



# SLOVENSKI STANDARD

## SIST ENV 13269:2002

01-januar-2002

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### Maintenance - Guideline on preparation of maintenance contracts

Maintenance - Guideline on preparation of maintenance contracts

Instandhaltung - Anleitung zur Erstellung von Instandhaltungsverträgen

Maintenance - Guide de préparation des contrats de maintenance

Ta slovenski standard je istoveten z: **ENV 13269:2001**

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#### **ICS:**

03.080.10      Industrijske storitve      Industrial services

**SIST ENV 13269:2002**

**en**

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EUROPEAN PRESTANDARD  
PRÉNORME EUROPÉENNE  
EUROPÄISCHE VORNORM

**ENV 13269**

April 2001

ICS 03.080.10

English version

## Maintenance - Guideline on preparation of maintenance contracts

Maintenance - Guide de préparation des contrats de maintenance

Instandhaltung - Anleitung zur Erstellung von Instandhaltungsverträgen

This European Prestandard (ENV) was approved by CEN on 12 March 2001 as a prospective standard for provisional application.

The period of validity of this ENV is limited initially to three years. After two years the members of CEN will be requested to submit their comments, particularly on the question whether the ENV can be converted into a European Standard.

CEN members are required to announce the existence of this ENV in the same way as for an EN and to make the ENV available promptly at national level in an appropriate form. It is permissible to keep conflicting national standards in force (in parallel to the ENV) until the final decision about the possible conversion of the ENV into an EN is reached.

CEN members are the national standards bodies of Austria, Belgium, Czech Republic, Denmark, Finland, France, Germany, Greece, Iceland, Ireland, Italy, Luxembourg, Netherlands, Norway, Portugal, Spain, Sweden, Switzerland and United Kingdom.

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## Foreword

This European Prestandard has been prepared by Technical Committee CEN/TC 319 "Maintenance", the secretariat of which is held by DIN.

This European Standard shall be given the status of a national standard, either by publication of an identical text or by endorsement, at the latest by October 2001, and conflicting national standards shall be withdrawn at the latest by October 2001.

According to the CEN/CENELEC Internal Regulations, the national standards organizations of the following countries are bound to implement this European Standard: Austria, Belgium, Czech Republic, Denmark, Finland, France, Germany, Greece, Iceland, Ireland, Italy, Luxembourg, Netherlands, Norway, Portugal, Spain, Sweden, Switzerland and the United Kingdom.

## Introduction

The value of maintenance to the owners of items (as defined in EN 13306:2001) cannot be overemphasised. Proper maintenance protects the value of the capital invested and ensures that the required availability is attained.

In addition, as technical and economic developments increase, the demand for contracted maintenance services both nationally and across borders also increases.

It is therefore important that maintenance contracts are approached in a structured and careful manner .

The purpose of this Prestandard is to:

- promote cross-border company/maintenance contractor relationships and to produce a clear interface between the company and the maintenance contractor for maintenance services;
- improve the quality of maintenance contracts so that disputes and adjustments are minimised.
- draw attention to the scope of maintenance services and to identify options for their provision;
- give assistance in, and advice on, the drafting and negotiation of maintenance contracts and in specifying arrangements in the case of dispute;
- identify types of maintenance contracts and to make recommendations for the attribution of rights and obligations between the parties of the contract including risks;
- simplify comparison between maintenance contracts.

This document is simply a working tool intended for parties who wish to draw up a maintenance contract. It offers headings which are not exhaustive and which parties may or may not include, exclude, modify and adapt to their own contractual relationship.

This working tool does not bind the parties to use any part of this document.

Not all the clauses discussed in the guideline will be applicable to every contract.

Each individual contract should be drafted, and negotiated where appropriate, to take into account the requirements arising from the work required on the items to be maintained, the parties involved and any applicable laws and regulations.

The Prestandard contains the following clauses to assist the user:

- Clause 4 "Maintenance activities and stages to the maintenance contract" gives a structured overview of possible maintenance services offered or required. Its purpose is to give advice on activities which may be required in preparing a contract and prior to signing of agreements and also those activities which may be required during the period of any contract.
- Clause 5 "Structure and content", provides a standard check list for use when drafting maintenance contracts together with important elements for content.

When using the Prestandard a three step approach should be followed:

- Step 1: The company should decide which maintenance services will be provided in-house and which services will be contracted out; i.e., which maintenance services should be bought from a maintenance contractor and therefore be subject to a maintenance contract;
- Step 2: A pre-qualification stage follows any decision to contract out part or all of any maintenance and it is during this period that the company will identify any contractor or contractors with the capability of performing the required maintenance tasks.
- Step 3: The contract may be prepared using the guidance in this Prestandard and the maintenance contractor selected either by price negotiation or by competitive tender.

## 1 Scope

This Prestandard provides guidance on the preparation of contracts for maintenance work.

It can be applied to:

- cross-border as well as national company/maintenance contractor relationships;
- the whole range of maintenance services including planning, management and control in addition to maintenance operations;
- every type of item with the exception of computer software unless the software has to be maintained as an integral part of, and together with, technical equipment.

It does not:

- provide standard forms for maintenance contracts;
- determine rights and obligations between company and maintenance contractor.

## 2 Normative references

This European Prestandard incorporates by dated or undated reference, provisions from other publications. These normative references are cited at the appropriate places in the text and the publications are listed hereafter. For dated references, subsequent amendments to or revisions of any of these publications apply to this European Prestandard only when incorporated in it by amendment or revision. For undated references the latest edition of the publication referred to applies (including amendments).

EN ISO 8402

Quality management and quality assurance - Vocabulary (ISO 8402: 1994)

EN 13306 : 2001

Maintenance terminology

## 3 Terms and definitions

For the purposes of this European Prestandard, the terms and definitions given in EN 13306:2001 apply together with the following additional definitions:

### 3.1 certification

procedure by which a third party gives written assurance that a product, process or service conforms to specified requirements.

### 3.2

#### **maintenance contractor**

contracting party (e.g organization, joint venture, etc.) that has agreed to undertake responsibility for providing a given maintenance service and obtaining, when specified, supplies in accordance with a contract.

NOTE This may include the provision of a consultancy service.

### 3.3

#### **company**

recipient of a maintenance service provided by the maintenance contractor.

### 3.4

#### **maintenance location**

place at which a maintenance task has to be performed.

NOTE In case of remote maintenance the contractor's location from which the operation proceeds.

### 3.5

#### **maintenance task**

range of elementary maintenance activity carried out for a given purpose.

NOTE Examples are replacement and repair.

### 3.6

#### **operation location**

area within defined boundaries where the item to be maintained is required to function.

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### 3.7

#### **sub-contractor**

organisation appointed by either party to the contract and responsible to the maintenance contractor for carrying out such work or services which enable the main contract to be fulfilled.

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### 3.8

#### **verification of contract**

process for determining whether the requirements imposed in a maintenance contract have been achieved.

## 4 Maintenance activities and stages to the maintenance contract

Activities can be broadly divided into those required prior to the signing of the contract and those required after it has been signed.

### 4.1 Pre-contract activities

These consist of actions which are required prior to preparing, and in order to prepare, a contract.

Such activities may comprise:

- identifying the maintenance service required;
- preparing a maintenance policy and a strategy for its implementation;
- making a decision on whether to provide the maintenance service in-house or to contract it out;
- deciding the type of maintenance contract which may be appropriate and preparing the required specification;
- identifying maintenance contractors who are capable of carrying out the tasks required;

- preparing the contract;
- Calling for tender and/or negotiating a price;
- evaluating the returned tenders received and selecting the successful maintenance contractor.

#### 4.2 Contract activities

These consist of those actions to be carried out by the maintenance contractor and those which will be carried out by the company after the contract has been signed.

There should be adequate liaison between each party to ensure the smooth running of the contract.

The maintenance contractor's actions may cover:

- supplying the resources in men, material and equipment to complete the work required by the contract. This may include dividing the work down into discrete tasks;
- preparing a work programme and carrying out the work in accordance with that programme and the requirements of the contract;
- providing the management required to control the programme and the work force at every stage;
- submitting claims for payment;
- management of possible contract changes.

The company actions may cover:

- budget control of the contract and validation of maintenance contractor's claims for payment;
- agreeing any extra work which may be required or other variations to the contract;
- quality assurance requirements and overall management to ensure that the contractor meets the requirements of the contract;
- verifying the performance of the contract;
- payment.

## 5 Proposed contract structure and content

This clause gives a check list of important elements in a maintenance contract, and their content. Other elements may also be included.

Elements of contract		Intention	Proposed content
5.1	<b>Heading</b>	Identification of the contract and the parties.	<p>Name of the parties, addresses, registration details, identity of signatories of the contract, title of signatories</p> <p>The heading should include the notion of "maintenance service agreement".</p> <p>Further specifications should be made in a subtitle.</p>
5.2	<b>Objective</b>	<p>The contract document should start by defining the general intention of the parties.</p> <p>The preamble helps interpretation of the contract in case of dispute and wording of amendments in case of future variation to the contract.</p> <p>Stating the general intention of the parties and the purposes of the contract may be especially important for long-term contracts when changing conditions may make adjustments to the contract necessary.</p>	<p>Specific statements of agreed intentions of the parties to the contract.</p> <p>Avoid general phrases.</p> <p>Name the type of contract.</p>
5.3	<b>Definitions for the contract</b>	In the area of maintenance many terms are often used with different or ambiguous meanings. Therefore, the meaning should be defined in a way binding on both parties.	<p>Technical, commercial and legal terms of major concern.</p> <p>It is recommended that adopted national, european or international standards be used instead of the parties own definitions.</p> <p>The type, name, date and source of the standard for definitions should be specified.</p> <p>Example: EN 13306:2001 "Maintenance terminology".</p>