

## Purchasing Terms & Conditions, Attachment A

### Request for Deviations and Waivers Process

#### I) Purpose:

- A) States the requirements for the preparation and submission of requests for deviations or waivers from the applicable Buyer's and/or Seller's engineering drawings, specifications, Acceptance Test Procedures, Process Specifications, or other technical requirements imposed by the Purchase Order towards the acceptance of the procured hardware item. A deviation or waiver request may be submitted on seller's form or seller may request the Systema form QA1024.

#### II) Definitions

- A) Deviation: A planned variance from the configuration documentation specified on the Purchase Order which requires specific written authorization granted prior to the manufacture of an item for a specific number of units or a specified period of time.
  - 1) Major Deviation: A deviation which affects the following:
    - (a) Cost
    - (b) Schedule
    - (c) Interface characteristics defined in the drawing or specification
    - (d) System requirements defined in the specification (if applicable)
    - (e) Safety
  - 2) Minor Deviation: Any deviation that is not a major deviation.
- B) Waiver: An unplanned variance from the configuration documentation specified on the Purchase Order requiring written authorization to accept an item which, during manufacture, or after having been submitted for inspection or acceptance (including test), is found to depart from specified requirements, but nevertheless is considered suitable for use "as is" or after repair by an approved method.
  - 1) Major Waiver: A waiver which affects the following:
    - (a) Cost
    - (b) Schedule
    - (c) Interface characteristics defined in the drawing or specification
    - (d) System requirements defined in the specification (if applicable)
    - (e) Safety
  - 2) Minor Waiver: Any waiver that is not a major waiver.

#### III) General Requirements

- A) The Seller should refer to criteria provided within MIL-STD-973, paragraphs 5.4.3 (Deviations) and 5.4.4 (Waivers), as guidance documents towards Configuration Management (CM) techniques. These documents shall not be viewed as requirement documents.
- B) Authorized Deviations or Waivers are temporary departures from requirements and do not constitute a change to the configuration documentation identified on the Purchase Order. In the event that the engineering departure will be permanent or affect the remaining number of

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deliverable units of the product, an engineering change shall be processed in accordance with Systema procedures, as appropriate.

- C) If acceptable, deviations or waivers shall be approved by the Buyer in writing in accordance with paragraphs IV or V below and, if deemed necessary by the Buyer due to retrofit requirements, etc., an equitable adjustment to the price and/or other terms of the Purchase Order shall be negotiated.
- D) Items shall not be delivered incorporating a known departure from documentation unless a request for a deviation or waiver has been processed in accordance with the requirements of this Quality Attachment, or unless otherwise permitted by contractually authorized procedure.

#### IV) Requirements for Deviations

- A) Prior to manufacture of an item, if the Seller considers it necessary to depart temporarily from the mandatory requirements of the engineering drawings and specifications for the items procured by this Purchase Order, the Seller may request that a deviation be authorized. As an example, a deviation relating to an alternative material or process may be requested when it is claimed that the delivery schedule cannot be met unless the deviation is granted. A deviation would be chosen in lieu of an engineering change proposal because the document design is superior to the alternative.
- B) Unless unusual circumstances exist, deviations affecting safety shall not be submitted. Suggested deviations that would affect service operation or maintenance should not be submitted or authorized as deviations. Such effects, if approved, should be covered by appropriate revisions in drawings and technical manuals, hence they should be proposed and processed as engineering change proposals in accordance with Systema procedure QP-232, which directs the applicable procedure for Engineering Changes.
- C) The Seller shall submit the request for deviation in the Seller's format or use Systema form QA-1024. The minimal information, as stated in MIL-STD-973, paragraph 5.4.3, shall be provided on an "as needed" basis by the Buyer to evaluate the request with the Seller's request package.
- D) The Seller shall classify the request for deviation as either "Minor" or "Major" in accordance with the definitions stated above.
- E) Deviation Approval/Disapproval
  - 1) The Seller shall not deliver items that incorporate a known deviation from the engineering drawings or specifications unless a deviation request has been submitted, approved by the Buyer, and the Seller has been notified of the approval in writing.
  - 2) In the even that the Buyer disapproved a deviation request, the Seller will be notified in writing and will be given the reasons for the disapproval.

#### V) Requirements for Waivers

- A) An item which, through error during manufacture, does not conform to the engineering drawings and specifications for the items procured by this Purchase Order shall not be delivered to the Buyer unless a waiver has been authorized by the Buyer.

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- 1) A Material Review and disposition of minor nonconformances, in accordance with the definitions stated above, may be accomplished by the Seller to the extent authorized by the Buyer's Letter of Delegation to the Seller.
- B) Unless unusual circumstances exist, waivers affecting safety shall not be submitted.
- C) When a need for a waiver has been identified, the Seller shall submit the request for waiver in the Seller's format or use Systema form QA-1024. The minimal information, as stated in MIL-STD-973, paragraph 5.4.4, shall be provided on an "as needed" basis by the Buyer to evaluate the request with the Seller's request package.
- D) The Seller shall classify the request for waiver as whether "Minor" or "Major" in accordance with the definitions stated above.
- E) Waiver Approval/Disapproval
  - 1) Unless otherwise specified by the Purchase Order, Material Review and disposition of minor nonconformances, in accordance with the definitions stated above, may be accomplished by the Seller to the extent authorized by the Buyer's Letter of Delegation to the Seller.
  - 2) If an MRB is not authorized by the Buyer's Letter of Delegation to the Seller, or if the waiver is classified as "Major" in accordance with the definitions stated above, then the Seller shall not deliver items that incorporate a known deviation from the engineering drawings or specification unless a waiver request has been submitted, approved by the Buyer, and the Seller has been notified of the approval in writing.
  - 3) In the event that the Buyer disapproves a waiver request, the Seller will be notified in writing and will be given the reasons for the disapproval.

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