



## DEPARTMENT OF THE NAVY

NAVAL SERVICE TRAINING COMMAND  
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GREAT LAKES, ILLINOIS 60088-2845

NSTCINST 4000.1

N4

15 May 14

### NSTC INSTRUCTION 4000.1

Subj: NAVAL SERVICE TRAINING COMMAND (NSTC) SUPPORT AGREEMENT (SA) PROGRAM

Ref: (a) DoDI 4000.19  
(b) OPNAVINST 4000.84B  
(c) DoD Financial Management Regulation (FMR), Volume 11A, Chapters 1 and 3 and Volume 3, Chapter 8  
(d) DFARS Part 237  
(e) NETCINST 4000.1A

Encl: (1) Support Agreement Flow Chart

1. Purpose. This instruction implements policy and provides guidance for managing Support Agreements (SAs) throughout Naval Service Training Command (NSTC) in accordance with references (a) through (e). Additional information is provided in enclosure (1).

2. References. Reference (a) implements overall Department of Defense (DoD) policy and defines responsibilities and procedures for interservice and intragovernmental support. Reference (b) provides Department of the Navy (DoN) policy for interservice and intragovernmental support under the guidelines of reference (a). Reference (c) provides DoD guidance on Support Agreement procedures. Reference (d) provides Educational Support Agreement (ESA) guidance. Reference (e) is the Naval Education and Training Command instruction governing Interservice and Intragovernmental Support Agreements, Memoranda of Agreement, and Memoranda of Understanding.

3. Scope. This instruction governs the use of SAs to include Interservice Support Agreements (ISSAs), Intragovernmental Support Agreements (IGSAs), Educational Support Agreements (ESAs), Memoranda of Agreements (MOAs), and Memoranda of Understandings (MOUs) for services provided to or by NSTC which includes Officer Development (OD), Citizenship Development (CD), Recruit Training Command (RTC), Officer Training Command Newport (OTCN), and all Naval Reserve Officers' Training Corps (NROTC) units.

#### 4. Background

a. DoD and DoN policy is to eliminate redundant requirements and funding in order to achieve increased economies and

effectiveness by cooperating with other DoD components and Federal agencies requiring support. SAs shall only be developed when one activity can provide support to another activity without jeopardizing the assigned mission of either organization.

b. Congress passed the Economy Act in 1932 to obtain economies of scale and eliminate overlapping activities of the Federal government. Within the DoN, an activity may place an order with another activity within the DoN, another DoD Component, or with another Federal agency for goods or services, as mentioned in references (a) and (c).

## 5. Definition.

a. An SA is a document that formally binds and outlines an arrangement between two or more organizations to provide recurring support and/or services. The SA must clearly state the accord that has been reached between the activities involved and document the responsibilities assumed by each. The organization that is providing the support service is referred to as the Supplier, Supporting Activity, or Host. The organization that is receiving support services from a Supplier is referred to as the Receiver, Receiving Activity, or Tenant.

b. SAs are either reimbursable or non-reimbursable. Reimbursable agreements must be documented on a DD 1144 that defines the support, basis for reimbursement for each category of support, the billing and payment process, and specific terms and conditions of the agreement. The following are the types of SAs that are utilized by NSTC:

(1) Interservice Support Agreement or Intra-Agency Support Agreements (ISSAs). ISSAs are SAs between two or more DoD activities. DoD activities shall render requested support to other DoD activities when the head of the requesting activity determines that it would be in the best interest of the U.S. Government and the head of the servicing activity determines that capabilities exist to render the support without jeopardizing assigned missions.

(2) Intragovernmental Support Agreement (IGSAs). IGSAs are SAs between a DoD activity and a non-DoD Federal activity. DoD activities may enter into support agreements with non-DoD Federal activities when the head of the major organizational unit ordering the support determines that funding is available to pay for the support, it is in the best interests of the United States Government, the supplying activity is able to provide the support, the support cannot be provided as conveniently or economically by a commercial enterprise, and it does not conflict with any other agency's authority.

(3) Educational Service Agreements (ESAs). SAs for educational services provided by a college or university to Government personnel at the school's institution. The government shall pay for services under the school's normal schedule of tuition and fees applicable to the public and in effect at the time the services are performed. ESAs are drafted by the NSTC Office of General Counsel (OGC) with review by the N3 and N8 Departments in accordance with the Defense Federal Acquisition Regulation Supplement (DFARS), Commander, Naval Service Training Command (CNSTC) and OD direction based on pre-agreement discussions with the school. Specific ESA guidance is covered in DFARS Part 237, Sub Part 237.72.

(4) Memoranda of Agreement (MOAs). MOAs are agreements that define general areas of conditional agreement between two or more parties, what one party does depends on what the other party does e.g., one party agrees to provide support if the other party provides the materials.

(5) Memoranda of Understanding (MOUs). MOUs are agreements that define general areas of understanding between two or more parties by explaining what each party plans to do; however, what each party does is not dependent on what the other party does.

## 6. Policy

a. NSTC policy is to seek increased economies and effectiveness by developing support arrangements with other Navy Activities, DoD components, Federal Agencies, and other entities.

b. NSTC N4 Program Manager (PM) and Support Agreement Manager (SAM) are responsible for managing the Support Agreement Program (SAP). All draft SAs must be forwarded to the PM, SAM, OGC, and appropriate Naval Education and Training Command (NETC) code, per reference (e), prior to becoming final. The SAM will ensure that all SAs are reviewed on a yearly basis.

c. All reimbursable SAs must be documented on a DD Form 1144 (Support Agreement Form) if the agreement includes any recurring reimbursable expenses or is directed by specific Federal activity/program policy.

(1) The DD Form 1144 identifies the agreement's parties (Supplier and Receiver), term, support to be provided, the basis for calculating reimbursement for each category of support, an estimate of projected reimbursements and terms for reimbursement.

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(2) NSTC will reimburse for support services after the support service is received. However, the support or service may be funded by direct cite when a contract is negotiated solely on behalf of NSTC or is arranged through prior agreement with the supplier.

(3) Although the costs listed on the DD Form 1144 are estimates, the supplier may not exceed those amounts provided on the funding documents unless prior approval is received from the funds control officer.

(4) All DD Form 1144s must include the following availability of funds statement: "The Government's obligation under this contract is contingent upon the availability of appropriated funds from which payment for contract purposes can be made. No legal liability on the part of the Government for any payment may arise until funds are made available to the Contracting Officer for this contract and until the Contractor receives notice of such availability, to be confirmed in writing by the Contracting Officer."

d. Agreements will not be used to document the transfer of responsibility for a function, mission, or manpower from or to an NSTC activity. Reimbursement for recurring support provided by supplier dedicated work years and end-strengths will be accomplished through support agreements.

e. Agreements for OTCN, RTC, and NROTC units will be negotiated at the local level and can only be signed by the Commanding Officer. Agreements for OD, CD, and NSTC in Great Lakes will be signed by NSTC Chief of Staff (CoS).

## 7. Responsibilities:

a. Program Manager (PM). The PM has overall responsibility for the effective management of the SAP and is responsible for ensuring that the following program objectives are achieved:

(1) Provides CNSTC with the means of improving and maximizing operations through economical exchanges between DoD components and other Federal agencies and promotes efficient resource sharing;

(2) Reduces defense costs and offsets the impact of downsizing through command SAs that eliminate duplicate support services;

(3) Negotiates and resolves issues that cannot be handled at the SAM level;

(4) Reviews all SAs prior to OGC approval;

(5) Selects a SAM within the N4 Department, designated by the CoS, to implement policies and procedures for the SAP;

(6) Conducts assist visits to units to promote compliance with the SAP; and

(7) Ensures appropriate billing activities are accomplished, reviews support agreements to validate financial information, and determines funding responsibilities identified in support agreements. Ensures that applicable job orders are established in order to recover funds expended in providing such services.

(8) In accordance with reference (e), forward all draft agreements through NSTC N4 to NETC for review.

b. Support Agreement Manager (SAM):

(1) Is responsible for the coordination and presentation of all SAs;

(2) Serves as the single point of contact for NSTC and reviews all requests for support, determines appropriate action required, submits the requests to the functional managers, and develops a milestone plan for the negotiation process;

(3) Works with functional task managers, assists with developing a draft support agreement that includes specific provisions relating to the support requested, total staffing requirements, and funding obligations associated with the requested support;

(4) Initiates negotiations for any functional areas or specific provisions not acceptable to the Supplier or Receiver. Any differences that cannot be resolved at the local level are elevated to the PM and the appropriate chain of command;

(5) Incorporates comments from the Receivers, Suppliers, OGC, and the PM and prepares the final support agreement with all attachments and submits to the PM for final review of financial data, the receiving activity for final review and signature, and finally, the supplier's approval authority for signature;

(6) Provides a copy of the completed support agreement to the Receiver and/or Supplier, OGC, the Budget Analyst responsible for providing support (if it is a reimbursable agreement), and, per reference (e), the appropriate NETC codes;

(7) Maintains all files, records, and instructions necessary to assure all support agreements involving NSTC are properly prepared, signed, distributed, and reported under the guidelines established by reference (a). Ensures that all SAs are reviewed annually;

(8) Provides assistance and training to NSTC personnel and other entities requiring a SA;

(9) Briefs the CoS annually on the current status of the SAP;

(10) Assists in the negotiation of SAs; and

(11) Assists the PM in the oversight of the SAP.

c. Supplier and Receiver:

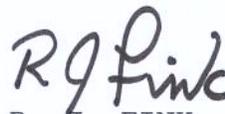
(1) Notifies the SAM and PM of any recurring support that does not have a formal written agreement. Submits by email, the name and complete address of the activity being supported, support services provided, and reimbursable costs arising from the provision of the support (maintenance, facilities, telecommunications, security, labor, material, utility costs, etc.);

(2) Drafts a SA if a determination has been made that the recurring support requires an agreement;

(3) Reviews and negotiates the draft support agreement to determine the capability necessary to provide the requested support, the impact on the mission, the costs and resources to provide the support, and the most current applicable directive;

(4) After an agreement has been reached regarding the terms, updates the draft SA and forwards it via email to the SAM and PM for review; and

(5) Performs no support services for any activities without a current agreement (approved by the PM) or funding document. Verification of funding documents should be obtained by contacting the NSTC N8 Budget Office.

  
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Acting

