

APPROVED BY.
DIRECTOR GENERAL
CIVIL AVIATION AUTHORITY
CH.MUNKHTUYA

TERMS OF REFERENCE FOR CONSULTING SERVICES

10 January, 2024

Ulaanbaatar

- Purpose:** As part of the preparation for conducting air transportation operations into the United States on a regular basis, the Civil Aviation Authority of Mongolia will seek professional advice and consultancy services to ensure to be assessed successfully by the US FAA International Aviation Safety Assessment (IASA).
- Duration:** 6 months
- Location:** Civil Aviation Authority, Ulaanbaatar, Mongolia

INTRODUCTION:

"MIAT" Mongolian Airlines intends to launch direct flights to the United States of America. In order to obtain permission to operate in the country, the US Federal Aviation Administration conducts an IASA for the appropriate State aviation regulatory body/Civil Aviation Authority responsible for issuing the air operator's certificate, rather than the safety compliance of the particular air carrier seeking to operate. Receiving a CAT 1 rating will grant Mongolia's air carriers the privilege to operate scheduled flights to North America and enable them to engage in codeshare agreements.

The International Aviation Safety Assessment (IASA), carried out by the US Federal Aviation Administration, evaluates the implementation of the safety standards set forth in the following Annexes of the Chicago Convention on International Civil Aviation and determines the safety level/appropriate IASA category rating (CAT1 and CAT2) according to the criteria/critical elements of an effective aviation safety oversight authority/capability specified in ICAO Doc 9734, Safety Oversight Manual:

- Annex 1 – Personnel Licensing
- Annex 6 – Operation of Aircraft
- Annex 8 – Airworthiness of Aircraft

RATIONALE:

- Task 12 of the Implementation Plan developed according to official visit of Mr. Batbold.S, the State Secretary of the Ministry of Road and Transport Development to the United States from January 22-28, 2023.
- 2nd Appendix of the Order A/281 of the Minister of Road and Transport Development of Mongolia on 2023-10-30.

- U.S. Code of Federal Regulations (CFR) Part 211 – Applications for permits to foreign air carriers, Part 302 Subpart B – Rules Applicable to U.S. Air Carrier Certificate and Foreign Air Carrier Permit Licensing Proceedings, Part 129 – Foreign air carriers and foreign operators of U.S.-Registered aircraft engaged in common carriage;
- FAA AC 129-5. Provision of Technical Assistance to Civil Aviation Authorities for Safety Oversight of International Commercial Air Transportation Including by Commercial Technical Assistance Providers.

SCOPE OF WORK:

1. The scope of work shall require the consultant to carry out an evaluation of the aviation safety oversight and regulatory functions of the Civil Aviation Authority as per IASA protocol questions,
2. To conduct a comprehensive survey of the organizational structure compatible with the aviation safety policies and objectives and its respective functions, and of the safety responsibilities of the management/directorate staff, the existing legal framework,
3. To provide guidelines for the training needs of inspectorate staff to improve their skills and competency, the human resource management system, and to ensure staff stability and effectiveness, to identify challenges and issues related to safety assurance, to propose appropriate solutions to address them and to provide legitimate recommendations accordingly.
4. The work will also cover the evaluation for the procedures of personnel licensing, airworthiness certification and air operator certification, updating operational manuals and procedures, identifying necessary regulatory documents for development, and providing draft documents.
5. Provide guidance and cooperate during the FAA IASA audit.
6. Serve as a consultant to the Civil Aviation Authority of Mongolia, facilitating cooperation and mediation between the Civil Aviation Authority of Mongolia and US State Organizations when deemed necessary.

BREAKDOWN OF TASKS:

1. Conduct a comprehensive assessment according to IASA protocol questions in order to identify the current state of aviation safety oversight and regulatory performance of Civil Aviation Authority and to present necessary actions to correct findings of noncompliance with ICAO requirements identified during the assessment activity;
2. Review and evaluate the legal documents and their frameworks pertaining to the civil aviation sector in Mongolia, identify essential legal regulations that may be required, and provide recommendations on enhancing the existing legal documents;
3. Review and define the safety functions of the management/directorate staff of CAA;
4. Conduct a survey on the organizational structure of a civil aviation system and develop a proposal for a structure capable of effective implementation of safety oversight and regulatory functions by comparing ICAO standards and recommendations, safety management system and the structure and functions of similar civil aviation organizations;
5. Conduct a research and present/introduce technological solutions and opportunities of digitalization for civil aviation oversight and regulatory activities/functions;

6. Review the civil aviation human resource management system, evaluate its implementation, pinpoint key challenges related to the recruitment, employee retention strategy, and sustainability of human resources, and write a proposal for necessary corrective measures;
7. Assess the competencies of inspectorate staff/technical personnel of the Civil Aviation Authority, identifying training needs and requirements, formulate a proposal for the establishment of an effective training system and a plan to compensate for learning gaps, organize necessary training;
8. Evaluate procedures of personnel licensing, airworthiness certification and air operator certification;
9. Conduct an in-depth study of the critical issues in the civil aviation industry in connection of developing National aviation safety plan of Mongolia, and draft the plan accordingly;
10. Prepare a compiled report and provide recommendations derived from the outcomes of protocol questions and comprehensive survey conducted across the civil aviation industry;
11. Prepare a Corrective Action Plan derived from the outcomes of protocol questions and comprehensive survey conducted across the civil aviation industry, and cooperate in implementation of the plan;
12. Submit the draft of the national aviation safety plan, along with the joint report of consultancy services and the accompanying recommendations, as well as the corrective action plan to the Director General of the Civil Aviation Authority;
13. Provide guidance and cooperate during the FAA IASA audit;
14. Serve as a consultant to the Civil Aviation Authority of Mongolia, facilitating cooperation and mediation between the Civil Aviation Authority of Mongolia and US State Organizations when deemed necessary, and provide support.

REQUIRED QUALIFICATIONS AND EXPERIENCE:

The consultant shall be required the following:

- The bidding entity is required to have prior experience in delivering consulting services to civil aviation authorities associated with preparing for FAA IASA audits;
- Meet the requirements of Federal Aviation Rule 129 and FAA Advisory Circular 129-5 of 2003;
- The organization's consultants shall consist of aviation/flight operations and airworthiness experts with a minimum of 7 years of experience in the field of civil aviation safety oversight and regulation, as well as lawyers and data developers;
- A minimum of 10 years of experience in providing aviation consulting services.

EXPECTED DELIVERABLES:

1. Report of Consulting services, technical support with recommendations;
2. Draft of Corrective Action Plan and a report regarding the implementation;
3. Detailed plans and instructions for the audit;
4. Draft of National Civil Aviation Safety Plan;
5. Other necessary drafts of documentations.

REVIEWED BY: