel. Ensure all costs associated with the Naval Contingency Contracting Program are captured and available to the Navy for reimbursement.

9. Procedures

a. For contingency operations, the CC determines and validates its force requirements and tasks service component commands to identify and assign individuals to meet the requirements. If the Navy Component Commander (NCC) cannot fill personnel requirements from forces assigned, Chief of Naval Operations (CNO) N3/N5 will be alerted concurrently with the CC and the Chairman of the Joint Chiefs of Staff (CJCS). CNO N3/N5 will validate the requirement per reference (f). If CNO N3/N5 determines the requirement is valid, the requirement is forwarded to Naval Personnel Command (PERS 4IA) who tasks via naval message the appropriate Navy claimant best able to satisfy the skill requirement.

b. Formal tasking to NAVSUP for contracting personnel to support contingency operations shall be considered a tasking under the Naval Contingency Contracting Program. As such, the augment responsibility is applicable to those claimants and commands included in the scope of this instruction.

c. If tasked, NAVSUP 02 will make all possible attempts to satisfy the augmentation requirement with in-theater assets of the applicable regional contracting activity. Absent available or sufficient resources, NAVSUP 02 will notify the claimant and command program coordinators of the specific requirement.

d. Personnel details will be made on a voluntary basis when time permits and if skill, experience or other unique requirements are not a factor. Absent those factors, details will be made on a fair share basis. The rotation will be based on the current number of authorized military contracting billets

within those claimants within the scope of the Naval Contingency Contracting Program (e.g. larger commands will be expected to provide first) and history of claimant/command participation.

NAVSUP 02 will specify the command. The command will identify a person that meets the detail requirements. Upon NAVSUP 02 concurrence with the command recommendation, the personnel detail will be made.

e. Non-voluntary details of multiple personnel will be dispersed between commands to preclude any adverse impact on the contracting mission of the affected organization. Commands identified in enclosure (1) would not normally provide more than one concurrent, non-voluntary augmentee unless the total program requirement exceeds the number of commands covered under the scope of this instruction.

f. Mobilization of members of the selected reserve to support contingency contracting operations will be coordinated by NAVSUP 09R per reference (g).

g. Personnel details will normally coincide with the time period specified by the requesting CC and as verified and approved by CNO. Active duty military, reserve military and civilian personnel details made under the scope of this program will not exceed 179 days.

h. NAVSUP, as program sponsor, will retain ultimate authority and responsibility for the process of detailing personnel assigned to the Naval Contingency Contracting Program.

10. Action. This instruction is effective upon receipt and shall remain in effect unless it is specifically modified or canceled.



D. M. FITZGERALD
Deputy Commander
Contracting Management Directorate

Distribution:

SNDL C83A; C83C; FC6; FB42; FF42; FKA1A; FKA1G; FKM9; FKM11;
FKM14; FKM17; FKM31; FT55

Copy to:

SNDL A1J (DASN (ACQ) only); A3 (N4 only); NAVSUP 32C2 (3
copies); 02, 09R, 91, 93

NAVAL CONTINGENCY CONTRACTING PROGRAM ASSIGNMENTS

The below listed claimants/commands shall maintain a current assignment of active duty military, reserve military and Navy civilian contracting personnel available for support of a contingency contracting operation. Individual command quotas are indicated by warrant level. Commands may assign an individual to fulfill both quotas as indicated below.

<u>CLAIMANT/COMMAND</u>	<u>QUALIFIED TO HOLD A WARRANT ABOVE THE SAT¹</u>	<u>QUALIFIED TO HOLD A WARRANT UP TO THE SAT¹</u>	<u>MINIMUM TOTAL PERSONNEL²</u>
NAVAIR	4	4	5
NAVSEA	4	4	5
NAVICP	2	4	4
NRCC Naples	1	1	2
HRCC Singapore	1	1	2
FISC Jacksonville	1	1	2
FISC Norfolk	4	4	5
FISC Puget Sound	1	1	2
FISC San Diego	2	4	4
FISC Pearl Harbor	1	1	2
FISC Yokosuka	1	1	2
TOTALS:	22	26	35³

Note 1. Simplified Acquisition Threshold.

Note 2. Demonstrates one or more individuals is qualified to fulfill one quota in both categories.

Note 3. At least half (50 percent) of the program's total assigned quotas must be active duty military personnel.

NAVSUPINST 4230.37B
11 July 2003

SAMPLE LETTER FOR APPOINTMENT TO THE NAVAL
CONTINGENCY CONTRACTING PROGRAM

4230
Ser
Date

From: Commanding Officer, (Command)
To: Commander John K. Doe, SC, USN, 123-45-6789/3100
Subj: APPOINTMENT TO THE NAVAL CONTINGENCY CONTRACTING PROGRAM
Ref: (a) NAVSUPINST 4230.37 Series
(b) Naval Contingency Contracting Handbook

1. Pursuant to reference (a), you are hereby designated as a primary member of the Naval Contingency Contracting Program for (command). Under this program, you are on notice to be fully prepared for rapid deployment within 72 hours of notification.

2. You are responsible for ensuring your passport, immunization and health records are current, as well as for arranging your personal life for a short-notice departure. The (command) program coordinator will assist as necessary in this endeavor. Reference (b) provides specific information regarding deployment preparations and in-theater operations.

3. You are to contact the program coordinator immediately if at any time you are unable to meet your potential obligations under this program.

4. The Naval Contingency Contracting Program coordinator at (command) is (coordinator name) at (XXX) XXX-XXXX. Overall program coordinator is NAVSUP 22C. The phone number is DSN 430-3715 or commercial (717) 605-3715. The fax number is (717) 605-6479.

H. E. SMITH

John K. Doe
Acknowledged 1 Oct 1995
John K. Doe
CDR, SC, USN

Enclosure (2)