



United States Department of the Interior

National Business Center

Aviation Management

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DOI AM OPERATIONAL PROCEDURES MEMORANDUM NO. 04- 35

Subject: Identification of End Product/Service and Flight Service Procurement

Effective Date: January 1, 2004

Supersedes: OPM 03-35 dated January 1, 2003

Distribution: A, B, & C

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1. **Purpose.** This OPM establishes policy and procedures for the identification of projects for end product/service or flight service contracting.

2. **Authority.** This policy is established by the Associate Director, Department of the Interior, Aviation Management (DOI AM), in accordance with provisions of Departmental Manual 350 DM 1, and Secretarial Order 3250 dated September 30, 2003.

3. **Definitions.** This OPM has adopted the definition as stated in 49 CFR 175.5.

A. **Operational Control.** An aircraft is under the exclusive direction and control of a government when the government exercises responsibility for:

(i) Approving crewmembers and determining that they are qualified to operate the aircraft;

(ii) Determine the airworthiness and directing maintenance of the aircraft; and

(iii) Dispatching the aircraft, including the times of departure, airports to be used, and type and amount of cargo to be carried.

B. **Civil Aircraft.** See 14 CFR 1.1.

C. **Public Aircraft.** See 14 CFR 1.1.

D. **Dispatch.** To assume operational control through the use of specific times of departure, airports to be used, amounts of people and cargo to be moved, intended time of arrival and/or flight following. Dispatching does not include the specification of windows of opportunity for maximum effect for seeding, spraying, animal capture, or aerial photography.

4. Policy.

A. As stated in 353 DM 1.2A, all “flight services” shall be acquired through DOI AM with exceptions listed. Transactions to acquire an “end product “or “service” other than “flight services” shall meet all of the criteria listed in 353 DM 1.2A(3). Examples:

1) Seeding project. The using bureau requires the contractor to wear PPE (operational control, flight service). The same project is completed with no government involvement other than verifying the spread rate of the seed (end product contract).

2) Horse gather. The bureau has a helibase manager on site to manage the heliport (operational control, flight service). Same project with the contractor delivering horses to a bureau-designated location and no government personnel involved other than the inspection of the horses (end product contract).

3) Wolf capture, net gun. The bureau has a biologist on board the aircraft (DOI personnel on board, flight service). Same project with all contract personnel and animals delivered to a bureau-designated location (end product contract).

B. The following table provides some guidance to identify end product/service or flight service procurement. If the answer is **YES** in any block under a project, you have a flight service that must be procured through DOI AM.

| PROJECT | | | | | | | |
|---------------------------------------|-----------------------------|---------------------------------|-----------------|------------------|---|--------------------------|--------------|
| | Aerial photo remote sensing | Aerial application (spray/seed) | Aerial ignition | Animal inventory | Animal capture (net gun, dart, paintball, etc.) | Animal herding/gathering | Your project |
| Set pilot standards | | | | | | | |
| Direct aircraft maintenance | | | | | | | |
| Dispatch aircraft | | | | | | | |
| Helibase manager | | | | | | | |
| Aircraft manager | | | | | | | |
| Use of PPE | | | | | | | |
| DOI personnel on board | | | | | | | |
| Public aircraft | | | | | | | |
| Other aircraft and pilot requirements | | | | | | | |

/s/ Michael A. Martin
Associate Director