

**NATIONAL SECURITY SPACE LAUNCH (NSSL)
PHASE 3 LANE 2 LAUNCH SERVICE PROCUREMENT
FA8811-23-R-0002**

**ATTACHMENT 5
ACCEPTANCE CRITERIA**

dRFP #2: 13 July 2023

**United States Space Force
Space Systems Command (SSC)
Assured Access to Space (AATS)
Los Angeles Space Force Base, California**

1 INTRODUCTION

This attachment defines the acceptance criteria for the following CLINs: 0001, 0002, 0003, and 0004. The acceptance criteria for CLINs 2000 (Series) and 3000 (Series) will be defined per applicable task order. CLIN 5000 (Series) is covered by Attachment 9.

2 ORGANIZATIONAL RESPONSIBILITIES

2.1 The Program Manager, National Security Space Launch (NSSL):

The NSSL Program Manager will consider the contractor's reports and other pertinent data to determine if the contractor has met the acceptance criteria as outlined in the acceptance criteria.

2.2 Procuring Contracting Officer (PCO):

The PCO is the liaison between contractor and Government personnel and executes the acceptance criteria. The PCO reviews and implements the NSSL Program Manager's acceptance criteria determination.

2.3 Contracting Officer Representative (COR):

The COR is an individual designated by the PCO and authorized to perform specific technical or administrative functions.

3 ACCEPTANCE CRITERIA FOR CLINS 0001, 0002, 0003, AND 0004

3.1 CLIN 0001, Launch Service, CLINs 0002 and 0003, Mission Unique Services, CLIN 0004, Mission Acceleration

CLINs 0001, 0002, 0003 and 0004 are interrelated and acceptance occurs concurrently as described in the following process.

3.1.1 NSSL Program Manager Determination

Within 30 days of the Government Post Flight Review, the NSSL Program Manager will use the data specified in this paragraph 3.1.2, Data Reliance, and the criteria in paragraph 3.1.3, Launch Service Acceptance Criteria, to provide the PCO with a Launch Service mission acceptance determination. For a National Reconnaissance Office (NRO) missions, the NSSL Program Manager will consult with the NRO/OSL Director prior to making a mission acceptance determination. The PCO will notify the Launch Vehicle (LV) Contractor (referred to as "Contractor") in writing whether a mission launched has been either accepted with full payment or accepted with partial payment by the Government. In the event the Contractor does not concur with the PCO's written decision; it shall be considered a dispute within the meaning of the clause Federal Acquisition Regulation (FAR) 52.233-1, "Disputes – Alternate 1" as included by reference in clause FAR 52.212-4(d).

3.1.2 Data Reliance

Launch Service acceptance will be determined using but not limited to the following data:

- a. Orbital parameter accuracy elements determined from launch vehicle guidance data provided by the Contractor.
- b. Launch vehicle data indicating payload separation provided by the Contractor.
- c. Available launch vehicle environmental data, including shock, acceleration, and thermal data, including data at the launch vehicle/payload interface provide by the Contractor.
- d. Launch vehicle sequencing and attitude data provided by the Contractor.
- e. Payload orbit elements determined from tracking and telemetry data provided by the observing networks with adjustments for the applicable orbit determination uncertainties provided by the Government.
- f. Payload telemetry data provided by the observing networks with adjustments for the applicable orbit determination uncertainties provided by the Government.

3.1.3 Launch Service Acceptance Criteria

A Launch Service shall be determined by the NSSL Program Manager to be acceptable with full payment if any of the conditions below are met:

- a. The spacecraft is placed into an orbit within the allowable dispersions as defined in the appropriate Interface Control Document (ICD), from the target values as defined in the mission definition letter or target specification, and the spacecraft has 100% operational utility and disposal of integrated mission stack components. Verification of insertion will be the responsibility of the Government.
 1. The Automated Flight Safety System (AFSS) will be utilized and no USG agency will be responsible for destruct command per Section 3.1.12 of the Performance Work Statement (PWS) and SPRD420.
- b. The spacecraft is placed into orbit, as defined in paragraph 3.1.3.a above, and, independent of the operational utility of the spacecraft, the launch vehicle induced environments did not exceed those specified in the ICD. Verification of the launch vehicle environments to which the spacecraft was exposed is the responsibility of the Contractor with confirmation by the Government. For the purposes of ICD compliance, the LV-induced flight environments shall be considered satisfied where they are:
 1. Not in excess of the magnitude of the ICD level where the ICD level is defined as P99/90 (probability of 99%, with 90% confidence level), or;
 2. Not in excess of the magnitude of the ICD level +6 decibels where the ICD level is defined as P95/50 (probability of 95%, with 50% confidence). ICD violations unrelated to the SV functional failure shall not be considered herein as a material factor in mission success or failure.

- c. The spacecraft is placed into the orbit, as defined in paragraph 3.1.3.a above, and has zero operational utility, and, at no fault of the Contractor, the environmental data portion of the launch vehicle telemetry has not been obtained or has been obtained but is unreliable or unusable.
- d. A mission failure is due to the improper issuance of destruct command by a Government Agency. Improper issuance is defined as the Government Flight Termination System activation in error.
- e. A mission failure is due to any Spacecraft, Associate Contractor (Federally Funded Research & Development Contractor, Systems Engineering & Technical Assistance, or Systems Engineering & Integration) or Government agency-related error.
- f. A mission failure is due to inaccurate Government Furnished Data (inclusive of spacecraft Contractor data), leading to an erroneous decision to launch; or the mission failure is determined to be a result of the inaccurate Government Furnished Data.
- g. A mission failure is due to the failure of the spacecraft to successfully issue a separation command (for those missions dependent upon the spacecraft to initiate the separation event).
- h. A mission failure caused directly by the Government's auxiliary payloads, and the failure is not caused as a result of the Contractor's integration of the Government's mission set.
- i. A mission failure where the Government overrode the Contractor's "No-Go" decision, and the mission failure is caused by the Contractor's cited reason for the Contractor's "No-Go" decision. If terminal countdown time allowed, the Contractor must have submitted its objection in writing; otherwise, the Government's Mission Director must have acknowledged receipt of the objection over the command channel.

3.1.4 Mission Failure

The NSSL Program shall deem a Launch Service that does not meet one of the acceptance criteria in paragraph 3.1.3 above, Launch Service Acceptance Criteria, to be a "Mission Failure." A Launch Service categorized as a "Mission Failure" shall be accepted with partial payment by the PCO and not receive the post-launch milestone payments. Given that defects in service for the post-launch milestones are not suitable for correction by re-performance, the PCO has determined that pursuant to FAR 52.246-4(e) the appropriate relief for the Government in the event of a post-launch milestone defect (e.g., mission failure) is to reduce the contract price by the amount identified in the applicable payment plan, which appropriately reflects the reduced value of the services performed.

3.1.5 Requirement for Data

In the event a mission is not determined acceptable with full payment, all data including but not limited to telemetry, tracking, and ephemeris data (including supporting accuracy analysis) used by the Government to determine performance will be furnished to the

Contractor upon request provided the Government holds the necessary data rights to provide the data.

3.2 CLIN 2000 (Series), Launch Service Support (LSS)

3.2.1 Acceptance Criteria for LSS

LSS shall be determined to be acceptable for full payment if the following conditions below are met:

- a. All services were rendered in accordance with the applicable PWS sections as evaluated by the responsible COR.
- b. An invoice has been submitted in Wide Area Work Flow.

3.3 CLIN 3000 (Series), Fleet Surveillance (FS)

3.3.1 Acceptance Criteria for Fleet Surveillance

Fleet Surveillance shall be determined to be acceptable for full payment if the following conditions below are met:

- a. All services were rendered in accordance with the applicable PWS sections as evaluated by the responsible COR.
- b. An invoice has been submitted in Wide Area Work Flow.