Part 5246 - QUALITY ASSURANCE

The official NMCARS regulation resides at
https://www.secnav.navy.mil/rda/DASN-P/Pages/NMCARS.aspx

Subpart 5246.7 - WARRANTIES

5246.703 Criteria for use of warranties.

5246.704 Authority for use of warranties.

5246.706 Warranty terms and conditions.

Subpart 5246.7 - WARRANTIES

5246.703 Criteria for use of warranties.

Notwithstanding FAR 46.703 and in accordance with 10 U.S.C. 8688, contracts for new construction shipbuilding, for which funds are expended from the Shipbuilding and Conversion, Navy account, shall require, as a condition of the contract, that the work performed under the contract is covered by a warranty for a period of at least one year.

(S-90) Waiver. If the contracting officer for a contract covered by the requirement for a new shipbuilding contract warranty determines that a limited liability of warranted work is in the best interest of the Government, the contracting officer may agree to limit the liability of the work performed under the contract to a level that the contracting officer determines is sufficient to protect the interests of the Government and is in keeping with historical levels of warranted work on similar vessels.

5246.704 Authority for use of warranties.

(S-90) Notwithstanding DFARS 246.704 (1) and (2) and in accordance with 10 U.S.C. 8688, chief of the contracting office approval is not required for the use of a warranty for new construction shipbuilding for which funds are expended from the Shipbuilding and Conversion, Navy account and the contract is effective on or after the date of enactment of the National Defense Authorization for FY2018.

5246.706 Warranty terms and conditions.

(b)(2) *Remedies*.

(iv) Acceptable turnaround time(s) for warranty corrective actions taken by the contractor should be specified, and consideration should be given to using liquidated damages or charging the contractor

for product replacement costs when specified turnaround times are not met.

(5) *Markings*. Warranted items should be marked with the National Stock Number (NSN) or manufacturer's part number, a serial number or other item identifier (if the warranty applies to uniquely identified items), the contract number, an indication that a warranty applies, the manufacturer or entity (if other than the contractor) providing the warranty, the date or time the warranty expires, and an indication of whether or not attempted on-site repair by DON personnel will void the warranty.