



AEROSPACE RECOMMENDED PRACTICE	ARP9009™	REV. A
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Aerospace Contract Clauses		

RATIONALE

Due to lack of industry support, this document has been stabilized.

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FOREWORD

To assure customer satisfaction, aerospace industry organizations must produce, and continually improve, safe, reliable products that meet or exceed customer and regulatory agency requirements. The globalization of the aerospace industry, and the resulting diversity of regional/national requirements and expectations, has complicated this objective. End-product organizations face the challenge of assuring the quality of, and integrating, product purchased from suppliers throughout the world and at all levels within the supply chain. Aerospace suppliers and processors face the challenge of delivering product to multiple customers having varying quality expectations and requirements.

This document standardizes, to the greatest extent possible, individual contract requirements for the aerospace industry. The establishment of common requirements, for use at all levels of the supply-chain, by organizations around the world, should result in improved quality and safety, and decreased costs, due to the elimination or reduction of organization-unique requirements and the resultant variation inherent in these multiple expectations.

INTRODUCTION

General:

In order to achieve the intended results in a customer-supplier relationship per clause 7.2 of ISO 9001:2000 there has to be a complete understanding of the expected outcomes in the procurement process of a product, process or service. One of the unintentional effects of multiple organizations, procuring similar items, is that different organizations view the same requirements in different ways. These differing views tend to cause variation on the part of the producer of a product, part, process or service. This recommended practice, takes many of the most common contractual requirements found in the aerospace and defense industries and reduces them to common terms that are clear and when used by procurement activities will reduce the variability on the part of producers in being able to fulfill the requirements. The clauses included in this document should be used “as presented” with very little modification. They may be used as a separate attachment to a purchase order or contract or they may be embedded in a set of standard terms and conditions of an organization’s contracts. The ‘contract clauses’ should be modified or deleted, as required, depending on the type and complexity of the procurement. There is a matrix of associations with other aerospace quality standard requirements include in this document.

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1. SCOPE:

1.1 General:

This SAE Aerospace Recommended Practice (ARP) specifies for quality requirements that are additive to a procurement document or contract, where an organization:

- a. needs to provide additional guidance for suppliers and other organizations in the delivery of products, goods and services in accordance with stated quality demands, and
- b. needs to provide information in addition or in absence of existing quality system requirements to provide the assurance of conformity to customer and applicable regulatory requirements.

NOTE: In this ARP, the term 'product' applies only to the product intended for, or required by, a customer.

1.2 Application:

This Aerospace Recommended Practice is recommended for use by all contracting organizations that externally procure products, parts and services from other organizations. All requirements of this ARP are typically generic and are intended to be applicable to all organizations, regardless of type, size and product provided.

2. NORMATIVE REFERENCE:

The following normative document contains provisions that through reference in this text, constitute provisions of this ARP. For dated references, subsequent amendments to, or revisions of, any of these publications do not apply. However, parties to agreements based on this ARP are encouraged to investigate the possibility of applying the most recent edition of the normative document indicated below. For undated references, the latest edition of the normative document referred to apply. Members of ISO (***International Organization for Standardization***) and IEC (***International Electrotechnical Commission***) maintain registers of currently valid International Standards. Society of Automotive Engineers maintain registers of currently valid Aerospace Standards.

ISO 9000:2000, Quality management systems - Fundamentals and vocabulary.

3. TERMS AND DEFINITIONS:

For the purposes of this ARP, the terms and definitions given in ISO 9000 apply.

3.1 Nonconformance:

A condition of any article, material or service in which one or more characteristics do not conform to requirements specified in the contract, drawings, specifications, or other approved product description. Includes failures, discrepancies, defects, anomalies, and malfunctions.

3.2 Rework:

Used when an article can be made to conform to drawing requirements. Detailed instructions must be included or referenced.

3.3 Repair:

Used when the nonconforming article, material or service can be corrected to a usable condition, although its condition will not be identical with drawing/specification requirements.

3.4 Shelf Life:

A predetermined period of time that a material or item retains its original characteristics and operational capacity and is further defined to encompass the Date of Expiration (DOE) and the time span from Date of Manufacture (DOM), Date of Shipment (DOS), Date of Receipt (DOR) or cure date to the installation or application date.

4. CONTRACT CLAUSES:

4.1 Quality Management System Related Contract Clauses:

4.1.1 Quality Management System Requirements:

4.1.1.1 Guidance: For organizations designing, manufacturing, and or conducting critical components, major sub-assemblies, and assemblies of aerospace products the requirements of AS9100 should be utilized.

For organizations providing simple components, standard parts, catalogue items or support services, AS9100 or ISO 9001 should be used.

For organizations providing piece parts, and/or individual items manufactured to a specification/standard, necessary provision shall be individually established to assure the quality of the product that is received.

For organizations providing maintenance, repair or overhaul of product already placed in service the requirements of AS9110 should be utilized.

For organizations that are distributors of parts or products that go into aerospace products the requirements of AS9120 should be utilized.

4.1.1.2 AS9100 Clauses: When specifying compliance to AS9100 the clause shall read either:

“The supplier shall have a quality management system that complies with Society of Automotive Engineers (SAE), AS9100 Quality Management Systems - Aerospace - Requirements. Independent certification/registration is not required.”

or

“The supplier shall have a quality management system that complies with Society of Automotive Engineers (SAE), AS9100 Quality Management Systems - Aerospace - Requirements. Independent certification/registration is required under the Aerospace Industry controlled AS9104 process.”

Organizations that obtain certification/registration to AS9100 and subsequently changes certification/registration bodies (CRB), loses its registration status, or is put on notice of losing its registration status, shall notify its customer's procuring organization(s) within three days of receiving such notice from the organization's registration body (CRB).”

4.1.1.3 ISO 9001 Clauses: When specifying compliance to ISO 9001 the clause shall read either:

“The organization shall have a quality management system that complies with International Organization for Standardization document ISO 9001 - Quality Management System Requirements. Independent certification/registration is not required.”

or

“The organization shall have a quality management system that complies with International Organization for Standardization document ISO 9001 - Quality Management System Requirements. Independent certification/registration is required under the authority of a recognized Accreditation process that is recognized by the International Accreditation Forum (IAF) requirements.

Organizations that obtain certification/registration to ISO 9001 and subsequently changes certification/registration bodies (CRB), loses its registration status, or is put on notice of losing its registration status, it shall notify its customer's procuring organization(s) within three days of receiving such notice from the organization's registration body (CRB)."

4.1.1.4 AS9110 Clauses: When specifying compliance to AS9110 the clause shall read either:

"The supplier shall have a quality management system that complies with Society of Automotive Engineers (SAE), AS9110 Quality Management Systems - Aerospace - Requirements for Maintenance Organizations. Independent certification/registration is not required."

or

"The supplier shall have a quality management system that complies with Society of Automotive Engineers (SAE), AS9110 Quality Management Systems - Aerospace - Requirements for Maintenance Organizations. Independent certification/registration is required under the Industry controlled AS9104 process."

Organizations that obtain certification/registration to AS9110 and subsequently changes certification/registration bodies (CRB), loses its registration status, or is put on notice of losing its registration status, shall notify its customer's procuring organization(s) within three days of receiving such notice from the organization's registration body (CRB)."

4.1.1.5 AS9120 Clauses: When specifying compliance to AS9120 the clause shall read either:

"The supplier shall have a quality management system that complies with Society of Automotive Engineers (SAE), AS9120 Quality Management Systems - Aerospace - Requirements for Stockists/Distributors. Independent certification/registration is not required."

or

"The supplier shall have a quality management system that complies with Society of Automotive Engineers (SAE), AS9120 Quality Management Systems - Aerospace - Requirements for Stockists/Distributors. Independent certification/registration is required under the Industry controlled AS9104 process."

Organizations that obtain certification/registration to AS9100 and subsequently changes certification/registration bodies (CRB), loses its registration status, or is put on notice of losing its registration status, shall notify its customer's procuring organization(s) within three days of receiving such notice from the organization's registration body (CRB)."

4.1.2 Calibration System:

4.1.2.1 Guidance: This clause shall be imposed to assure the organization has a compliant calibration system in place to control and validate measuring and test equipment used to assure deliverables meet prescribed customer requirements. This clause may be used as a 'stand alone' requirement or used in conjunction with ISO 9001, AS9100 or AS9110 when requirements stated therein are not sufficient.

4.1.2.2 Clause: "The supplier shall have a documented calibration system that meets the requirements of ISO 10012, 'Quality assurance requirements for measuring equipment', or the American National Standard Institute (ANSI)/National Conference of Standards Laboratories (NCSL) Z540-1, 'General Requirements for Calibration Laboratories and Measuring and Test Equipment' standards".

4.1.3 Configuration Management System:

4.1.3.1 Guidance: Configuration management should be specified to the extent appropriate for the product and/or service being contracted. The main criterion is to select those items whose performance parameters and physical characteristics can be separately managed to achieve the overall end use performance of the item. Other selection criteria, which should be applied, are:

- Criticality in terms of high risks, safety, mission success, etc.;
- New or modified technology, design or development;
- Interfaces with other items;
- Procurement conditions;
- Logistic and maintenance aspects.

For products and services involving detailed configuration control requirements the contract should specify implementation of a fully developed configuration management system, reference ISO 10007 as guidance.

For products and service that involve software, configuration management requirements for software shall also be identified. This clause may be by itself or used in conjunction with ISO 9001 or AS9100 when those requirements are not sufficient. This clause invokes and details the requirement of AS9100 clause 4.3.

4.1.3.2 Clause: "Supplier shall be responsible for controlling/tracking changes to parts and components manufactured to ensure that the end product meets specified functional and physical requirements of the contract. This includes any part or component manufactured to customers' or vendors' drawings, specifications, or special process procedures. The organization and the customer shall document agreements as to the extent of customer involvement in configuration management to be applied to this contract/purchase order. At a minimum, with each shipment, organization shall submit "configuration documents", which define the requirements, designs, build/production and verification for a configuration controlled item. This record shall be signed and dated by an official of the organization's Quality department, and in addition to the aforementioned required information, shall include the following minimum requirements:

- Organization's Contract/Purchase Order number
- Line item number (if applicable)
- Part number (of deliverable item and all traceable/repairable sub-tiered parts)
- Serial number (Traceability as required per contract/purchase order)
- Lot number (Traceability as required per contract/purchase order)
- Drawing number (for Drawings related to deliverable item and all traceable/repairable sub-tiered parts)
- Revision level (baseline configuration of drawing to which hardware was built)
- Engineering order(s) (or equivalent drawing changes as applicable)
- Customer approved deviations and waivers (as applicable)"

4.1.3.3 Deliverable submittal: Configuration Management Plan