

Provision of Aircraft Charter Services by Commercial Operators Technical and Operational Evaluation Criteria, TOEC



1 GENERAL

This paper provides detailed information on the technical part of the application to become a registered United Nations Flight Service Vendor for manned aircraft charter operation. **All required information must be provided and all requested attachments, certificates and documents must be submitted in the way requested. Only a complete application allows for the technical and operational evaluation to be performed.**

To assist in demonstrating that a complete technical application has been composed, an Application Checklist is provided in Chapter 4, Appendix B.

The United Nations only awards contracts to actual air operators. An air operator can only be considered for United Nations flight service vendor registration if in a possession of an Air Operator Certificate (AOC), which is rendered valid and there is no open Significant Safety Concerns (SSC) issued by the International Civil Aviation Organization (ICAO) to a State of Operator in any of the following areas: Licensing and/or Operations and/or Airworthiness, as identified by thru its Universal Safety Oversight Audit Programme (USOAP).

Note: The foundation of the safety of the commercial air transport operator is the oversight of the operator by the State, the objective of which is to ensure that the national aviation industry meets requirements equal to, or better than, those defined by ICAO Standards and Recommended Practices (SARPs), to ensure an acceptable level of safety. The capability of a State's CAA to carry out the task is assessed on a regular basis by the ICAO USOAP. Pursuant to Assembly Resolution A35-6 and subsequent action by the ICAO Council, the Safety Oversight Audit (SOA) being part of USOAP might result in the publication of a significant safety concern (SSC) by ICAO (ICAO Doc 8335).

2 APPLICABILITY

These Technical and Operational Evaluation Criteria (TOEC) are applicable to all Air Operator Certificate (AOC) holders seeking registration as United Nations flight service vendor.

2.1 Applicant's Responsibility

a) Prospective contractors for United Nations manned aircraft charter services are required to demonstrate their ability to comply with the requirements of the United Nations and have sufficient financial resources to conduct safe operations (Chicago Convention, Article 6). The Department of Field Support (DFS) will conduct an Aviation Quality Management Audit to determine a potential contractor's capabilities to perform the services required before any award of contract. All air carriers must possess a valid Air Operator Certificate (AOC) authorizing them to conduct the type of operations in the designated region and with all types of aircraft, which they intend to offer for United Nations contracts. Further, the AOC holder must be able to demonstrate that it has sole operational control of the offered aircraft and all crew members.

b) United Nations registered flight service vendors are responsible for the continued compliance with the conditions of Civil Aviation Authority (CAA) certification, the United Nations Aviation Standards for Peacekeeping and Humanitarian Air Transport Operations (AVSTADS) and other applicable United Nations aviation requirements. The onus rests upon the air operator to inform the United Nations about any changes in its organisation, structure or operations.

c) The applicant should be able to demonstrate to have a detailed back-up plan, including timeframes, business partners to lease aircraft from in case the offered aircraft is Aircraft on Ground

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(¹AOG) and AOG processes and procedures to demonstrate to the United Nations adequate operational contingency (e.g. to provide a substitute aircraft within 15 calendar days fully ready for use, qualified and trained crew and all expenses born by the air service provider). In addition the applicant shall demonstrate to be able to comply with applicable flight duty and rest time requirements. Therefore the applicant shall submit a sample duty roster covering six months, including required crew training courses, rest periods and crew holiday periods. For crew rostering only employees of the air operator shall be considered.

d) No aircraft offered should be older than 20 years. In exceptional cases aircraft older than 20 years might be considered. Further the air operator shall submit evidence that the aircraft is airworthy and in compliance with all other applicable requirements, bulletins and airworthiness directives regarding aging aircraft issued by the aircraft manufacturer and the State of registry.

e) Non-compliance of the United Nations registered flight service vendor with this criteria and applicable United Nations aviation requirements may lead to negative implications on the continued technical acceptance of United Nations flight service vendors, included suspension/cancellation or revocation of the technical prequalification of such United Nations registered flight service vendor.

2.2 Registration of Additional Aircraft Type(s)

Should a United Nations registered flight vendor wish to apply to add an additional aircraft category and/ or type(s) to its registration, the applicable documents detailed in this document must be resubmitted for technical evaluation and must reflect the specifics of the proposed additional aircraft category or type.

3 SERVICES

Flight services required by the United Nations involve international air transportation services to be performed in connection with the United Nations peacekeeping activities mandated by the Security Council. Due to the nature of peacekeeping missions, such air transportation services may involve operation into hostile areas or airfields where there is little or no ground support or where security cannot be fully assured. Flight services may include, but are not limited to, cargo re-supply, personnel movement including troops, Very Important Person (VIP) transportation, aero medical and casualties evacuation, search and rescue, observation and reconnaissance flights during Visual Meteorological Conditions (VMC) and Instrument Meteorological Conditions (IMC), under Visual Flight Rules (VFR) and/or Instrument Flight Rules (IFR).

4 FORMAL APPLICATION

4.1 Formal Application Letter

The formal application must be in the form of an official letter containing a statement that the letter serves as a formal application for a registration as United Nations Flight Service Vendor. The letter must contain the full and official name of the applicant; the applicant's mailing address (P.O. Box is not accepted) and physical address of the applicant's primary operating location. Additionally, the letter shall detail contact information of the key management personnel such as the CEO/General Manager, Director of Operations, Director of Maintenance, Chief Pilot, Chief Company's Quality Manager and

¹ "Aircraft on Ground" (AOG) is an aviation maintenance term indicating that a problem is serious enough to prevent an aircraft from flying. Generally there is a rush to acquire the parts to put the aircraft back into service. AOG applies to any aviation materials or spare parts that are needed immediately for an aircraft to return to service. Maintenance Organizations dispatch qualified personnel and the parts required to repair the aircraft for an immediate return to service. AOG also is used to describe critical shipments for parts or materials for aircraft "out of service" or OTS. Mitigation of AOG status: When an aircraft "goes AOG" and materials required are not on hand, parts and personnel must be brought to the location of the "grounded aircraft."

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Chief Aviation Safety, Chief of Company Security, Chief of Crew Training, Chief of Operational Control/ Dispatch Services, and Chief of Cargo Department.

4.2 Key Personnel

Indicate whether any of the persons named in the formal application have served as key personnel, directors or officers of a company where its AOC was revoked or were involved in violation of sanctions imposed by the United Nations.

4.3 Focal Point

The letter must be signed by the accountable manager (CEO, General Manager, General Director or President of the company) who remains the main focal point for the future correspondence and co-ordination regarding the registration status. Staff members of the company commercial department are not accepted as communication partners when dealing with the technical and operational parts of the registration.

4.4 English Language

Only ²controlled in date manuals, certificates, controlled records and other related documentation in English language will be accepted for United Nations aviation vendor registration.

4.5 Certified True Copy

In general, where requested, only copies submitted that are ³“Certified True Copies” will be accepted for technical evaluation. The certification statement shall attest that the copy is a true copy of the original, and shall be signed and display an official stamp or seal. The certification shall be executed by an appropriate person. The certification statement shall be permanently affixed to the copy, either by placing it on the first page of the document itself or on each page of the document, or by attaching it to the entirety of it (ICAO Doc 8335, Chapter 4.4).

5 ATTACHMENTS TO THE APPLICATION

All documents submitted shall be numbered and referenced to these TOEC, e.g. AOC shall have the attachments identification number (ID) 4.3; or under ID 4.16 all MEL can be found. Only a complete set of controlled manuals and records will be considered for technical evaluation as required under paragraph 1.

5.1 Web-based Authenticated Access

a) On a voluntary basis United Nations flight service vendors and vendor applicants may decide to grant web-based authenticated access to their company intranet hosting controlled company manuals.
b) The electronic availability and accessibility replaces ONLY the requirements of providing operational company documentation in paper version. Other requirements, as published herein and/or on the Procurement Division (PD) homepage are in effect as before.

c) It is emphasised that the flight service vendor formal application letter/ statement of intentions, certificates (Air Operator Certificate (AOC) and associated Operational Specifications (OpsSpecs), Business Certificate/ Commercial Register, Maintenance Organization Approval Certificate, Continuing Airworthiness Management Organization Approval Certificate, etc.), compliance statement, company history, composition of the fleet, lease agreements of aircraft, and other sensitive data are provided to

² A “Controlled Document” is a document that is subject to processes that provide for the positive control of content, revision, publication, distribution, availability and retention.

³ A certified copy is a copy (often a photocopy) of a primary document, that has on it an endorsement or certificate that it is a true copy of the primary document. It does not certify that the primary document is genuine, only that it is a true copy of the primary document.

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the UN in paper copy as instructed. United Nations flight service vendors and vendor applicants are requested to provide all necessary electronic login information when submitting their application.

5.2 Executive Summary

Provide a company history of commercial air transportation services offered that includes international air transportation experience, area(s) of service, type of operation and other relevant information the United Nations should know about flight services offered. The potential United Nations flight service vendor must have conducted international air transport operations similar to the DFS/DPKO required service for at least the twenty-four (24) continuous months immediately prior their application for registration with the United Nations.

5.3 Fleet Summary

Provide a summary of the company's complete fleet and indicate number of aircraft, aircraft type, serial number, registration mark the company intends to offer to the United Nations. Provide all specifications for these aircraft. Specifications may include but are not limited to aircraft date of manufacture, total flight hours, engine hours, major modifications, accident history, maximum take-off mass, maximum payload, maximum landing mass, endurance, engines manufacturer, maximum speed and maximum operating altitude/ service ceiling, equipment and cabin configurations and minimum crew to operate offered aircraft.

5.4 Certificate of Incorporation or Business Certificate

Provide a certified true copy of the company's certificate of incorporation or business certificate.

5.5 Air Operator Certificate and Associated Operations Specifications (OpsSpecs)

- a) Provide a certified true copy of the Air Operator Certificate (AOC) along with associated Operations Specifications. The AOC must be in accordance with International Civil Aviation Organization (ICAO) Annex 6. When the certificate and the associated specification, authorizations, conditions and limitations are issued by the State of the Operator in a language other than English, an official and certified English translation shall be submitted.
- b) Provide Operations Specifications that identify the CAA office issuing the AOC, the name of the operator, the date of issuance and the signature of the CAA official responsible for its issuance and show the make, model and series, or master series, of the aircraft, the type of operation and the geographical areas in which operations are authorized. The OpsSpecs shall cover all aspects of the operation and include special limitations and authorizations with criteria as appropriate (ICAO Doc 8335).

5.6 Approved Maintenance Organization(s)

- a) Provide a certified true copy of the maintenance organization approval issued by the State of registry. The approval document shall contain at least the following:
 - (1) Organization's name and location;
 - (2) Date of issue and period of validity, and
 - (3) Terms of approval/ cope of maintenance
- b) If the air operator does not maintain its own maintenance organization, the applicant shall provide copies of all legal agreements with all Approved Maintenance Organization. Further the applicant shall provide a copy of each of the Approved Maintenance Organization's approval certificates the applicant holds an agreement with.

5.7 Operations Manuals

- a) Air operators shall provide a complete set of the company Operations Manual(s) in English duly approved by the applicable Civil Aviation Authority. As a minimum, the Manual(s) provided shall

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be in compliance with ICAO Doc 9376. The structure and the content of the Manual must be in accordance with Annex 6. The manual must be controlled documents. Where applicable the set of manuals shall include a Maintenance Control Manual, Maintenance Program(s) for all aircraft offered to the United Nations, Aircraft Aging Inspection and Corrosion Control Program, and the Continuing Airworthiness Program.

b) There shall be a process and associated procedures documented in the air operator's company manual(s) describing in detail fuel monitoring activities and personnel responsibilities. Further the procedures shall include instructions to all involved company personnel on how fuel monitoring actions shall be performed, recorded, checked and what fuel monitoring results to be expected.

c) There shall be processes and associated procedures documented in the air operator's company manual(s) describing in detail flight planning, mass and balance and performance activities to include personnel responsibilities. Further the procedures shall include instructions to all involved company personnel on how said procedures shall be performed, recorded, and checked.

5.8 Crew Composition

All flight crew members used for United Nations flight service operations shall be employees of the AOC holder. The air operator shall:

a) Provide for the proposed aircraft(s) the composition of minimum flight crew required as specified per company operations manual but shall not be less than authorized per type certificate of the proposed aircraft.

b) Provide the company process that demonstrates flight crew member's recency-of experience requirements are satisfied, complying with ICAO Annex 6 and UN AVSTADS including cruise relieve pilots, flight engineers and navigators as applicable.

c) Provide the company process that demonstrates flight crew scheduling prevents pairing of two inexperienced crew members taking the cockpit gradient into consideration amongst other (Crew Resource Management) CRM factors and ensures flight crew members, prior to being assigned to duty, are qualified and current.

d) Provide the company's policy that addresses pilot flight crew member duty assignments or pairings for operations when the flight crew includes at least one pilot that has attained 60 years of age.

5.9 Aircraft Lease Agreement

If applicable, air operators shall provide a copy of all related aircraft lease agreements.

5.10 Certificate of Registration

Air operators shall provide a copy of the aircraft Certificate of Registration for each aircraft offered to the United Nations.

5.11 Certificate of Airworthiness

a) Air operators shall provide a copy of the Certificate of Airworthiness for each aircraft offered to the United Nations, according to ICAO Annex 6.

b) If applicable, air operators shall provide a copy of the Airworthiness Review Certificate for each aircraft

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5.12 Quality Management System

- a) Air operators shall provide the company's Quality System, to include as a minimum the Quality Assurance Program. The Quality System provides shall encompass operations and maintenance department.
- b) Air operators shall provide a current company organizational chart.
- c) Air operators shall provide the contact details of all applicable Quality Managers and their deputies.
- d) Air operators shall provide a copy of the last Meeting Minutes of the last Management Review/ Management Evaluation performed, including as a minimum the review results.
- e) Air operators shall provide a copy of the Annual Audit Plan and Schedule of the previous year and the current year, for flight operations, crew training, ground handling services and maintenance services.
- f) Air operators shall provide a list of all outsourced services and functions, like for example maintenance providers or simulator training centers.
- g) Air operators shall provide copies of the last three (3) Audit Reports of the last three (3) first-party audits conducted.
- h) Air operators shall provide copies of the last three (3) Audit Reports of the last three (3) second-party audits conducted of outsourced services such as: Approved Maintenance Organization(s), training providers, or ground handling services providers, if applicable.

5.13 CAA Audit Report

- a) Air operators shall provide the latest flight operations assessment report conducted by the applicable Civil Aviation Authority of the State of registry.
- b) Air operators shall provide the latest maintenance assessment report conducted by the applicable Civil Aviation Authority of the State of registry.

5.14 Safety Management System

- a) Air operators shall provide a Safety Record for the last five (5) years of operation, or entire period of being in business, but not less than two (2) years, to include accident rate per 10,000 hrs and brief description of occurrences.
- b) Air operators shall provide the approved Safety Management System (SMS) according ICAO Doc 9859 including the maintenance organization and/or department as per ICAO Annex 6.
- c) Air operators shall provide a copy the company Safety Policy and Safety Goals of the current year.
- d) Air operators shall provide a copy of the last Meeting Minutes of the last Safety Committee meeting or equivalent as per company SMS to include action plans.
- e) If applicable, air operators shall provide the company's Flight Data Analysis Programme for fixed wing aircraft, as part of the accident prevention and flight safety programme (for operations of an airplane of a maximum certificated take-off mass in excess of 20.000 kg and 19 passenger seats), or

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provide a contract or other explicit agreement if the operation of a flight data analysis programme is performed by another party.

- f) Air operators shall provide a copy of the company risk register.

5.15 Emergency Response Plan (ERP)

Air operators shall provide a copy of the company Emergency Response Plan (ERP).

5.16 Emergency Transmitter Locator (ELT) Operation Process

Air operators shall provide a copy of the company Emergency Transmitter Locator (ELT) oversight and maintenance process. The process shall include as a minimum technical, operational and maintenance procedures and managerial oversight of the process and procedures ensuring operational reliability and serviceability of ELT.

5.17 Minimum Equipment List (MEL)

Air operators shall provide per aircraft offered to the United Nations its respective MEL, approved by the applicable Civil Aviation Authority.

5.18 Training

- a) Air operators shall provide details of the company's training program approved by national Civil Aviation Authority for all crew positions, including instructor pilots and check airmen.
- b) Air operators shall provide the agenda and syllabus of the Company Induction Training course.
- c) Air operators shall provide details of the company's aeronautical English training and checking process. The company must ensure that all applicable personnel demonstrate proficiency to the level 4 of the ICAO language proficiency requirement as per ICAO Annex 1.

5.19 Insurance Policies

- a) The air operator shall obtain, provide and maintain for the term from an insurance carrier acceptable to the United Nations, comprehensive insurance coverage to cover all of the air operator's liabilities. The air operators shall provide a copy of all the insurance policies listed below which will be required in the United Nations standard aircraft charter agreement:
 - i. Comprehensive third-party general aviation liability insurance, including passenger legal liability, sufficient to cover all persons and all cargo authorized by the United Nations to be transported on the aircraft, optional and replacement aircraft and protecting the United Nations and the air operator against claims for bodily injury or death and property damage up to a minimum combined single limit of fifty million United States Dollars (US\$50,000,000) per occurrence;
 - ii. War risk liability insurance, including third party liability, for a minimum amount of fifty million United States Dollars (US\$50,000,000);
 - iii. All risk hull insurance, including flight and not in flight;
 - iv. Hull war risks and allied perils insurance or its current equivalent, covering all perils excluded by war, hijacking and other perils; and
 - v. Worker's compensation insurance or the applicable equivalent.
- b) The United Nations standard aircraft charter agreement requires that the insurance policies shall:
 - i. Name the United Nations as an additional insured and contain a cross-liability clause for any liability policies;

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- ii. Provide territorial limits as “worldwide” except that in respect of hull war risk and war risk liability, the Operator shall be obliged to maintain coverage for the Operations Area;
- iii. Include a waiver of subrogation of the insurer’s rights against the United Nations;
- iv. Include an agreement by the insurer(s) that such insurance policies shall be primary, including in respect of any re-insurance, and without any right or obligation of contribution by any insurance policies that may be carried by the United Nations;
- v. Provide the United Nations with thirty (30) Day’s written notice from the insurers prior to any cancellation or change of coverage and assurance; and
- vi. Specify the registration number of each aircraft, optional and replacement aircraft, where applicable.

6 APPENDICES

6.1 Equipment – Appendix A

Fill in Appendix A as instructed on the Equipment Checklist.

6.2 Application Checklist - Appendix B

Fill in Appendix B as instructed on the Application Checklist.

6.3 Compliance Statement – Appendix C

A Compliance Statement shall be issued with each first time application, re-application, or application for an additional aircraft category and/or type(s) to be registered.

The accountable manager shall date and sign the completeness and correctness of the application.

The Compliance Statement shall be copied on official company stationary and sign it as instructed.

Compliance Statement of <name of applicant>

I, the undersigned, declare that the submitted documentation is in compliance with all applicable requirements, as identified in the United Nations flight service vendor Technical and Operational Evaluation Criteria (TOEC).

The set of controlled operations manuals provided comply with the terms and conditions of the company’s Air Operator Certificate (AOC).

The responsibility for the completeness and the correctness of this application to become a registered United Nations flight service vendor rests solely with the applicant.

END of TOEC