

**Army Regulation 415-14  
AFR 85-4  
BUDOCKSINST 4335.2A**

**Civil Engineering—General**

# **IMPLEMENTING GUARANTEES OF EQUIPMENT INSTALLED IN THE AIR FORCE CONSTRUCTION**

**Headquarters  
Departments of the Army, Department of  
the Air Force Department of the Navy  
Washington, DC  
30 October 63**

**Unclassified**

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# ***SUMMARY of CHANGE***

AR 415-14/AFR 85-4/BUDOCKSINST 4335.2A

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Effective 30 November 63

Civil Engineering—General

## IMPLEMENTING GUARANTEES OF EQUIPMENT INSTALLED IN THE AIR FORCE CONSTRUCTION

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BY ORDER OF THE SECRETARIES OF THE AIR FORCE, THE ARMY, AND THE NAVY

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</title> **History.** This regulation establishes responsibilities for implementing guarantees of equipment installed in Air Force Facilities. It establishes a uniform procedure for repairing and/or replacing defective equipment installed by a construction contractor and covered by a guarantee in a construction contract.

**Summary.** Not applicable.

**Applicability.** It applies to all construction agencies of the Department of Defense (DOD) and to all Air Force organizations, but only to equipment, covered by a guarantee, that is installed by a construction contractor in Air Force Facilities constructed

under authority of a Military Construction Authorization Act of Congress. These provisions will be used as a guide, as applicable, for equipment installed in Air Force facilities under programs other than those specified above.

**Proponent and exception authority.** Not applicable.

**Army management control process.** Not applicable.

**Supplementation.** Not applicable.

**Interim changes.** Not applicable.

**Suggested Improvements.** Not applicable.

**Distribution.** Active Army and NG: To be distributed in accordance with DA Form 12-9 requirements for DA Regulations-Logistics responsibilities, Functions, and Procedures— Engineer-D.

Air Force: B

USAR: None.

Navy: SNDL N1, N2, N6.

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\*This regulation supersedes AFR 85-4/AR415-14/BUDOCKSINST 4335.2, 13 February 1959.

**RESERVED**

## 1. Responsibilities.

The DOD military departments have agreed that:

a. When a completed facility is transferred to the appropriate Air Force installation, the construction agency will include in, or as a part of, the transfer letter and/or transfer documents:

(1) The contract number and a list of all items of equipment, properly identified, that are covered by a guarantee period under the terms and conditions of the contract.

(2) A copy of the guarantee documents.

(3) The dates during which the guarantee is in effect.

(4) The name of the prime contractor and his complete address and telephone number; and the names, address, and telephone numbers of all subcontractors and/or equipment suppliers or manufacturers specifically designated in writing by the prime contractor for direct contract.

(5) A copy of a letter from the contracting officer to the prime contractor informing the contractor that the appropriate Air Force installation commander will represent the Government in implementing the guarantee clauses.

b. The Air Force will be primarily responsible after transfer, for implementing the guarantee. However, the appropriate construction agency, upon request, will consult with Air Force representatives and assist them in determining the nature and extent of deficiencies and, when appropriate, will join in the demands for correction.

c. The installation commander, after transfer of equipment, will:

(1) Insure that his personnel operate, service, and perform preventive maintenance in strict accordance with the manufacturer's maintenance and operating instructions and keep appropriate records of accomplishments thereof.

(2) Immediately examine equipment that fails, to determine the cause of failure if necessary in determining this, he may request technical assistance from the construction agency as indicated in b above. Air Force personnel will not dismantle the equipment, nor attempt to make repairs, except as otherwise provided herein. Such action may void the guarantee. If the equipment must be dismantled to determine the cause of failure, the contractor will be requested to have his representative investigate the failure. The contractor's representative will have the equipment dismantled in accordance with AFPI 3-652. All labor and material needed for repair will be itemized so that payment can be made, if the deficiency is determined as not covered by the guarantee. This work be done in the presence of technically qualified Air Force witnesses.

(3) In isolated areas where it is impossible to comply with (2) above and when it is essential that Air Force personnel make immediate repairs to prevent serious interruption of functional activities, they will proceed in the following order of priority:

(a) Remove the equipment as a unit and replace it with a spare, or

(b) Repair it, using available or obtainable spare parts.

(c) Make a full report of the failure, in accordance with AFR 88-10.

d. When it is determined, after investigation and inspection that the defect is not properly covered under the guarantee/warranty, the equipment will be repaired and the procurement action completed in accordance with AFPI 3-652.

e. If the equipment failure is found to be the direct result of faulty materials and/or workmanship, the installation commander (or his authorized representative) will immediately obtain an agreement from the contractor to complete the repairs or replace the faulty equipment within the time required, at no cost to the Government. He will then confirm this in writing to the contractor.

(1) If the installation commander fails to reach the above agreement with the contractor, he will request appropriate assistance from the construction agency's representative as indicated in b above.

(2) If the combined efforts of the installation commander and the construction agency still fail to obtain the above agreement with the contractor, the installation commander will forward the case in accordance with AFR 88-10.

(3) If the installation commander (or his authorized representative) decides it is necessary to repair and/or replace defective equipment to prevent serious interruption of functional activities, owing

to the contractor's failure to agree that the deficiency exists under the terms of the equipment guarantee, he will expeditiously request the construction agency to act immediately under the terms of the contract and direct the contractor to accomplish the work required.

(4) If the construction agency does not uphold the installation commander's decision in paragraph (3) above, it will inform the installation commander so he may proceed as in d above.

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