KANDAHAR AIRFIELD
HEADQUARTERS
AFGHANISTAN

QUARTIER GÉNÉRAL
DU
COMMANDEMENT
AIR KANDAHAR
AFGHANISTAN

SUPPORT GROUP

STANDARD OPERATING PROCEDURE 400

COMKAF CONTRACTOR REGISTRATION POLICY AT KANDAHAR AIRFIELD				
Originator:	COMKAF CCO	Issue Date: Jun 12	Review due:	May 13
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REFERENCES:

A. COMKAF Tenants' Charter.
B. COMKAF SOP 379 – Kandahar Airfield Access Policy.
C. COMKAF SOP 405 – Land Allocation and Construction Planning Approval Process.
D. Contractor Management Group (CMG) Charter.
E. COMKAF SOP 488 – Kandahar Airfield Non-Tactical Vehicle Registration
F. COMKAF SOP 115 – Attitude and Discipline Applicable at Kandahar Airfield

PURPOSE

1 The purpose of this document is to provide clear and concise guidance for Contractor Registration Procedures on Kandahar Airfield (KAF). It outlines the process and procedures for obtaining sponsorship and COMKAF Registration which will allow contractors to legitimately operate on KAF.

APPLICABILITY

2. This SOP is applicable to all contractors/companies operating on KAF, regardless of whether they are prime or sub-contractors, or doing work for NATO/ISAF or a troop contributing nation, including Local National (LN) contractors.

3. In order to operate on KAF, a company must have valid COMKAF Registration, as evidenced by a COMKAF Certificate of Registration (CR). Proof of COMKAF Registration shall be required for various functions on KAF, to include but not limited to badging (consistent with

Reference B), the allocation of real estate (consistent with Reference C), and vehicle registration (consistent with Reference E). COMKAF, sponsoring entities, and other agencies may, at their discretion, further require from a contractor proof of COMKAF Registration prior to the provision of any services or entitlements.

RESPONSIBILITY

4. In order to maintain KAF security, safety, accountability and effective management of Real Life Support (RLS), all personnel and equipment operating on KAF are to be recorded and accounted for. It is the responsibility of all personnel, military and civilian, to enforce this policy and report any violations. It is the responsibility of all personnel in leadership positions on KAF to ensure their National Support Elements (NSEs), home-station unit/company headquarters, etc. know, educate, and keep informed of changes to KAF Contractor Registration requirements and policies.

5. The COMKAF Contractor Administration Cell (CAC), part of COMKAF HQ, shall administer the COMKAF contractor registration process, pursuant to the guidance herein.

SPONSORSHIP

6. All contractors who operate on KAF require sponsorship, and such sponsorship must be established before a CR will be issued. The following entities or agencies may provide sponsorship to KAF contractors and sub-contractors, provided the contractors are doing business for a party represented by the sponsor (either on behalf of NATO/ISAF or a troop contributing nation to the NATO/ISAF mission):

a. **Stakeholder nations**. France, the United Kingdom, and the United States are presently the national stakeholders on KAF and sponsor contractors through their National Support Element. They represent and sponsor on behalf of their troop contributing nations or other mission participating nations.

b. **NATO entities**. This includes COMKAF HQ (including CJ1 Services or MWAC and CJ8 contractors), JFCB, NAMSA and NC3A.

7. Sponsorship and COMKAF Registration will be for the period identified in the contract, plus up to thirty (30) days for demobilisation at the request of the sponsor; no period of registration will exceed one (1) year. This means if a contact is valid for a period longer than one (1) year then the sponsorship and COMKAF Registration must be renewed annually.

8. Prior to granting sponsorship, a sponsoring entity must ensure and certify in writing that the contract company is needed on KAF for the execution of the mission. This includes due diligence to ensure that, at a minimum:

a. The company actually holds a contract to do work in support of the NATO/ISAF or troop contributing national mission on KAF or other specifically approved missions in Afghanistan.

b. The work to be done under the contract is lawful under the guidance applicable to the sponsoring entity;

c. The company is in good standing with the relevant contracting and law enforcement agencies within the sponsoring entity's purview.

9. The COMKAF recognises two types of sponsorship: Full Sponsorship and Oversight Sponsorship. The type of sponsorship shall be noted on the sponsor's request for registration on behalf of the contractor.

a. **Full Sponsorship**. Full Sponsorship is granted to a contracting company when the company is entitled for all life sustaining services from the sponsor, as laid down in the contract such as medical support, billeting, laundry, meals, drinking water, fuel etc.

b. **Oversight Sponsorship**. Oversight Sponsorship may be granted to a contracting company when it has no entitlement to life sustaining services such as medical support, billeting, laundry, meals, water, fuel, etc. through the sponsor directly. Oversight Sponsorship means that the sponsor must confirm that a contractor is self-sufficient to run its business effectively on KAF, or has other specific mechanisms in place to do so. Further, the sponsor confirms that it will provide oversight of the contractor to ensure the contractor is providing relevant life sustaining services to its employees and/or subcontractors. The basic checklist for sponsors (non-exhaustive) prior to submitting a contractor for Oversight Sponsorship, in terms of Real Life Support (RLS) is as follows:

(1) Company being sponsored has provided evidence of a viable provision of health care for its employees, including minor care, emergency treatment, and repatriation procedures.

(2) Evidence of provision of food (own kitchen or contracted use of Dining Facilities (DFACs)), drinking water, rubbish clearance, etc. If the company has arrangement of its own kitchen and dining facilities, they have been or will be approved by the IPB process and meet KAF or NSE food safety, fire safety and hygiene standards.

(3) Evidence of a suitable and safe accommodation and sanitation facilities for its employees. Evidence of washing and laundry arrangements, including accommodation and kitchen/dining and cleaning schedules.

(4) Evidence of viable fuel supply or source for day to day activities.

(5) Provision of basic Health, Safety, Fire and Environment (NATO/ISAF standards) and Risk Assessment to the work related activities. This includes a provision of Personal Protecting Equipment (PPE) to its employees.

10. **Revocation of sponsorship**. Sponsoring agencies or COMKAF reserve their right to revoke sponsorship of a contractor for any reason at any time. Should a sponsor wish to revoke sponsorship of a contractor, it should immediately notify the CAC. This will cause the termination of the CR, and the company will no longer be authorised to operate, possess land, or have employees badged on KAF. As this will require an expeditious departure from KAF, the sponsor should include with its notice of sponsorship termination, its plan to affect demobilisation of the contractor. The sponsoring agency remains responsible for the contractor until it either departs KAF or is registered under the sponsorship of another entity. In addition, a contractor remains responsible for ensuring the demobilisation of its subcontractors.

COMKAF CONTRACTOR REGISTRATION PROCEDURE

11. All companies, including sub-contractors, operating on KAF must be registered with the COMKAF CAC. Registration is demonstrated by possession of the COMKAF Certificate of Registration (CR), issued by the CAC. The CR is to be displayed or readily available in the main office of a company on KAF. Additionally, the CR is required to be presented during the following processes:

a. Personnel Badge application.

b. Land application.

c. Vehicle registration and fuel card application.

d. Other resources application as required by respective authorities.

12. **Initial Registration**. Company personnel establishing operations on KAF will be provided a visitor's badge at the point of entry upon arrival at KAF, or by other procedures described in Reference B. New companies arriving at KAF will be required to complete sponsorship processing with their sponsoring entity and COMKAF registration within seven (7) days of arrival.

13. **Steps for COMKAF Registration**. The steps for registration are as follows:

a. **Contractor's initial action**. Contractors requiring COMKAF Registration are to contact their sponsoring entity (or prime contractor for sub-contractors) and supply information and documentation as required by the sponsoring entity and COMKAF. Such information could be a Letter of Authorisation (LOA), contract documents, Registration Application Form with personnel and vehicle details and proof of the provision of Real Life Support (RLS). See paragraphs 8 and 9 above for further details.

b. **Sponsoring entity action**. Upon receipt of required information and proof documents from a contractor, a sponsoring entity conducts its validation. Note, should a subcontractor request sponsorship, it is recommended that the sponsoring entity require confirmation and proof of required information from the prime contractor. Once satisfied, the sponsoring entity produces a letter of sponsorship for the contractor. On behalf of the contractor, the sponsoring entity will then submit a registration application to CAC through email with the sponsorship letter and a completed Registration Spreadsheet (generated by CAC) as attachments. As a minimum a sponsorship letter must contain the following information:

(1) Sponsoring entity details, to include Point of Contact (POC).

(2) A valid contract number.

(3) Requested registration period.

(4) Prime/sub-contractor details.

(5) Declaration of whether it is a Full or Oversight Sponsorship.

(6) Phone and email of the Company Head of Management on KAF, as well as any other desired POCs.

c. **CAC action**. Upon receipt of a request from the sponsoring entity, CAC assesses the provided information, checks any locally maintained files on the company for derogatory information, and checks the ISAF vendor vetting list for the contractor. If there are no impediments to registration, the CAC enters the contractor's information in its database and produces a valid COMKAF CR for the contractor. The COMKAF CR includes the following information:

(1) Company Name – as provided in the sponsorship letter.

(2) Sponsor Nation.

(3) Registration Number.

(4) Contract Number.

(5) Registration Certificate Issue Date.

(6) Registration Certificate Expiry Date (to include up to 30 additional days for demobilisation, if requested by sponsor and approved by CAC).

(7) Signature block of the CAC representative.

(8) Signature block of the contractor, certifying review of and adherence to:

(a) The COMKAF Tenants' Charter;

(b) COMKAF SOPs 115 and 379 regarding personal standards of behaviour and badging;

(c) COMKAF SOPs 388 and 488 regarding NTV driving and registration; and

(d) COMKAF SOP 405, regarding land use and allocation.

d. The CAC official signs to finalise the document, then notifies the sponsoring entity that the CR is available for retrieval at the CAC. The sponsoring entity collects two (2) copies of the CR and notifies the contractor for collection. The contractor signs both copies of the COMKAF CR, certifying the matters listed above. The contractor is given a copy of the original CR by the sponsoring entity and the second original copy is handed back to CAC for its record. The sponsoring entity should also maintain a hard copy of the COMKAF CR for its own record.

14. **Renewal of Registration**. The renewal process follows the same procedures as outlined above. Registration renewal procedures need to be started at least one (1) month prior to the COMKAF CR expiry date. The expiry date in the COMKAF CR already includes any time allowed for demobilisation in case a company departs KAF at the end of its operation.

The expiry date on the COMKAF CR is the last day for that company and its personnel to be on KAF legitimately.

CONTRACTOR SANCTION AND DEREGISTRATION

15. **Revocation of COMKAF Registration**. COMKAF, NSEs, or other sponsoring entities reserve their rights to revoke sponsorship and/or COMKAF registration if a company is determined to be in non-compliance with the COMKAF Tenants' Charter, relevant SOPs, policies that are published for the contractors by the COMKAF, stakeholder nations and NAMSA, or other relevant guidance.

16. **Letters of Censure and Reprimand**. Letters of Censure and Reprimand formally document misconduct committed by contractors and provide the accused contractor with both notice and an opportunity to be heard on the matter(s) at issue. A Letter of Censure is a statement of condemnation and disapproval of the action or inaction of a contractor. A Letter of Reprimand is also a condemnation or disapproval, though more severe than a Censure.

a. Letters shall be signed by DCOM SPT. The Letter shall be provided to the sponsoring entity, the relevant contracting agency (or any other party with control over funds disbursement to the contractor), the prime contractor in the case of a sub-contractor Letter, and any other relevant parties.

b. The contractor will be allowed no less than three (3) calendar days to respond. Any response the contractor wishes to provide will become part of the proceedings and will be maintained with the Letter. The Letter originator will review the response to determine whether to discard or maintain the Letter. Letters should only be discarded in the event of a fundamental change in facts or other substantial injustice in maintaining the Letter. Remediation of an immediate problem or promises of future compliance should not typically warrant discarding the Letter.

c. If not discarded, the Letter and response shall be maintained indefinitely by the CAC in the files of the relevant contractor. The Letter shall be reviewed upon any request for renewal of registration of the contractor, or at any other time warranting investigation into the contractor's capacity to operate within the rules of KAF.

17. **Debarment and Deregistration**. Debarment and deregistration may result from failure of a contractor or its individual employees to follow the COMKAF Tenants Charter or other SOPs and guidance applicable to COMKAF, IJC, ISAF, NATO, or the sponsoring entity. Debarment of individuals from theatre is discussed in COMKAF SOP 379 and Reference A. Deregistration of a contractor means the COMKAF Certificate of Registration is revoked and the contractor is no longer authorised to operate on KAF. All privileges associated with possession of a CR (to include land allocation and badging) will automatically be revoked as well.

18. Generally, the CAC initiates the process, seeks guidance and review from Deputy Commander for Support (DCOM Spt), notifies the contractor of the matter, and then presents the deregistration proposal to Deputy COMKAF (DCOMKAF) for the decision. The CAC and decision makers should consult LEGAD throughout the process as needed. The contractor may appeal the decision to COMKAF, whose decision is final. There is no fixed criteria for deregistration, and all determinations are made using a preponderance of the evidence standard; decisions shall not be arbitrary or capricious. Decision makers shall review all

evidence reasonably available, to include that submitted by the contractor and sponsoring entity. The detailed process for deregistration is set forth below.

a. When any party receives information of misconduct by a contractor, it should be reported to the CAC. CAC maintains complaint and misconduct databases for contractors, as well as files for derogatory information such as Letters of Censure and Reprimand. When the misconduct reaches a critical mass (determined on a case-by-case basis), CAC shall recommend to DCOM Spt that a company be deregistered and will provide relevant facts/evidence.

b. DCOM Spt will assess the propriety of deregistration of a company based on a qualitative assessment of the contractor's track record, capacity for future adherence to the regulations on KAF, and overall value to the mission. Deregistration may be appropriate for a contractor with a long track record of minor misconduct; it may be equally appropriate for a contractor with one instance of major misconduct. DCOM Spt will specifically consider the following matters:

(1) Is the contractor responsible for the misconduct alleged?

(2) Is deregistration appropriate based on the findings of misconduct for which the contractor is responsible, considering the needs of the mission and the safety, security, and good order and discipline of KAF?

c. If DCOM Spt determines that a contractor should be deregistered, he will coordinate with CAC to produce a Notice of Deregistration letter to the contractor, to be served on the listed POC and the sponsoring entity. This letter will provide notice and an opportunity for the contractor to be heard on the matter of deregistration, satisfying general requirements of due process. The Notice shall, at a minimum:

(1) State the nature of the misconduct (acts or omissions) upon which the proposed deregistration is based.

(2) State that based on this misconduct, DCOM Spt has recommended to DCOMKAF that the contractor be deregistered, and that this will result in revocation of any land allocations and incapacity to operate on KAF; it will specifically require imminent demobilising from KAF, to include removal of all property and non-Afghan employees from KAF.

(3) Note that there is no right to a formal hearing or personal meeting with DCOM Spt or DCOMKAF.

(4) Provide at least five (5) calendar days to respond.

(5) Note that any response will be considered by DCOMKAF in making his decision on deregistration.

(6) Require acknowledgement of date and time of service. Should a contractor refuse to acknowledge service, CAC shall create a brief memorandum to note the date and time the Notice was served.

d. Once the contractor has responded, or after the allotted response time has elapsed, the Notice of Deregistration, any response, the evidence upon which the recommendation for deregistration was based, and any other relevant information shall be provided to DCOMKAF. DCOMKAF will decide whether to deregister the company based on the questions in paragraph 18b, considering a totality of the evidence. Once DCOMKAF's decision is made, the contractor shall be notified with a letter. The letter shall include the appellate rights below.

e. **Appeal**. Should a contractor dispute the deregistration determination made by DCOMKAF, it may appeal the decision to COMKAF in writing through the CAC. The appeal must be endorsed by both the sponsoring entity and the contracting agency responsible for the presence of the contractor on KAF. Appeals without such endorsements will not be accepted. COMKAF shall review the relevant evidence and submissions provided by the contractor and its sponsors. COMKAF will consider the matters in paragraph 18b above and shall make a final decision based on the preponderance of the evidence. COMKAF's decision is final - there is no higher appeal. CAC shall notify the contractor of COMKAF's final decision.

CONTRACTORS DEMOBILISATION PROCEDURE

18. Contractor demobilisation procedures are important to ensure the accountability, safety and security of KAF. All contractors completing their contracts/projects must go through an orderly demobilisation procedure. The following are the steps for a contractor demobilisation procedure:

a. Inform the Sponsoring entity of its intention of departing KAF as early as reasonably possible.

b. Ensure all stores and equipment belonging to company have been removed, exhausted, or otherwise legally disposed of. Ensure land allocations are handed over to appropriate authorities through the sponsor in acceptable manner and state. Ensure all outstanding debts are cleared; this includes payment to sub-contractors, co-contractors and employees.

c. Ensure all employees depart KAF unless otherwise formally permitted to stay (with proper badges). Book exit interviews for all personnel departing from KAF (this includes TCN, ISAF/NATO) through RONCO. Go through the RONCO Exit Interviews and handover all badges to the appropriate authorities as directed in Reference B.

d. Ensure all subcontractors have either departed KAF or otherwise have a valid contract and sponsorship through another prime contractor, who assumes the responsibility for any eventual demobilisation of said subcontractor.

e. Finally report to the sponsoring entity with the final date of departure of the last person from KAF. The sponsor will notify CAC of the departed contractor/company.

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